



**I. Policy Statement**

The Board of Education is committed to quality educational opportunities for all Howard County students. Significant reductions in enrollment or other factors may make it difficult to maintain the staffing necessary to provide high quality educational programs at a reasonable cost. In those events the Board may decide that it is in the best interests of the Howard County Public School System (HCPSS) to consider permanently discontinuing the use of some schools and consolidating student populations in order to promote more uniform and efficient use of school facilities and resources.

**II. Purpose**

The purpose of this policy is to direct the process of discontinuing school use when there is no plan to replace the school with another facility.

**III. Definitions**

Within the context of this policy, the following definitions apply:

- A. Advisory Committee – An ad hoc committee composed of affected stakeholders appointed by the Superintendent.
- B. Closing of School – The temporary closure of a school facility for emergency reasons.
- C. Discontinuation of School Use – The decision to permanently end use of a facility as a school and to allow subsequent decisions which may include other use by HCPSS, surplus of the facility to Howard County Government or exchange of site as permitted by county and state laws.
- D. Factors – Reasons for the Board to decide to discontinue a school’s use.
- E. Minimum Enrollment – The lowest recommended enrollment, by level.
- F. Replacement School – A new facility built to succeed an existing school.

#### IV. Standards

- A. The Board recognizes the value of the school community's consideration of and participation in the decisions to discontinue school use and encourages comments from citizens and groups.
- B. The procedure for developing a recommendation to discontinue use of a school will include consideration of factors relating to demographic trends, budgetary needs, and operational needs, as well as impact on the community.
- C. The process of discontinuing school use consists of the following:
  - 1. Evaluate all factors that are associated with the facility in the context of the overall school system
  - 2. Convene an ad hoc advisory committee of affected stakeholders to review the factors and to provide input
  - 3. Consult with county and state agencies regarding processes
  - 4. Present a report to the Board
  - 5. Hold a public hearing with public testimony
  - 6. Hold a meeting at which the Board makes a legislative decision to discontinue school use of a facility.
  - 7. The decision will be recorded in writing and will include a rationale based upon the factors which are established in policy and are consistent with best practices and state law.
    - a. In reaching its decision on the closing of one or more schools, the Board will consider:
      - i. Staff recommendations presented by the Superintendent
      - ii. Testimony and comments from the affected communities
      - iii. Testimony and comments from the public at large.
    - b. The Board's decision to discontinue school use will be coordinated with the following decisions:

- i. Redistricting to place the students assigned to attending area of the discontinued school in new attending areas
    - ii. Consideration of the operating budget for the fiscal year in which school use will be discontinued.
  8. Announce the Board decision in a public session 90 days before the school is scheduled to close
  9. Publicize notification of decision by the Board
  10. Present a transition plan.
- D. Discontinuation of school use is a permanent closure and does not apply to actions or conditions covered by other policies:
  1. Temporary closure of all schools for emergency reasons (Policy 3010 Emergency Closing of Schools)
  2. Temporary closure of one or more schools for emergency reasons (Policy 3010)
  3. Closure of a school that will be succeeded by a replacement school (Policy 6020 School Construction Program)
  4. Late openings or early dismissals (Policy 6010 School Attendance Areas)
  5. Schools closed by a principal for emergency reasons (Policy 3010).

**V. Compliance**

- A. The Superintendent is responsible for recommending discontinuation of school use to the Board.
- B. The Superintendent will make recommendations for future use of discontinued facilities.
- C. The Superintendent/Designee is responsible for directing staff on all matters relating to discontinuation of school use.
- D. The Board is responsible for approving or denying discontinuation of school use.
- E. The Board reserves the right to adopt or to modify any school closing alternatives or recommendations presented to it.

**VI. Delegation of Authority**

The Superintendent is authorized to develop appropriate procedures to implement this policy.

**VII. References**

A. Legal:

The Annotated Code of Maryland, Education Article, Section 4-108.  
Establishment of Public Schools Title 13–A, State Board of Education;  
Subtitle 02, Local School Administration; Chapter 09, Closing of Schools  
Howard County Code, Title 04, Contracts, Purchasing and Property; Subtitle 02,  
Real property; Section 4.202, Acceptance and Disposition of Surplus School  
Property and Section 4.203, Exchange of Real Property for Educational  
Purposes.

B. Other Board Policies:

Policy 2040 Public Participation in Meetings of the Board  
Policy 2050 Advisory Committees to Staff and Schools  
Policy 3010 Emergency Closing of Schools  
Policy 6010 School Attendance Areas  
Policy 6020 School Construction Program

ADOPTED: July 8, 1982

AMENDED: June 28, 1990

May 12, 2009

EFFECTIVE: July 1, 2009

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## **I. Factors Considered Before Use of a School is Discontinued**

At a minimum, the factors below will be given consideration by the Superintendent/Designee when developing alternatives and recommendations.

- Student enrollment trends, where enrollment, excluding self-contained special education students is:
  - Grades K-5 275 Students
  - Grades 6-8 450 Students
  - Grades 9-12 800 Students
- Age and condition of school building
- Transportation
- Fiscal impact
- Risk management factors
- Educational programs
- Redistricting plan
- Impact on community in geographic attendance area for school proposed to be closed and school, or school(s), to which students will be relocating.

## **II. Advisory Committee**

The Superintendent/Designee will convene an ad hoc advisory committee of affected stakeholders which will include school staff, county staff, and representatives of the community. This ad hoc advisory committee will study circumstances and develop recommendations for the Superintendent/Designee.

## **III. Report**

The Superintendent/Designee will report on alternatives and recommendations. These will include an analysis of each factor listed above. The alternatives and recommendations will be presented to the Board of Education for its consideration. The Board may direct the Superintendent to develop additional information and/or to develop other alternatives for its consideration. The data used in formulating the report, with any references noted, will be available for review by the public.

When a school's use is to be discontinued but the facility will be retained by the HCPSS, the Superintendent will recommend, where possible, the manner in which the school may be used. The alternatives and recommendations will be presented to the Board for its

consideration. The Board may direct the Superintendent to develop additional information and/or to develop other alternatives for its consideration.

#### **IV. Board Decision**

The decision to close one or more schools is made by the Board with the support of HCPSS staff. The Superintendent/Designee prepares technical analyses which consider the relevant factors enumerated in the procedures listed in I. above.

#### **V. Public Hearing**

##### **A. Scheduling a Hearing**

Except in unforeseen circumstances, a public hearing is scheduled at least forty-five (45) days after receiving the Superintendent's alternatives and/or recommendations, so that citizens from the affected school community(ies) will have an opportunity to prepare oral and/or written testimony on alternatives and/or recommendations.

##### **B. Notification**

In addition to any regular means of notification, 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. The newspaper notification shall include the procedures that will be followed by the local Board in making its final decision.

The newspaper notification shall appear at least two weeks in advance of any public hearings held by the local school system on a proposed school closing. Time limits on the submission of oral or written testimony and data shall be clearly defined in the notification of the public hearing.

#### **VI. Emergency Circumstances**

In emergency circumstances, operations may be suspended at the facility prior to the decision to discontinue school use. This situation is addressed in Policy 3010, Emergency Closing of Schools.

#### **VII. State Consultation**

Prior to the final decision, staff will review the proposed discontinuation of school use with appropriate staff from the Maryland State Department of Education and the Maryland Department of Planning to ensure that all state regulations are followed.

**VIII. Notification of Final Decision**

- A. Notification, in writing, will be sent by the Superintendent to the following:
1. The Howard County Council
  2. The Howard County Planning Board
  3. The Howard County Executive
  4. The principal of the school where school use will be discontinued
  5. The PTA president(s) of the school where school use will be discontinued
  6. The principal(s) of the schools to which students will be redistricted
  7. The PTA president(s) of the schools to which students will be redistricted
  8. Subscribers to the electronic mailing lists maintained by the Office of Public Information.
- B. Notification by legal advertisement will be placed in two newspapers of general circulation in Howard County for two consecutive weeks. Included in the notification will be:
1. The facility(s) where school use will be discontinued and the effective date
  2. The school(s) to which students will be relocated and the effective date
  3. The right to appeal the Board's final decision, in writing, within thirty (30) days after the decision is made, to the State Board of Education.
- C. The State Board of Education will uphold the decision of the local Board to close and consolidate a school unless the facts presented indicate its decision was arbitrary and unreasonable or illegal.

**IX. Orderly Transition**

In addition to the necessary redistricting, a transition plan will be developed to provide an orderly transition for the students and staff of affected school(s).

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