Appendices N - R

Appendix N: School Closing Procedures Policies

Appendix O: FCPS Redistricting Policies

Appendix P: FCPS Use of School Facilities Policy and Regulation

Appendix Q: FCPS School Construction, Renovation and Maintenance Policy

Appendix R: Transportation Policies

Appendix N: School Closing Procedures Policies

Source: Frederick County Board of Education, July 30, 2003 and Code of Maryland Regulations, January 15, 1989

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POLICY	BOARD OF EDUCATION OF FREDERICK COUNTY, MARYLAND

UNUSED SCHOOL SYSTEM PROPERTY	POLICY 108

108.1 Disposal or Relocation of Unused School System Property

108.2 Retention

108.3 Lease

108.4 Sale

Purpose: To outline the Board of Education's expectations regarding unused school system property.

108.1 Disposal or Relocation of Unused School System Property

The Board of Education (Board) will make every effort to efficiently and cost-effectively use property until such time as it becomes obsolete or impractical.

When school system property is determined to be of no use to the public school system of Frederick County due to obsolescence or condition, or is discontinued at its current location, the items will be disposed of in accordance with school system regulations.

108.2 Retention

The Board may decide to retain ownership to a property for future development.

108.3 Lease

If retained, leasing to a local community group may be arranged with a formal contractual agreement, and in accordance with provisions of Maryland law.

108.4 Sale

When the Board, with the approval of the state superintendent, shall determine that grounds, school sites, or buildings are no longer needed for school purposes, they shall be transferred by the Board to the county council and may be utilized, sold, leased, or otherwise disposed of (except by gift) by the county council in accordance with provisions of Maryland law. All expenses of transfer shall be secured from the interagency committee. Any outstanding bonding obligations at the time of transfer to the county council must be assumed by the county council.

Legal Reference	§4-114, Education Article, *Annotated Code of Maryland*		
	§4-115, Education Article, *Annotated Code of Maryland*		
	COMAR 23.03.02.23 and COMAR 23.03.02.24		
Policy History	Reviewed: 2017	Adopted: 7/30/03	Revised: 10/25/17

Title 13A STATE BOARD OF EDUCATION

Subtitle 02 LOCAL SCHOOL ADMINISTRATION

Chapter 09 Closing of Schools

Authority: Education Article, §§2-205, 4-101, 4-119, and 4-205, Annotated Code of Maryland

.01 Adoption of Procedures to Govern School Closings.

A. Each local board of education shall establish procedures to be used in making decisions on school closings.

B. The procedures shall ensure, at a minimum, that consideration is given to the impact of the proposed closing on the following factors:

(1) Student enrollment trends;
(2) Age or condition of school buildings;
(3) Transportation;
(4) Educational programs;
(5) Racial composition of student body;
(6) Financial considerations;
(7) Student relocation;
(8) Impact on community in geographic attendance area for school proposed to be closed and school, or schools, to which students will be relocating.

C. The procedures shall provide, at a minimum, for the following requirements:

(1) A public hearing to permit concerned citizens an opportunity to submit their views orally or to submit written testimony or data on a proposed school closing. This includes the following:

(a) The public hearing shall take place before any final decision by a local board of education to close a school;

(b) Time limits on the submission of oral or written testimony and data shall be clearly defined in the notification of the public meeting.

(2) Adequate notice to parents and guardians of students in attendance at all schools that are being considered for closure by the local board of education. The following apply:

(a) In addition to any regular means of notification used by a local school system, written notification of all schools that are under consideration for closing shall be advertised in at least two newspapers having general circulation in the geographic attendance area for the school or schools proposed to be closed, and the school or schools to which students will be relocating;

(b) The newspaper notification shall include the procedures that will be followed by the local board of education in making its final decision;

(c) The newspaper notification shall appear at least 2 weeks in advance of any public hearings held by the local school system on a proposed school closing.

D. The final decision of a local board of education to close a school shall be announced at a public session and shall be in writing. The following apply:

(1) The final decision shall include the rationale for the school closing and address the impact of the proposed closing on the factors set forth in Regulation .01B;

(2) There shall be notification of the final decision of the local board of education to the community in the geographic attendance area of the school proposed to be closed and school or schools to which students will be relocating;

(3) The final decision shall include notification of the right to appeal to the State Board of Education as set forth in Regulation .03.

.02 Date of Decision.

Except in emergency circumstances, the decision to close a school shall be announced at least 90 days before the date the school is scheduled to be closed but not later than April 30 of any school year. An emergency circumstance is one where the decision to close a school because of unforeseen circumstances cannot be announced at least 90 days before the date a school is scheduled to close or before April 30 of any school year.

.03 Appeal to State Board of Education.

A. An appeal to the State Board of Education may be submitted in writing within 30 days after the decision of a local board of education.

B. The State Board of Education will uphold the decision of the local board of education to close and consolidate a school unless the facts presented indicate its decision was arbitrary and unreasonable or illegal.

Effective date: August 2, 1982 (9:15 Md. R. 1516)
Regulations .01 and .03 amended effective August 26, 1985 (12:17 Md. R. 1707); January 15, 1989 (15:27 Md. R. 3131)

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Appendix O: FCPS Redistricting Policies

Source: Frederick County Board of Education, July 13, 2016

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POLICY	BOARD OF EDUCATION OF FREDERICK COUNTY, MARYLAND
SCHOOL ATTENDANCE AREAS AND REDISTRICTING	**POLICY 200**

200.0 Policy Statement
200.1 Attendance Areas
200.2 Redistricting
200.3 School Closing or Consolidation

200.0 Policy Statement

The Board of Education (Board) believes in building collaborative relationships between the school system and the community. The Board acknowledges that schools are the foundation of the community and have a lasting impact on its citizens. However, there will be times of enrollment fluctuations and changes to the educational landscape that indicate the need to shift attendance areas, redistrict and even close schools. The Board has the unique responsibility to allocate resources based on various student needs and will consider strategies and solutions and seek high levels of communication and transparency with stakeholders.

200.1 Attendance Areas

A. The county shall be divided into appropriate school attendance areas by the Board. With the exception of some special programs, students are expected to attend the school assigned based on their primary residence. The Superintendent will prepare regulations concerning attendance areas. If the Superintendent of schools determines that the number of out-of-district students attending child care centers is a significant factor in causing enrollment pressures within a specific school attendance area, the Superintendent shall reassign those out-of-district students before moving students whose permanent residence is within the attendance area. The Superintendent is responsible for making recommendations for attendance area adjustment based on conditions set forth in Board policy and for coordinating community involvement and a communication plan.

B. The Superintendent has discretion to make minor adjustments to attendance area maps without Board approval under the following conditions where:

   1. Attendance area boundary lines divide properties.

   2. Maps do not clearly define school assignments of current or future students.

Legal Reference	§ 4-115, Education Article, *Annotated Code of Maryland*		
	COMAR 13A.02.09 *Closing of Schools*		
Policy History	Reviewed: 2015, 2016	Adopted: 9/24/03	Revised: 7/13/16

3. Maps may not accurately identify current school assignments due to unforeseen factors.

C. The Chief Operating Officer will be responsible for updating attendance area maps annually to reflect any changes in boundary maps.

D. The Board reserves the right to modify proposals, alternatives or recommendations presented by the Superintendent, Frederick County community members or during Board votes.

200.2 Redistricting

Purpose: To establish conditions under which school attendance boundary adjustments will be developed as well as the procedural and community engagement guidelines the Board will use in decisions that impact attendance areas.

A. The Board may consider school attendance area adjustments under one or more of the following conditions:

1. A new school, addition or renovation that adds capacity.
2. Closure or significant damage of an existing school facility.
3. Changes to student enrollment numbers or projections that are significantly and consistently outside of state rated capacity.
4. Program changes that impact a school's state rated capacity.
5. Any situation that would compel an attendance boundary adjustment to promote student safety and well-being or enhance efficiencies.

B. The annual presentation of the Educational Facilities Master Plan (EFMP) to the Board shall include a state rated capacity review that will guide Board decisions in regard to optimal usage of school system facilities. This will also include a status report of the Adequate Public Facilities Ordinance (APFO) and approved residential developments.

C. The Board shall consider the following factors in developing school attendance area boundaries:
1. Educational welfare of students.
2. Frequency of redistricting, with every attempt being made to limit individual student redistricting to not more than once every five years.
3. Proximity to schools, in order to maximize walkers and minimize distance or time of bus runs.
4. Student demographics.
5. Student academic performance.
6. Operating and capital costs.
7. Established feeder patterns.
8. Impact on neighborhoods and communities.
9. Impact on specialized school programs or a change to school capacity.
10. Instructional and operational capacity of involved schools.
11. Any other factor that is unique or pertinent to the proposed redistricting.

It is important to note that the above criteria are not in priority order. While the Board will take all factors into consideration, it may not be possible to incorporate each factor into all adjustments.

D. Redistricting Study Process

1. The Superintendent will provide a scope of work, including defined study area, process and schedule, as well as a community engagement plan for a proposed redistricting study to the Board for review, discussion and approval prior to the commencement of the study.

2. The community engagement plan shall include a variety of engagement strategies emphasizing maximum community involvement and transparency.

3. Following initial data collection, school system staff will engage the school communities involved in the redistricting to present the scope of work, schedule and community engagement plan. Collected data will also be presented to the school communities for review and discussion. Input will be gathered regarding questions and concerns about the proposed redistricting.

4. School system staff will develop a variety of school attendance boundary options utilizing information gathered earlier and factors outlined in Board Policy 200.2(C) above. These options will be presented to the school communities, in accordance with the community engagement plan, for review and comment. The proposed options will be revised and presented to the school communities to prepare an appropriate recommendation for the Superintendent's consideration.

5. The Superintendent will forward redistricting recommendation(s) to the Board, including all pertinent data, information, considered options and details of community engagement.

6. The Board will hold a minimum of one work session and a minimum of one public hearing regarding the proposed school attendance area boundary adjustment(s). The Board acknowledges that public input is a priority.

7. The Board may direct the Superintendent to provide additional information or develop alternative attendance boundary options for the Board's consideration.

8. The Board will have a final public hearing and take final action at a public meeting.

9. Consideration will be given to granting "grandfathering" status to students entering 5th, 8th and 12th grades if space is available.

O

200.3 School Closing or Consolidation

Purpose: To establish procedural and community engagement guidelines for reorganizing facilities and closing schools in accordance with Maryland law. [1]

When considering closing or consolidating a school, the Board shall direct the Superintendent to examine the feasibility of such action. The Superintendent shall prepare such reports as necessary to describe proposed closing or consolidation ~~to~~ and allow adequate public review and comment.

A. At a minimum, the following shall be considered when evaluating criteria for closing a school:
   1. Student enrollment trends in relation to state rated capacity;
   2. Age and/or condition of school buildings;
   3. Transportation;
   4. Educational programs;
   5. Racial composition and levels of poverty of student body;
   6. Financial considerations;
   7. Student relocation;
   8. Impact on community in geographic attendance area for both the proposed closing school and schools impacted by relocating students; and
   9. Any other factors the Board deems relevant to rendering its decision.

Prior to acting on a decision to close a school, the Board may, in its discretion, appoint a committee to assist with evaluating the above criteria and making a recommendation to the Board.

B. Procedures for Community Engagement

1. Public Hearing

a. A public hearing [2] shall take place before any final decision by the Board to close a school.

b. Time limits on the submission of oral and written testimony and data shall be clearly defined in the notification of the public meeting.

2. Adequate Public Notification

a. In addition to regular electronic and written communication used by FCPS, written notification of all schools being considered for closure shall be advertised in at least two newspapers having general circulation in the geographic attendance areas for the school(s) impacted by closing or relocation of students.

b. The newspaper notification shall include the procedures to be used by the Board in making a final decision.

[1] COMAR 13A.02.09

[2] For purposes of this policy, public forum is defined as: "A forum provided to concerned citizens to submit their views, testimony, data and/or concerns to the Board by either commenting publicly or submitting statements in writing."

c. The newspaper notification will be placed at least two weeks prior to any public hearing held by the school system on the proposed closing.

C. The Board shall render its vote publicly and in writing.

1. The final written decision should include the rationale and basis used for a school closure.

2. The written decision shall address the impact of the proposed closing on the factors set forth in Maryland law. [3]

3. There shall be notification of the final decision by the Board to the community in the geographic attendance area of the school to be closed and the school(s) impacted by the relocation of students.

4. The final decision shall include notification of the right to appeal to the State Board of Education as identified in Maryland law [4] and Board Policy 105 *Appeal and Hearing Procedures*.

[3] COMAR 13A.02.09
[4] COMAR 13A.02.09

FREDERICK COUNTY PUBLIC SCHOOLS	Reg. No. 100-02
Subject: REDISTRICTING	Issued: 9/1/79
Preparing Office: Office of the Superintendent	Amended: 9/26/07

I. Policy 200

II. Procedures

A. Temporary measures shall be examined and considered prior to any permanent change in attendance areas.

1. The chief operating officer and the deputy superintendent may recommend to the Superintendent the need for temporary adjustments due to student enrollment. Consideration should be given to the following:

a. Use of old school facilities as buffers for crowded schools when feasible during periods of growth and where cost effective.
b. Use of portable classrooms.
c. Use of rental properties.
d. Change in grade structure.
e. Other arrangements as may be necessary.

2. The Superintendent may hold public meetings to provide an opportunity for affected citizens to react to recommendations for temporary adjustments for housing students.

3. The Superintendent implements temporary adjustments.

B. School attendance areas may need to be adjusted periodically as a result of current and/or projected enrollments to better utilize available classrooms and/or to establish attendance areas for new schools.

1. If the chief operating officer determines that the temporary adjustments utilized are inadequate to handle enrollments, he/she will consult with school principals, deputy superintendent and the Superintendent concerning a possible need for redistricting.

2. If a redistricting is judged necessary, the chief operating officer will be charged with developing a redistricting proposal including alternatives. The factors and priorities found in Board Policy 200.2 shall serve as guidance in this effort.

3. The chief operating officer will schedule public meetings to provide an opportunity for residents to be informed of and comment about proposed alternatives. Appropriate records will be kept of all public comments received and forwarded to the Superintendent and Board of Education for their consideration.

4. The chief operating officer will recommend to the Superintendent a proposed plan for redistricting, including a description of other alternatives considered but not selected.

5. Following review of this recommendation, the Superintendent will recommend to the Board of Education a redistricting plan for appropriate action.

6. The Board of Education will schedule hearings to receive public comments about the Superintendent's recommendation. The Board may approve, deny or modify the recommendation.

C. The Superintendent has discretion to make minor adjustments to attendance area maps without Board approval under the following conditions where:

- Attendance area boundary lines divide properties.
- Maps do not clearly define school assignments of current or future students.
- Maps may not accurately identify current school assignments due to unforeseen factors.

1. Changes to attendance areas will be based on the recommendation of the chief operating officer following consultation with school principals, the FCPS Department of Transportation and the FCPS Department of Student Services.

2. Changes to attendance areas that affect current students will be made with advanced written notification to the parents or guardian.

3. The Division of Operations will be responsible for updating attendance area maps annually to reflect any changes in boundary maps.

Approved:

Original signed by

_____

Linda D. Burgee
Superintendent

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P

Appendix P: FCPS Use of School Facilities Policy and Regulation

Source: Frederick County Public Schools Office of the Superintendent, July 1, 2015

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P

FREDERICK COUNTY PUBLIC SCHOOLS	Reg. No. 100-01
Subject: RENTAL OF FREDERICK COUNTY PUBLIC SCHOOLS FACILITIES	**Issued:** 1/1/86
Preparing Office: Office of the Superintendent	**Amended:** 1/29/20

I. Policy 203

II. Procedures

A. Rental of Frederick County Public Schools (FCPS) Facilities

The Board of Education of Frederick County (BOE) recognizes that FCPS facilities are public buildings and, subject to provisions established by Maryland school laws, encourages their use by an approved community user group (CUG) when they are not being used for FCPS purposes. The Superintendent or designee is authorized to establish standard operating procedures and regulations which will provide for the use of FCPS facilities by CUGs without profit to the BOE; provided, however, that the costs of operation and maintenance are defrayed by the CUG.

1. Non-Profit 501(c)(3) Organizations

   FCPS buildings and grounds may be used for educational, civic, social, religious, and recreational activities only by approved 501(c)(3)non-profit CUGs.

   To meet the FCPS requirement as a non-profit organization, a CUG must be recognized by the Internal Revenue Service (IRS) as a non-profit 501(c)(3) organization. The CUG must submit an IRS determination letter stating this status to FCPS. CUGs may obtain information about IRS recognition as a non-profit organization and/or IRS determination letters at www.irs.gov

2. For-Profit Organizations

   Rental of FCPS property by a for-profit business or CUG is not permitted.

B. FCPS Facilities Restricted for Outside Use

Because of the special purpose design of Rock Creek School, Career and Technology Center, Heather Ridge School, Earth and Space Science Lab, FCPS Staff Development Center in Walkersville, Lincoln A, and future special purpose schools and the equipment located in those facilities, after-hour use of those facilities shall be limited to school-related groups or CUGs directly related to the facility. Related CUGs using the Rock Creek School will include only groups comprised of or serving students or persons with disabilities. Those using the Career and Technology Center will include only Frederick Community College and organizations directly involved in the career education effort.

C. Special Operating Requirements

The BOE recognizes individual schools may have special operating requirements under the auspices of "Park School" agreements (shared use agreements with county or city parks and recreation) or other agreements approved by the BOE. These agreements

may contain provisions which sometimes may be at variance with BOE policy or FCPS regulation in order to meet the needs of specific situations.

D. Classification of Users and Charges

Tables I and II, as attached to this regulation, identify priorities of users and charges. Charges for use of FCPS facilities will be reviewed annually to determine whether the fees assessed by regulation are, in fact, adequate to cover costs of operating the facilities.

E. Applications to Become an Approved Community User Group (CUG)

1. An online application to become an approved CUG is made through the program found at www.fcps.org/uof. An application must be completed and submitted by a Frederick County adult resident who is a representative of the CUG. An application submitted on behalf of a governmental agency may be submitted by an official with the agency who is not a Frederick County resident.

2. The online application to become an approved CUG will be received by the Use of Facilities Coordinator. Proof of 501(c)(3) non-profit status and a valid certificate of insurance is required for approval. Once the request as a CUG has been approved, the CUG may submit a schedule request form (SRF) via the online program to request use of FCPS interior spaces or fields.

F. Standard Operating Procedures (SOP) for Use of Facilities

1. Refer to the SOP for Use of Facilities found at www.fcps.org/uof which details information on topics such as submitting a use of facility request form, requirements for valid certificate of insurance, invoicing and payment process, HVAC and custodial services, usage of high school auditoriums, accessing FCPS facilities, cancellation requirements, weather-related cancellations, summer hours, usage of FCPS grounds and fields, permission to mow or maintain FCPS fields, movie licenses, etc.

2. When updates are made to the SOP, an email announcement will be made to all approved CUGs and the revised copy will be posted on www.fcps.org/uof.

G. Scheduling of Facilities

1. Elementary and Middle Schools
   A schedule request form (SRF) for use of gyms or fields at elementary and middle schools must follow a submission timeline, but event dates cannot extend past the end of the current fiscal year (June 30). An SRF for all other areas at elementary or middle schools may be submitted at any time within the current fiscal year. See SOP for full details, including the timeline for submission/processing of requests.

2. High Schools
   An SRF for use of interior spaces or fields at high schools, other than swimming pools, shall be processed in accordance with the following schedule, but event dates cannot extend past the end of the current fiscal year (June 30). See SOP for full details, including the timeline for submission/processing of requests.

3. An SRF received on or before the established deadline date are to be held until the deadline date will be held until the deadline for consideration of all received SRFs.

4. An SRF received after the established deadline may be considered at the discretion of the principal or designee.

H. Priority Schedule

Use of facilities shall be determined in accordance with the order of priority as identified in Table I.

I. Charges – See Table II

1. The total fee could consist of:
   a. Facility fee: Charges levied to offset costs of building operations and maintenance (applies to third, fourth and fifth priority users – See Table I).
   b. Labor fee: Charges levied to cover FCPS personnel required to be present in the building for coverage of the event, including set-up and clean-up (applies to all priority users – See Table I).
   c. Administrative Processing Fee: Charges levied to offset personnel time for services associated with the event (applies to second priority users only when not being charged an hourly facility fee – See Table I).

2. As a general rule, when a CUG uses FCPS facilities during a FCPS custodian's (or other in-house FCPS staff's) normal working hours, no labor charge will be assessed. If, in the judgment of the principal or designee, additional work is required in order for the custodian (or other FCPS staff) to accommodate the CUG's event, labor charges may be levied to the CUG for the number of overtime hours required.

3. FCPS staff will review Table II rates periodically and revise the rate schedule as appropriate, with approval of the BOE (per Policy 203.3).

J. Restrictions and Conditions Regarding Use of the Facilities

1. All use of facility events (particularly after regular school hours and weekends) must be entered on an online schedule request form for both internal FCPS events and CUG events.

2. FCPS facilities are to be used for programs and activities that extend benefits to students and the community. Inappropriate use of facilities includes, but is not limited to, for-profit commercial purposes, personal gain or profit, and use that is potentially disruptive to FCPS programs or could cause negative public opinion of the school system. It is not appropriate for an approved CUG (including a PTA or booster groups) to request use of facility on behalf of a for-profit group that they are not sponsoring.

3. The sale or use of tobacco products, alcohol, and controlled dangerous substances in any form is prohibited in FCPS buildings and on FCPS grounds at all times. FCPS buildings are defined as a local school system owned or leased building. FCPS grounds are defined as local school system owned or leased land that surrounds an FCPS building.

All CUGs must comply with BOE Policy 112 *Drug-free, Alcohol-free and Tobacco-free Workplace and School System.* Violations of the policy will result in permanent revocation of the CUG's status as an approved user of FCPS facilities.

4. BOE policy mandates that groups using FCPS facilities shall conduct activities that are orderly and lawful, of a nature not to incite others to disorder, and not restricted by reason of race, creed, color, sex, or age.

5. Gambling and games of chance, such as bingo, where cash prizes or prizes of significant value are awarded are prohibited on FCPS grounds. Raffles and 50/50 drawings conducted by groups such as PTAs, alumni associations, recognized employee associations, and booster groups are permitted with approval of the principal, or designee. Students are prohibited from selling or distributing 50/50 or raffle tickets.

6. FCPS buildings shall not be used for events or activities private in nature such as birthdays, anniversaries, weddings, receptions, funerals, or memorial services.

7. FCPS buildings and grounds may be used for non-partisan political debates and issues forums sponsored by FCPS or non-partisan organizations.

   FCPS buildings or grounds shall not be used for partisan political rallies, political fundraisers, and presentations by candidates for public office or related election activities. FCPS buildings or grounds shall also not be used for partisan activities associated with any issue scheduled to be included on the ballot of the next election.

   Nothing in the above shall serve to restrict the county Board of Elections in the administration of Election Day activities.

8. Rental of FCPS facilities for overnight activities is not permitted. The appropriate instructional director may approve exceptions that are consistent with the purposes and intent of this regulation.

9. There shall be no temporary or permanent signs, banners, or pennants placed in or on FCPS buildings or on FCPS grounds by any CUG except those associated with activities sponsored by FCPS or the PTA. Two exceptions are:
   a. Activities carried on in FCPS facilities by the county Board of Elections shall be exempt from this restriction.
   b. Other CUGs that use FCPS facilities may place temporary identification signs on FCPS grounds only during the actual hours the FCPS facility is used. At the conclusion of the use of the FCPS facility, the CUG must remove the signs.

10. All use of buildings and/or grounds is restricted to the area and to the activity as described on the SRF.

11. Continued use of an FCPS building by any group is contingent upon the following:
    a. CUG taking proper steps to protect FCPS property.
    b. CUG ensuring complete safety and the observance of policies and regulations concerning smoking or drinking in FCPS buildings.
    c. Timely payment of invoices.

12. If a principal, or designee feels that a CUG is misusing the building, it is the duty of the principal, or designee to provide written correspondence documenting the misuse to the CUG. The principal or designee must report each incident to the Use of Facilities Coordinator via a Google form found on the Inside FCPS Use of Facilities webpage. If continued misuse occurs, the principal or designee may cancel future event dates with the CUG, and contact the Use of Facilities Coordinator about the possibility of terminating the CUG's privilege to use FCPS facilities (after investigation and determination by the Chief Operating Officer).

13. Occupancy of buildings or rooms shall not exceed capacities established by the fire marshal.

14. Vehicles will be parked in authorized parking areas only. Operation of vehicles on FCPS lawns and play fields is prohibited.

15. All after-hour use of FCPS facilities must be supervised by a person at least 21 years of age representing the user group.

16. Indoor FCPS facilities (gymnasiums, hallways, cafeterias, classrooms, etc.) may not be used for athletic activities which are normally played outdoors and/or for which the indoor facilities are not designed. This definition includes activities such as football, field hockey, cross-country, soccer, track, softball, lacrosse, baseball, etc.

17. Temporary structures including portable toilets, mobile concession stands, and beverage trailers may not be erected or placed on FCPS property without the permission of the school principal and the Chief Operating Officer. Beverage trailers and mobile concession stands will not be left on the FCPS grounds overnight. Large tents will not be erected on FCPS grounds. Temporary booths for PTA carnivals are exempt from this restriction.

18. Under no condition will an SRF for after-hour activities be approved where the SRF requires persons to be on a building roof. This includes firefighting practices, rappelling demonstrations, and other such activities.

19. It is at the discretion of the school principal to determine what areas/rooms may be available to a CUG; however, the following areas are not available for CUGs: portables, computer labs (see M.9.a), locker rooms (except in conjunction with pool usage), and high school concessions.

K. Indemnification Provision

Any CUG using FCPS property shall hold the BOE, individual BOE members, and FCPS employees harmless for any loss, liability, or expense that may arise during, or be caused in any way by such use or occupancy of FCPS property. In the event loss is incurred as a result of the use of the facility by a CUG, the amount of damage shall be decided and invoiced by the BOE. The CUG shall also hold harmless and indemnify or reimburse the BOE for any liability to third parties arising from use of FCPS facilities.

L. Principal's Responsibility

1. The principal, or designee, is responsible for coordinating with the CUG the assignment of space necessary to accommodate the CUG's needs as indicated on the SRF.

2. The principal or designee is responsible for being familiar with use of facility documents and procedures found on the Inside FCPS Use of Facilities webpage.

3. The principal or designee is responsible for maintaining proper relationships with CUGs that use their facility.

4. FCPS equipment may be utilized by CUGs only with the consent of the principal, or designee. All equipment that is so utilized shall be returned in the same condition as when it was borrowed. Lost or damaged equipment shall be replaced or repaired at the sole expense of the CUG. Under no condition will equipment be removed from the FCPS facility. Some equipment will not be available to CUGs under any conditions. Damage to equipment must be reported by the principal or designee to the Use of Facilities Coordinator using the Incident Report Form found on the Inside FCPS Use of Facilities webpage.

M. User's Responsibility

1. The CUG must accept the entire responsibility for supervision of all persons associated with its activities, including participants and spectators in the building or on the grounds. The school custodian will not be expected to supervise the CUG activity. Supervision by the CUG shall include monitoring of entrance to ensure that only authorized persons are permitted in the building and that exterior doors remain locked/closed at all times.

2. The CUG must include all set-up requirements on the SRF. In no event are electrical power capacities to be exceeded.

3. Tables, chairs, and benches shall not be placed on the playing surface of tennis and multi-use courts. CUGs shall not bring heavy mechanical equipment on the grounds without approval of the principal, or designee. Portable booths and equipment shall be removed immediately after the activity.

4. It is assumed that all buildings and grounds shall remain in their original condition. Plans by the CUG for altering existing facilities is subject to approval of the principal or designee in coordination with the Director of Maintenance and Operations.

5. The CUG recognizes that FCPS facilities are available to the community for civic, social, and recreational purposes at hours other than those required for school-sponsored activities.

6. The CUG agrees that FCPS facilities may not be used by any organization, person, or persons who practice discrimination because of race, color, creed, sex, or national origin.

7. The CUG recognizes that FCPS facilities are not to be used for personal financial gain.

8. The CUG acknowledges that the charges for the facility shall be in accordance with Table II and shall include the labor time of the custodian(s) or other required staff assigned by the principal or designee as determined essential to the safekeeping and efficient operation of the FCPS facility.

9. CUGs are advised that technical equipment in FCPS facilities requires the attention of properly trained FCPS personnel.
   a. A CUG may not use FCPS computer equipment unless special permission is received by the school principal.
   b. When the kitchen portion of the cafeteria is requested, at least one of the Food & Nutrition Services staff must be on duty.
   c. When an FCPS pool is requested, a pool operator must be on duty. (The assignment of a pool operator can be in lieu of a custodian.)
   d. When a high school auditorium is requested to include use of theater lighting or sound systems, the high school auditorium facilitator will assign an FCPS-approved technician(s) to operate for the event. (See High School Auditorium Usage Guidelines for full details at www.fcps.org/uof)
   e. Services provided in b-d above will incur a labor charge to the CUG. (See Table II).

10. The CUG agrees that alcoholic beverages, controlled dangerous substances, and games of chance are prohibited.

11. The CUG agrees to provide adequate supervision to ensure that good order is maintained.

12. The CUG agrees that fire regulations shall be strictly followed.

13. The CUG agrees that all activities shall be planned and clean-up provided so that facilities and grounds are ready for instruction on the next instructional day.

14. The CUG may impose an admission charge to cover expenses.

15. Youth sports programs seeking to use FCPS school facilities must distribute concussion information to parents or guardians on an annual basis. Via the SRF, each youth sports program will affirm to FCPS its intention to comply with concussion information procedures as available on the Centers for Disease Control web site at http://www.cdc.gov.

16. The CUG recognizes that in the event there is a breach of any of these responsibilities, it may result in revocation of privilege to any future use of FCPS facilities.

17. For the protection of the CUG, the BOE requires that the CUG furnish to the BOE a certificate of insurance satisfactory to the BOE evidencing insurance coverage of not less than a combined single limit of bodily injury and property damage liability

insurance in the amount of $1,000,000 per occurrence; $2,000,000 in the general aggregate (including spectator liability) on a commercial general liability form; $2,000,000 in products/completed operations aggregate; $1,000,000 personal/advertising injury; $50,000 fire damage legal liability; and $5,000 medical expense. The certificate of insurance can only be cancelled upon 30 days written notice, and the CUG must notify the Use of Facilities Coordinator of its cancellation. The certificate of insurance shall state that the Board of Education of Frederick County is named as an additional insured on the insurance policy and waiver of subrogation must be included. Any deductibles or self-insured retentions should be noted on the certificate. The certificate holder shall read: Board of Education of Frederick County, 191 South East Street, Frederick, MD 21701. (See sample of an acceptable insurance certificate at www.fcps.org/uof)

N. Pool Use

1. All FCPS pools when in use shall be in the immediate control of a person who shall be referred to as a pool operator. The pool operator must be an FCPS employee who possesses a valid swimming pool operator's license. The pool operator is responsible for the maintenance and operation of pool equipment and for maintaining a healthy pool environment.

2. When the pool is open, at least one qualified lifeguard must be on duty. Additional guards will be required above the minimum at the rate of one additional guard for each twenty-five (25) users or portion thereof above the first twenty-five (25) users. For example, if there are thirty (30) users, two (2) guards are required.

3. A person may fulfill the functions of both lifeguard and pool operator when such duplication can be accomplished without adversely affecting safety and operational standards. No lifeguard shall be assigned any other duties such as out-of-water supervising, coaching, instructing, or cleaning, no matter how minor, while performing the duties of a lifeguard.

4. Persons acting as lifeguards shall be on deck and observing the pool whenever any person is in the water and shall not leave such post without ascertaining that all persons are out of the water.

5. To qualify as a lifeguard, the individual must be at least seventeen (17) years of age and must have on file, with the pool operator, a copy of a current senior life saving certificate and proof of current CPR training. Recognized life-saving certificates are those issued by the American Red Cross, the YMCA or YWCA.

6. The CUG using the pool will name a person in charge. The person in charge shall supervise the group and shall assume full responsibility for locker room supervision. Each group and/or individual shall be personally responsible for personal valuables left in locker areas.

7. Reservations for any swimming pool will not be granted for longer than six (6) months at a time.

8. The maximum pool capacity shall not exceed seventy-five (75) users in the water at any given time.

9. The charges for swimming pool use for all users are listed below:

   $80 per hour: Youth CUG that books and uses 150 or more hours during a 6-month period
   $90 per hour: Youth CUG that books and uses less than 150 hours during a 6-month period
   $100 per hour: Adult CUG that books and uses for any length of time

   The above rates include the cost for the pool operator, up to two lifeguards and all other related expenses associated with pool operations except custodians on weekends and holidays. An extra fee will be assessed in the event more than two lifeguards are required to service the CUG.

   Use of the pool on weekends or holidays, or other non-school days when custodians are not normally scheduled, will require scheduling of a school custodian at rates found in Table II.

   FCPS may establish such hours of operation and holiday schedules as it deems appropriate for efficient operation of the facility.

   The pool fee will be based on the reservation dates and times requested on the SRF. Approved FCPS fees will be non-refundable unless cancellation is directed by FCPS. Users booking less than 20 hours in a six-month period may cancel once, with two weeks' notice, without penalty.

O. Field Use Cancellation

1. Use of any school field by a CUG may be cancelled at the discretion of the principal or the Chief Operating Officer based on weather and field conditions. (See SOP for more details.)

2. Use of any FCPS field may be cancelled for up to twelve (12) months if, based on the joint assessment of the principal or designee and the Chief Operating Officer or designee, the field meets one or more of the following conditions:

   a. Use of the field by a CUG directly interferes with a scheduled FCPS event.
   b. At least one-third of the field's turf cover has significantly deteriorated.
   c. The field has unacceptable compaction levels or other safety-related concerns.
   d. A repair program for the field is underway as a consequence of overuse, turf disease, or vandalism.
   e. Use of the field interferes with construction under way at the FCPS facility.
   f. The field is newly constructed and time is needed to establish a healthy turf and root system (available for use 18 months from opening of new school).

P. Rental of Central Office Facilities

1. Rental of the central office facilities at 191 South East Street, Frederick, MD 21701, by an approved CUG is limited to the first floor board room and conference room 1A.

2. Use of the board room by a CUG is limited to meetings, presentations, conferences, public hearings, or similar events. The board room may not be used for events such

as private parties, performances, recreation programs, religious services, or political rallies. Food and drink are not permitted in the board room.

3. Activities scheduled in the central office board room must conclude no later than 10:00 p.m.

4. Activities scheduled in the central office board room on weekends or holidays will require custodial support at the labor rates outlined in Table II.

5. The rental fee for the central office board room is identified in Table II (See Note 3).

6. The CUG must provide its own projection equipment. Internet access may not be available. Drop-down projection screens and microphone will be available for use. The CUG must detail equipment needs in the Set-Up Requirement section of the SRF.

7. All other procedures and requirements as outlined in this regulation will apply to the rental of the central office board room.

Approved:

Original signed by

Theresa R. Alban
Superintendent

Other Relevant Policies/Regulations/Documents
Policy 112 – *Drug-free, Alcohol-Free, Tobacco-free Workplace and School System*
Policy 203 – *Facilities and Grounds*
Reg. 100-05 – *Auxiliary Custodians*
Reg. 200-29 – *School Security and Safety*
Standard Operating Procedures (SOPs)
• For Approved Community User Groups (see www.fcps.org/uof)
• Various SOPs for internal FCPS use only (see Inside FCPS Use of Facilities webpage)

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TABLE I – Priority List

FCPS Community User Group Priority List

NC = **N**o **C**harge
FC = **F**acility **C**harge (Hourly; See Table II)
APF = **A**dministrative **P**rocessing **F**ee (See Table II)
LC = **L**abor **C**harge (Hourly or Flat Fee; See Table II)

FIRST PRIORITY - Frederick County Public Schools Related Groups

Frederick County Public Schools Related Groups	*Building*	*Labor*
1. PTA/PTSA	NC	LC
2. Booster Clubs	NC	LC
3. School Staff (events by and for school staff only)	NC	LC
4. Frederick County Teachers Assn (FCTA)	NC	LC
5. Frederick Assn of School Support Employees (FASSE)	NC	LC
6. Frederick County Administrative & Supervisory Assn (FCASA)	NC	LC
7. Other Frederick County Public School-Sponsored Groups	NC	LC
8. School Athletic Officials	NC	LC
9. FFA	NC	LC

SECOND PRIORITY - Youth Groups/Youth Activities/Youth Organizations

Youth Groups/Youth Activities/Youth Organizations	*Building*	*Labor*
1. County Rec Councils - Youth Activities 2. Youth Athletic Associations 3. YMCA Youth Programs 4. Boy and Girls Scouts 5. 4-H	APF	LC

THIRD PRIORITY - Other Educational Groups

Other Educational Groups	*Building*	*Labor*
1. State and other county-supported higher education	FC	LC
2. Private Schools (all grade levels)	FC	LC
3. Non-profit Nursery Schools & Early Childhood Groups	FC	LC

FOURTH PRIORITY - Federal, State, Local Government

Federal, State, Local Government	*Building*	*Labor*
1. County and City Government Agencies-includes local parks & recreation council's adult activities.	FC	LC
2. State Government Agencies	FC	LC
3. Federal Government Agencies	FC	LC
4. Red Cross, Health Department	FC	LC

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FIFTH PRIORITY - Fire & Rescue Services, Adult Cultural, Recreational and Community Groups, Charity Fundraisers, Religious Groups, Commercial (not for private gain events)

Fire & Rescue Services, Adult Cultural, Recreational and Community Groups, Charity Fundraisers, Religious Groups, Commercial (not for private gain events)	***Building***	***Labor***
1. Fire and Rescue Department Events	FC	LC
2. Cultural and Musical, Community Improvement, Non-profit Charities, Service Clubs, Homeowners Associations, Civic Associations, Adult Social & Recreational, PTA & Faculty-sponsored Adult Activities not limited to members of organization.	FC	LC
3. Fundraiser to benefit non-profit organization	FC	LC
4. Churches, Synagogues, Gospel Singers (non-profit), Church-sponsored athletic teams and leagues.	FC	LC
5. Dance Recitals (not to exceed 2 rehearsals)	FC	LC

Board of Elections State Mandated No Charge

NOTE 1: Second Priority includes youth groups and youth activities sponsored by adult groups where the participants are 18 years old or younger. Coaches, instructors, and supervisors can be adults; however, no adult participants can be included to qualify for classification in Second Priority.

NOTE 2: To be considered as a Second Priority, the organization must be officially recognized by the Department of Parks and Recreation as an extension of its activity and must be approved by the county or city government.

NOTE 3: With the exception of First Priority users, all CUGs will be charged the stadium, auxiliary turf, and pool (shown in gray on Table II) use fees listed in Table II. There are no fee exemptions for use of the stadium field or track.

TABLE II – Facility Use Fees

Frederick County Public Schools Community User Group Fee Structure

Priority Level	Administrative Processing Fee (APF)* $2.00 per event date per application	Facility Charge (Hourly) a. Stadium Track Meet b. Stadium - Natural c. Stadium - Artificial d. Auxiliary Artificial Turf Field e. Pools	Facility Charge (Hourly)	Labor Charge Weekend (Hourly) Non-School Days (Hourly)
1st				✔
2nd	✔	✔		✔
3rd, 4th, 5th		✔	✔	✔

A		Hourly Facility Charges			
		Facility	**Elementary**	**Middle**	**High**
	a.	Stadium-Track Meets	N/A	N/A	$75.00
	b.	Stadium-Natural Turf Field	N/A	N/A	$75.00
	c.	Stadium-Artificial Turf Field	N/A	N/A	$100.00
	d.	Auxiliary Artificial Turf Field	N/A	N/A	$90.00
	e.	Pools	N/A	N/A	$80.00/$90.00/$100.00 (See II.N.9 for details)
	f.	Auditorium	N/A	N/A	$90.00
	g.	Gymnasium	$35.00	$45.00	$55.00
	h.	Auxiliary Gymnasium	N/A	N/A	$35.00
	i.	Cafeteria	$15.00	$25.00	$35.00
	j.	Kitchen	$20.00	$30.00	$40.00
	k.	Classroom	$15.00	$20.00	$25.00
	l.	Media Center	$20.00	$30.00	$40.00
	m.	Track Practice	N/A	N/A	$10.00
	n.	Parking Lot Event	$15.00	$25.00	$35.00
	o.	Use of Grounds/Fields	$10.00	$10.00	$10.00
	p.	HS Baseball and Softball Fields	N/A	N/A	$15.00
	q.	Tennis Courts	$10.00 per court	$10.00 per court	$10.00 per court
B		**Hourly Labor Charges ****	**Elementary**	**Middle**	**High**
	1.	Custodian, Weekend or Non-School Day (regular school, school's auxiliary custodian or coverage pool)	$27.50-FY20 $30.00-FY21	$27.50-FY20 $30.00-FY21	$27.50-FY20 $30.00-FY21
	2.	Food Nutrition Services personnel	$27.50-FY20 $30.00-FY21	$27.50-FY20 $30.00-FY21	$27.50-FY20 $30.00-FY21
	3.	Sound/Lighting Technician	N/A	N/A	$27.50-FY20 $30.00-FY21

** Implementation of APF is effective 1/1/2020. APF is not charged when a facility charge is assessed.*

*** All labor rates are subject to annual inflationary increases or changes to negotiated agreements. Individual hourly rates are posted on the Non-Benefited Rate chart maintained by FCPS Human Resources.*

NOTE 1:
- Parking lot fees will be assessed only for specific events held in parking lots such as flea markets.
- No fee will be assessed for vehicle parking or spectators in approved activities on Board of Education grounds or facilities.

NOTE 2:
- Artificial turf fees include all fields constructed of artificial turf, whether or not they are in a stadium.
- All CUGs renting artificial turf fields must be trained by athletic director concerning use of the fields prior to use.

NOTE 3: The fee for use of the FCPS Central Office Board Room will be the same as Auditorium above.

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Appendix Q: FCPS School Construction, Renovation and Maintenance Policy

Source: Frederick County Board of Education, July 13, 2016

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POLICY	BOARD OF EDUCATION OF FREDERICK COUNTY, MARYLAND
CONSTRUCTION, RENOVATION AND MAINTENANCE	**POLICY 202**

202.1 Facilities Master Plans

The Board of Education (Board) will maintain long-term facilities master plans for constructing, renovating and maintaining public school facilities in Frederick County. The master plans shall attempt to balance the need for new seats with the need for renovations to existing buildings. The Board will review these plans annually and adopt a plan after considering public comment. The Board will work cooperatively with the State of Maryland, Frederick County Executive and County Council, and other elected officials to obtain adequate state and local funding and to implement the plans.

202.2 New School Buildings

The Board will use prototype designs whenever possible. Schools will be constructed to maximum approximate capacities:

- Elementary schools – 700 students
- Middle schools – 900 students
- High schools – 1600 students

All other schools will be constructed to accommodate the number of students determined by the Board to be appropriate to the school's function.

The Board may authorize exceptions to the capacity figures shown above.

202.3 School Site Acquisition

The Board will work collaboratively with the Frederick County Executive, County Council and Planning Commission to maintain criteria for school site acquisition and work to maintain a sense of community when selecting school sites. Considerations in the site selection process will include:

- The site is consistent with the land use plans prepared and approved by Frederick County, the City of Frederick or municipality.

- The site is adequate in size and physical characteristics to meet site design requirements for the size and type of school intended for the site.

Legal Reference	MD Annotated Code, Education Article §5-112 Bids		
	MD Annotated Code, Education Article §4-115 Acquisition and Disposition of Real Property…		
	MD Annotated Code, Education Article §5-301 State Payment of Certain Public School...		
	MD Annotated Code, State Finance & Procurement Article §14-301 Definitions		
	COMAR 21.11.03 State Procurement Regulations – Minority Business Enterprise Policies		
Policy History	Reviewed: 2016	Adopted: 10/22/03	Revised: 7/13/16

- The site is in compliance with State, County and Municipal site development regulations.

- Adjoining, existing and future planned land uses of the site are compatible with the type of school planned.

- The site has acceptable utility, road and pedestrian access available.

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202.4 Specific Project Approval

Educational specifications and designs for all projects shall be subject to Board approval. The Board will review educational specifications and designs at the Board's work session before granting Board approval. For new schools, school additions or major renovations, the Board must approve each major step in the design process, including schematic designs, design development documents, and construction documents.

202.5 School Construction/Use of Minority Business Enterprises (MBE)

The Board shall require staff to enable a Procurement Review Group (PRG) to review and analyze each construction project or type of work and the potential for certified minority businesses to participate in the project. Based on these factors, individual project goals and sub-goals for a project may be higher or lower than the standard percentages. It is also possible that some projects could have no MBE requirements, if specific circumstances justify that decision. When bidding as general or prime contractors, all general contractors and subcontractors, including certified MBE firms, are required to attempt to achieve the MBE subcontracting goals from the certified MBE firms approved by the Maryland Department of Transportation (MDOT).

This MBE procedure is applicable to all public school construction projects approved for partial state funding through the state public school construction program.

202.6 Easements or Rights-of-Way

The Superintendent or designee shall have authority to act on behalf of the Board in approving easements or rights-of-way of less than one (1) acre to allow utility connections or improvements at existing school facilities or for Board approved projects. The Superintendent or designee shall report to the Board when such approvals are provided.

202.7 Developer-Funded School Construction Projects

The Board supports the funding of school construction through Board agreements with developers as one approach to addressing Frederick County Public Schools (FCPS) facility needs and the consequences of residential development in the county. Such agreements will be considered only in conjunction with county and municipal growth management regulations. Projects that will be considered for developer funding include school additions, new schools/facilities and addition/renovations. The principal goal of any project approved under this policy is to eliminate overcrowding and improve the

educational setting for students and staff. The following guidelines will be considered for developer-funded projects:

A. Developer Responsibilities

The project scope (the size of the school project) will encompass the existing enrollment and capacities of the schools serving the site, the enrollment impact of the residential development under review, enrollment growth from the surrounding neighborhoods, and other residential developments in the school attendance area that have preliminary plans in process or approved.

As a condition of the agreement between the Board and the developer, and in conjunction with agreements approved by the County, the developer will not record lots until the scope of work for the project is approved by the Board that successfully addresses current and potential future overcrowding of schools serving the site. The approved scope of work will be incorporated into an agreement between the developer and the Board.

Once an agreement is in place, funding for the project must be provided or guaranteed prior to design and construction. The developer may withdraw after the design phase if it does not want to proceed with funding construction of the project. If the developer does not wish to proceed, then the agreement is voided. Any funds expended during the design phase are non-refundable. Any plans completed during the design phase become the property of the Board.

B. Board Responsibilities

Funding for the project will incorporate the total project cost, including the cost of offsite public improvements, as determined by the Board.

As with all projects, the Board will determine the project's scope, including the size and specifications as required to meet the needs of schools in the community.

For school construction projects funded by a developer(s) to address school overcrowding, the Board will not request State funding for construction. The project will not be recommended for inclusion in the County CIP and thereby make residential capacity available for other residential projects under the County's or a municipal adequate pubic facilities ordinance.

The Board supports partnerships as a means of providing school construction funding.

All projects will be considered as part of and in cooperation with county or municipal plans and review and approval procedures.

C. Staff Responsibilities

As with all projects, FCPS staff will manage the design, procurement and construction of the project. The project will utilize standard FCPS project management processes and procedures. The developer will reimburse FCPS for direct costs associated with project management.

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Appendix R: FCPS Transportation Policies

Source: Frederick County Board of Education, October 11, 2017

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POLICY	BOARD OF EDUCATION OF FREDERICK COUNTY, MARYLAND
TRANSPORTATION OF STUDENTS	**POLICY 441**

441.1 Parental Responsibility
441.2 Student Eligibility for Bus Transportation
441.3 Bus Routing
441.4 Disabled Students
441.5 School Bus Ridership
441.6 Standing on Buses
441.7 Transportation of an Out-of-State Student
441.8 Transportation of Students Living Within Mileage Limit

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Purpose: The Board of Education (Board) values the partnership between the school system and home in getting students to and from school on time and safely. Expectations with regard to transportation services for students are outlined below.

441.1 Parental Responsibility

A. Getting students to and from school safely is a partnership between the home and the school. Frederick County Public Schools (FCPS) will provide parents with educational information and resources on pedestrian and bus safety in addition to the training and resources provided to students.

B. Parents are responsible for the safety and conduct of their children from the time they leave home until they board the school bus or enter school property and from the time they leave the school bus or exit school property at the end of the day.

C. Parents are expected to have children at the assigned bus stop five (5) minutes before the scheduled arrival time of the bus in the morning.

D. Parents may be held responsible for the reimbursement of damages to the property of other students on the school bus and for damage to equipment on the bus. Parents may also be held responsible for the damage caused by objects thrown from the bus.

E. Parents are responsible for identifying the appropriate walk route from home to school or the bus stop. FCPS will provide to parents national, state and/or local information and recommendations to assist parents in identifying an appropriate walk route.

Legal Reference	§ 7-801 and § 7-805, Education Article *Annotated Code of Maryland*		
	McKinney-Vento Homeless Assistance Act 42 U.S.C. § 11432(g)(1)(J)(iii)(II)		
Policy History	Reviewed**:** 2017	Adopted 2/3/09	Revised: 10/11/17

F. It is recommended that parents walk with or make provisions for providing assistance for taking very young children to the bus stop or school in the morning and meeting the bus or students leaving school in the afternoon

G. In order to determine if schools are closed, delayed, or dismissing early, parents are expected to check local radio and television broadcasts, as well as the FCPS webpage for announcements of the delayed opening or closing of schools.

441.2 Student Eligibility for Bus Transportation

The Board of Education (Board) is committed to providing safe and efficient transportation for students who are transported. School buses are considered an extension of the school campus and all rules and regulations apply accordingly. Barring extenuating circumstances that prevent safe bus travel, students are eligible for bus transportation based on the following criteria:

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A. Elementary

With the exceptions as outlined in sections D and E, elementary students are not eligible for school bus transportation to school unless the most practical, direct walking route is longer than 1¼ miles. Up to 1/10 of a mile may be added by the Transportation Department so that a street or cul-de-sac is not divided. Walking distances in contiguous areas may be extended at the superintendent's discretion.

B. Secondary

With the exceptions as outlined in sections D and E, middle and high school students are not eligible for school bus transportation to school unless the most practical, direct walking route is longer than 1¾ miles. Up to 1/10 of a mile may be added by the Transportation Department so that a street or cul-de-sac is not divided. Walking distances in contiguous areas may be extended at the superintendent's discretion.

C. Walking Distance

The walking distance for both elementary and secondary students shall be measured from the property line of the student's home to the designated school property line as identified by transportation staff.

D. All students who attend designated primary schools will be provided bus transportation.

E. Transportation will be provided under the following exceptions:

1. When students residing within prescribed walking distances of their assigned school do not have suitable walkway between their homes and their assigned school.

   A suitable walkway is defined as a sidewalk or road shoulder with a minimum surface width of three (3) feet over which students may walk without being required to step on the traveled portion of the road surface.

2. When students are required to walk across a roadway involving an unusual safety hazard.

3. When students are required to walk across an active, at-grade railroad crossing; a railroad bridge; or a railroad overpass/underpass having inadequate walkways.

4. When defined and authorized as an emergency exceptional condition by the superintendent of schools or designated representative.

5. When secondary students would have to cross a road where the speed limit is 35 miles per hour or greater ***and*** the intersection:

   a. is not controlled by a traffic light, or
   b. is not controlled by a stop sign, or
   c. is not controlled by a crossing guard, or
   d. does not have a marked cross walk.

6. Transportation will be provided for elementary students if they must cross a road with a speed limit of 35 miles per hour or greater ***and*** the intersection is not controlled by a:

   a. traffic light, or
   b. crossing guard.

F. Criteria for Establishing Walking Paths between Home and School

   1. Elementary

      a. With the exception of residential areas as outlined in section b., elementary students are not to walk on the traveled portion of the road.
      b. On residential-area roads <u>without</u> through-traffic, elementary students are not to walk farther than 25 feet at any one point on the traveled portion of the road.

   2. Secondary

      a. On a road <u>with</u> through-traffic, secondary students are not to walk at any one point on the traveled portion of the road that is farther than:

         (1) 25 feet on a road where the speed limit is greater than 35 miles per hour.
         (2) 50 feet on a road where the speed limit is 35 miles per hour or less.

      b. On a road <u>without</u> through-traffic, secondary students are not to walk at any one point on the traveled portion of the road that is farther than:

         (1) 50 feet on a road where the speed limit is greater than 35 miles per hour.
         (2) 200 feet on a road where the speed limit is 35 miles per hour or less.

G. The Superintendent has authority to allow exceptions to the above conditions.

441.3 Bus Routing

A. The Board will endeavor to route buses so that students will have a maximum of ½ of a mile to walk to a bus stop, exclusive of private driveways and roadways.

B. The Board will endeavor to route buses so that students will have no more than a one (1) hour scheduled ride each way.

C. The Board will endeavor to drop off students no more than ½ hour prior to the start of school and to pick up students within ½ hour of dismissal.

441.4 Disabled Students

A. Disabled students attending a Maryland State Department of Education approved school during the regular school year may be provided daily transportation if they live within 50 miles of the school.

B. Disabled students living beyond the 50-mile limit established above shall be eligible for two (2) round trips each school year.

C. Certain resident disabled students attending Maryland State Department of Education approved public or nonpublic schools shall have transportation available to and from their home areas on weekends.

441.5 School Bus Ridership

A. As provided in regulations of the Maryland Department of Transportation Motor Vehicle Administration, the driver of a school bus shall be in full charge of the bus and students, except in the presence of a teacher.

B. A school bus driver shall not permit or allow children not enrolled in a school program or any unauthorized adult on any school bus.

C. Except for regular routes to and from school during the school year, utilization of county-owned buses will be limited to trips sponsored by the public schools of Frederick County for approved school activities. An exception will be made for official business trips sponsored by the County Council for Frederick County, Maryland. School buses involved in field trips will be driven only by approved and certified board school bus drivers.

441.6 Standing on Buses

In accordance with Maryland law, school vehicles shall be routed so that all students are seated and loads do not exceed the rated capacity. If extenuating circumstances create an overload, i.e., unanticipated ridership at the beginning of the school year or an emergency, a corrective plan will be immediately identified and remedied as soon as possible but no later than five (5) student days after notification of the overload condition.

441.7 Transportation of an Out-of-State Student

Under the McKinney-Vento Homeless Act, a homeless student may reside temporarily outside of a Frederick County school of origin. In such case, Frederick County and the county in which the student is residing shall determine how to divide the responsibility and cost of providing transportation, or they may share the responsibility and cost equally.

441.8 Transportation of Students Living Within Mileage Limit

A school bus may be used to transport any student who lives within the mileage limit, if a mileage limit has been established by the local Board of Education, and if:

A. The school bus is not filled to capacity;
B. No additional bus stop is added to the route to transport the student; and
C. The Director of Transportation has identified a specific existing hardship that would justify allowing the student to be transported.

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