

REGULATION MONTGOMERY COUNTY PUBLIC SCHOOLS

Related Entries: ABA-RB, COA-RC, COB-RA, EGF-RB, EGI-RA, EKA-RA, GCA-RA, IRB-RA, JOA-RA, KBA

Responsible Offices: Office of the Superintendent of Schools; Office of the Chief of Staff; Department of Communications

Public Information

I. PURPOSE

To establish implementing procedures for Montgomery County Board of Education Policy KBA, *Policy on Public Information*, and designate responsibility for releasing public information about Montgomery County Public Schools (MCPS)

II. DEFINITIONS

- A. Public information means information held by MCPS that is not exempt from disclosure under federal, state, or local laws, regulations, or policies.
- B. Student day starts at the time that students arrive and ends when the dismissal bell indicates the end of the instructional day. Regulation ABA-RA, *School Visitors*, sets forth MCPS's procedures to minimize disruptions to instruction during the student day.

III. PROCEDURES

- A. Release of Public Information
 - 1. The MCPS Department of Communications is solely responsible for the release of information in the name of the superintendent of schools; districtwide communication with MCPS employees, students, and parents/guardians; and receipt of public requests for information under the Public Information Act of Maryland (MPIA), and MCPS's obligations as a custodian of public records.
 - 2. All employees who have access to a student's or employee's personal or confidential information must adhere to appropriate protocols and all legal obligations regarding the protection of privacy and disclosure of student and employee information set forth in federal law and Board Policy KBA, *Policy on Public Information*.

- a. Principals/designees are the lead administrators responsible for the release of student records, including student directory information, in consultation with the Office of Shared Accountability/Central Records Unit (see also MCPS Regulation JOA-RA, *Student Records*).
- b. Employees may not disclose or use proprietary information acquired by reason of their employment with MCPS that is not available to the public. Any exceptions must be approved in advance in writing by the chief of the Office of Human Resources and Development (See also MCPS Regulation GCA-RA, *Employee Conflict of Interest*).
- c. Release of information about employees must be in full compliance with applicable law and MCPS Regulation EGI-RI, *Release of Information on Students and Employees*.
- d. Employees may not provide volunteers access to confidential student information or personnel records.

B. Emergency Information

1. The Department of Communications will –
 - a. coordinate the communication of weather- and emergency-related closures of school, delayed openings, and early dismissals; and
 - b. use, and routinely evaluate the effectiveness of, multiple communication tools for the distribution of emergency information.
2. MCPS will communicate credible, public information about emerging incidents in a timely and complete manner, while striving to confirm the accuracy of such information and to provide clear, concise, and publicly accessible explanatory context where possible.
3. Designation of responsibilities for the release of public information regarding emerging incidents shall follow MCPS Regulation COB-RA, *Incident Reporting*, section V, and applicable Memoranda of Understanding with law enforcement authorities.
4. Prior consultation with the designated communication lead established in Regulation COB-RA is required to determine and verify key facts; determine procedures to be followed to avoid interfering with active investigations by law enforcement; and safeguard the confidentiality, privacy, and due process rights of the person(s) involved.

5. In emergency situations, no staff member except the superintendent of schools, principal, director of the Department of Communications, or the public information officer is authorized to give information to news media representatives. Strict adherence to this procedure supports MCPS's efforts to communicate accurate and consistent information to the MCPS community, particularly in complex situations or crises.
 6. Inquiries from News Media or Other Organizations
 - a. News media representatives are encouraged to direct all inquiries to the director of the Department of Communications or the MCPS public information officer.
 - b. Principals and other administrators shall inform the director of the Department of Communications or the public information officer about requests for information or interviews made directly to their schools and offices.
 - c. New media inquiries are to be referred promptly to the appropriate administrator.
 - i. MCPS employees are encouraged to respond forthrightly to questions asked of them by the public or the news media to the extent they possess accurate information.
 - ii. MCPS employees should represent Board policies or MCPS regulations or practices only for those matters about which they are fully informed or for which they have direct responsibility.
- C. Photographs of Students
1. A photograph or other likeness of a student is considered directory information, as set forth in MCPS Regulation JOA-RA, *Student Records*. A parent/guardian/eligible student may choose not to allow MCPS to disclose a student's photograph or other likeness by completing MCPS Form 281-13, *Annual Notice of Directory Information and Student Privacy* (hereafter "directory withhold form").
 2. Unless otherwise restricted by a directory withhold form, MCPS may disclose a student's image in such publications as –
 - a. a virtual lesson,
 - b. school or systemwide media intended for MCPS or public

- audiences, or
- c. a story of interest regarding a school that is released by MCPS to news media outside of MCPS.
3. Written permission must be obtained before taking pictures of students with disabilities. With limited exceptions, such images may not show students' faces.
 4. MCPS disclosure of photographs of students during the student day is restricted.
 - a. MCPS shall not disclose photographs or other likenesses of students in classrooms if so directed on the directory withhold form.
 - b. News media representatives and school visitors may not photograph students during the student day, without express permission of the principal/designee.
 - c. Teachers and other school staff will notify parents/guardians in advance of their intended use of videotaping, audiotaping, or photographing for school-related activity or assignments.
 5. The written permission of every person identifiable in a photograph of any MCPS school or school-sponsored activity must be secured if the photograph is to be used for any of the following:
 - a. Commercial advertising purposes
 - b. Any publication or other use for which the person(s) submitting it will receive payment
 - c. Illustrating a book or any published article for which the author(s) will receive payment

Related Sources: Federal Educational Rights and Privacy Act, 20 U.S.C. §1232g; 34 CFR Part 99

Regulation History: Formerly Regulation No. 2601, April 25, 1979; revised December 23, 2024.

MCPS NONDISCRIMINATION STATEMENT

Montgomery County Public Schools (MCPS) prohibits illegal discrimination based on race, ethnicity, color, ancestry, national origin, nationality, religion, immigration status, sex, gender, gender identity, gender expression, sexual orientation, family structure/parental status, marital status, age, ability (cognitive, social/emotional, and physical), poverty and socioeconomic status, language, or other legally or constitutionally protected attributes or affiliations. Discrimination undermines our community's long-standing efforts to create, foster, and promote equity, inclusion, and acceptance for all. The Board prohibits the use of language and/or the display of images and symbols that promote hate and can be reasonably expected to cause substantial disruption to school or district operations or activities. For more information, please review Montgomery County Board of Education Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*. This Policy affirms the Board's belief that each and every student matters, and in particular, that educational outcomes should never be predictable by any individual's actual or perceived personal characteristics. The Policy also recognizes that equity requires proactive steps to identify and redress implicit biases, practices that have an unjustified disparate impact, and structural and institutional barriers that impede equality of educational or employment opportunities. MCPS also provides equal access to the Boy/Girl Scouts and other designated youth groups.*

It is the policy of the state of Maryland that all public and publicly funded schools and school programs operate in compliance with:

- (1) Title VI of the federal Civil Rights Act of 1964; and
- (2) Title 26, Subtitle 7 of the Education Article of the Maryland Code, which states that public and publicly funded schools and programs may not
 - (a) discriminate against a current student, a prospective student, or the parent or guardian of a current or prospective student on the basis of race, ethnicity, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability;
 - (b) refuse enrollment of a prospective student, expel a current student, or withhold privileges from a current student, a prospective student, or the parent or guardian of a current or prospective student because of an individual's race, ethnicity, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability; or
 - (c) discipline, invoke a penalty against, or take any other retaliatory action against a student or parent or guardian of a student who files a complaint alleging that the program or school discriminated against the student, regardless of the outcome of the complaint.**

Please note that contact information and federal, state, or local content requirements may change between editions of this document and shall supersede the statements and references contained in this version. Please see the online version for the most up-to-date information at www.montgomeryschoolsmd.org/info/nondiscrimination.

For inquiries or complaints about discrimination against MCPS students***	For inquiries or complaints about discrimination against MCPS staff***
Director of Student Welfare and Compliance Office of District Operations Student Welfare and Compliance 15 West Gude Drive, Suite 200, Rockville, MD 20850 240-740-3215 SWC@mcpsmd.org	Human Resource Compliance Officer Office of Human Resources and Development Department of Compliance and Investigations 45 West Gude Drive, Suite 2500, Rockville, MD 20850 240-740-2888 DCI@mcpsmd.org
For student requests for accommodations under Section 504 of the Rehabilitation Act of 1973	For staff requests for accommodations under the Americans with Disabilities Act
Section 504 Coordinator Office of School Support and Improvement Well-Being and Student Services 850 Hungerford Drive, Room 257, Rockville, MD 20850 240-740-3109 504@mcpsmd.org	ADA Compliance Coordinator Office of Human Resources and Development Department of Compliance and Investigations 45 West Gude Drive, Suite 2500, Rockville, MD 20850 240-740-2888 DCI@mcpsmd.org
For inquiries or complaints about sex discrimination under Title IX, including sexual harassment, against students or staff***	
Title IX Coordinator Office of District Operations Student Welfare and Compliance 15 West Gude Drive, Suite 200, Rockville, MD 20850 240-740-3215 TitleIX@mcpsmd.org	

*This notification complies with the federal Elementary and Secondary Education Act, as amended.

**This notification complies with the Code of Maryland Regulations Section 13A.01.07.

***Discrimination complaints may be filed with other agencies, such as the following: U.S. Equal Employment Opportunity Commission (EEOC), Baltimore Field Office, GH Fallon Federal Building, 31 Hopkins Plaza, Suite 1432, Baltimore, MD 21201, 1-800-669-4000, 1-800-669-6820 (TTY); Maryland Commission on Civil Rights (MCCR), William Donald Schaefer Tower, 6 Saint Paul Street, Suite 900, Baltimore, MD 21202, 410-767-8600, 1-800-637-6247, mCCR@maryland.gov; Agency Equity Officer, Office of Equity Assurance and Compliance, Office of the Deputy State Superintendent of Operations, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, MD 21201-2595, oeac.msde@maryland.gov; or U.S. Department of Education, Office for Civil Rights (OCR), The Wanamaker Building, 100 Penn Square East, Suite 515, Philadelphia, PA 19107, 1-800-421-3481, 1-800-877-8339 (TDD), OCR@ed.gov, or www2.ed.gov/about/offices/list/ocr/complaintintro.html.

This document is available, upon request, in languages other than English and in an alternate format under the *Americans with Disabilities Act*, by contacting the MCPS Office of Communications at 240-740-2837, 1-800-735-2258 (Maryland Relay), or PIO@mcpsmd.org. Individuals who need sign language interpretation or cued speech transliteration may contact the MCPS Office of Interpreting Services at 240-740-1800, 301-637-2958 (VP) mcpsinterpretingservices@mcpsmd.org, or MCPSInterpretingServices@mcpsmd.org.