



# BOARD OF EDUCATION HANDBOOK

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A GUIDE FOR BOARD MEMBERS



108 Washington Street  
Cumberland, MD 21502

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# ALLEGANY COUNTY BOARD OF EDUCATION HANDBOOK

## A GUIDE FOR BOARD MEMBERS

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### I. PURPOSE

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The purpose of this handbook is to orient Board members to the practices of the Board, to provide a framework for Board members to carry out their responsibilities and to provide a document to enable the Board to conduct its business.

Many of the subjects discussed herein are summaries of existing law or policy. Some of the subjects reflect past practice of the Board.

This handbook is not intended to confer any rights upon the Board which do not exist under relevant law or the policies of the Board or to deprive the Board of any rights or responsibilities conferred upon them by relevant law or Board policy.

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### II. AUTHORITY AND RESPONSIBILITIES OF THE BOARD OF EDUCATION

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The Board is responsible for determining the mission and vision for the school system, and adopting goals to help achieve that vision. The Board is responsible for adopting policies consistent with these goals, regularly reviewing such policies and monitoring the progress toward attainment of these goals. The Board also advocates for adequate funding for the school system and directs the expenditure of resources to best fulfill the goals.

Board Roles, Legal Authority and Responsibilities are outlined in the *Education Article of the Annotated Code of Maryland* and Title 13-A of the *Code of Maryland Regulations*. The primary functions of the local Board can generally be classified into three broad categories:

**Legislative Responsibilities:**

1. Adopting policies for the school system's operations;
2. Representing views of the community in education matters;
3. Interpreting school system needs to the community;
4. Authorizing curriculum development and revision;
5. Advancing a legislative agenda to the Board of County Commissioners and to the Maryland General Assembly;
6. Preparing a budget and allocating funding to school system operations and capital programs;
7. Authorizing funding for specific expenditures from county, state and federal sources;
8. Establishing school boundaries; and
9. Authorizing legal settlements.

**Executive Responsibilities:**

1. Exercising leadership;
2. Engaging the community in the vision, mission and strategic goals of the school system;
3. Taking action on personnel matters;
4. Conducting a superintendent search;
5. Appointing, evaluating and setting the superintendent's contract and salary;
6. Determining educational standards and goals;
7. Monitoring educational achievement; and
8. Monitoring the system's management for continuous improvement.

**Quasi-judicial Responsibilities:**

1. Interpreting policy application;
2. Reviewing policy appeals;
3. Deciding appeals of the superintendent's administrative decisions;
4. Deciding appeals of the superintendent's decision to discipline, suspend or terminate an employee; and
5. Deciding appeals of the superintendent's decision for student discipline or suspension.

The authority of the Board is collective and not individual. Except where the Board has delegated decision-making to one of its members, individual Board members cannot act on behalf of the Board.

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**III. COMPOSITION AND QUALIFICATIONS OF ELECTED BOARD OF EDUCATION  
POLICY: ORGANIZATION OF THE SCHOOL BOARD (FILE: BD)**

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**Composition/Organization of the School Board**

The Board of Education of Allegany County shall consist of five (5) voting elected members and one (1) non-voting student member. The superintendent of schools is secretary-treasurer.

**Qualifications**

An individual nominated for membership as an elected member on the county Board shall be a qualified voter and a resident of Allegany County for at least one year before the election.

The nonvoting student member of the county Board shall be: a full-time senior in the Allegany County Public School System, be a bona fide resident of Allegany County for at least two years, be of good character and good standing, and be nominated and elected in his/her junior year by a method selected by the Allegany County Association of Student Councils.

**Officers**

The elected officers of the Board shall consist of a president and a vice president, both of whom are elected Board members.

In the absence of the president, the vice president (president elect) will preside. If both the president and vice president are absent, then the secretary-treasurer will preside.

If for any reason the office of the president becomes vacant, then the vice president (president elect) will act as chair until a new president is elected. A new president will be elected before the second business meeting following the vacancy.

A quorum of the Board shall consist of three (3) voting members.

Each elected Board member typically has the opportunity during a four-year term of office, to serve as President and Vice President of the Board. The Board shall elect annually, a new President and Vice

President. Ordinarily, no Board member serves as an officer for more than two (2) years unless all members with a desire to serve have had an opportunity to be elected President and Vice President.

The Board will perform or engage in the following activities prior to or in conjunction with the annual required organizational meeting on the second Tuesday of January:

1. Administer the oath of office to successful, qualified candidates following their election on or after January 2;
2. Identify Board members eligible for election as Board officers to office prior to or in conjunction with the annual-organizational meeting; and
3. Elect a president and vice president (president elect) to serve as officers at the first business meeting on the second Tuesday in January.

At the annual organizational meeting, the secretary-treasurer will preside until the president and vice president (president elect) are elected whereupon the newly elected president will assume the chair. The president and vice president (president elect) shall be elected in accordance with procedures in Roberts Rules of Order.

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#### **IV. RESPONSIBILITIES OF OFFICERS POLICY: BOARD OFFICERS (FILE: BDB)**

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##### **President:**

The president shall:

1. Preside at all meetings of the Board and shall vote on motions placed before the Board for action;
2. Assist the superintendent with setting agendas for meetings;
3. Sign documents on behalf of the Board as may be required;
4. Represent the Board in deliberations with other Boards, school systems, or agencies unless another member of the Board is so designated;
5. Appoint all committees, call special meetings, and perform all duties as prescribed by law;
6. Determine the overall schedule of Board business;
7. Direct matters to the attention of the Board;
8. Lead goal setting and goal review meetings; and
9. Meet as required with committees, other Boards of Education or other elected officials to discuss matters of mutual interest.

##### **Vice President (President Elect):**

The vice president (president elect) shall:

1. Perform all duties of the president when acting in that capacity; and
2. Perform other duties as assigned by the President.

##### **Secretary-Treasurer:**

The secretary-treasurer shall:

1. Serve as superintendent of schools and is the chief executive officer of the school system;
2. Not be deemed a public officer under the Constitution or the public school laws of Maryland;
3. Attend all Board and committee meetings and advise the Board on any questions under consideration; and
4. Has no right to vote.

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## V. TERMS AND VACANCIES

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In accordance with the Annotated Code of Maryland, Education Article §3-201 (e), members of the Allegany County Board of Education shall be elected at a general election at large. Each elected member serves for a term of four years beginning on January 2<sup>nd</sup> after the member's election and until a successor is elected and qualifies. If January 2<sup>nd</sup> is a legal holiday, the term begins on the first day after January 2<sup>nd</sup> that is not a legal holiday. The terms of elected members are staggered as required by the terms of the members serving on the county Board on July 1, 1978.

The non-voting student member shall be nominated and elected for a 1-year term during the school year prior to the school year that the member is to serve on the county Board in accordance with procedures adopted by the Allegany County Association of Student Councils.

If a vacancy occurs, the Governor shall appoint a new member to fill any vacancy of an elected member's position on the Board for the remainder of that term and until a successor is elected and qualifies. Except in the case that a vacancy occurs before the date that is ten (10) days prior to the filing deadline for candidates for the primary election that is held in the second year of the term, the individual appointed by the Governor shall serve only until a successor is elected by the voters at the time of the next general election.

Candidates for the vacated office may be nominated at a primary election in the same manner as for any other position on the county Board. When more than one member of the Board is to be elected at an election and the terms of the offices to be filled at the election vary, the elected candidate receiving the greater number of votes shall fill the office with the longer term. The candidate receiving the vacated position shall take office as soon as possible after the election, and shall continue to serve for the remainder of the vacated term and until a successor is elected and qualifies.

An election to fill a vacancy on the Allegany County Board of Education shall be governed by §§8-801 through 8-806 of the Election Law Article. The Allegany County Board of Supervisors of Elections may adopt regulations to implement this subsection.

If a vacancy occurs in the student member's position before the end of the term, a qualified student shall be selected for the remainder of the term in accordance with procedures of the Allegany County Association of Student Councils.

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## VI. REMOVAL

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The State Board may remove an elected member of the county Board for immorality, misconduct in office, incompetency, or willful neglect of duty. Before removing a member, the State Board shall send the member a copy of the charges and give the member an opportunity with ten (10) days to request a hearing.

If the member requests a hearing within the 10-day period:

1. The State Board promptly shall hold a hearing, but a hearing may not be set within ten (10) days after the State Board sends the member a notice of the hearing; and
2. The member shall have an opportunity to be heard publicly before the State Board in the member's own defense, in person or by counsel.

A member removed has the right to a de novo review of the removal by the Circuit Court for Allegany County. (Md. Education Code Ann. §3-201 (g) (4).

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## VII. BOARD MISSION & NORMS STATEMENT

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### **Mission:**

The mission of the Allegany County Board of Education is to provide leadership for excellence in teaching and learning by:

1. Engaging the community;
2. Establishing policies; and
3. Ensuring accountability.

### **Norms:**

The Board strives to:

1. Advocate for equitable educational opportunities for all students in Allegany County Public Schools;
2. Base decisions on what is in the best interests of ALL students in our school system;
3. Respectfully and responsibly voice their own opinions, concerns, and questions without the use of disparaging remarks about other board members, the superintendent or staff;
4. Hold confidential information as a trust to be discussed only with fellow board members and maintain high ethical standards;
5. Promote good communication with each other and the public;
6. Demonstrate respect by listening attentively, valuing the opinions of others, by attending meetings and arriving on time and being prepared;
7. Understand, adhere to, and promote our role as school board members;
8. Refrain from using the schools or any part of the school program for their own advantage or for the advantage of friends and supporters;
9. Recognize the responsibility of the superintendent, as the chief executive officer, is to run the schools and the responsibility of the board is to ensure that the schools are run effectively and efficiently;
10. Recognize that the assignment of positions is the responsibility of the superintendent;
11. Abide by and support the decisions of the Board;
12. Refuse to, as an individual, assume or imply authority of the Board, recognizing that only the majority of the Board in a board meeting can render a decision or take a board position;
13. Review board policy and the board handbook periodically to remain familiar with what is adopted and what revisions are needed;
14. Recognize the value of continuing professional development for Board members; and
15. If a Board member is unable to attend a meeting, inform the president as soon as possible.

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## VIII. ETHICS & CODE OF CONDUCT POLICY: CODE OF ETHICS (FILE: BCA)

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Board members are governed by Ethics Policy-Code of Ethics (File: BCA) with which each member should be familiar and is defined in detail below. The Board also has an Ethics Panel to address any ethical issues that may arise.

Board members are required to complete an Ethics and Financial Disclosure Statement no later than April 30<sup>th</sup> of each year for the preceding calendar year.

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**IX. COMPENSATION AND EXPENSES**  
**POLICY: SCHOOL BOARD MEMBER SERVICES (FILE: BI) &**  
**EXPENSE AUTHORIZATION REIMBURSEMENT (FILE: DKC)**

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Each elected county Board member, except for the student member, is entitled an annual salary set by the Allegany County Commissioners in accordance with Article 24, Title 12, Subtitle 1 of the Code; and reimbursement, after submitting vouchers, for travel and other expenses. Each paid member of the county Board shall be paid on the same basis as 12-month employees.

**Procedures and Guidelines:**

**Objective:** The following procedures and guidelines are to govern not only the compensation and expenses due and owing Board members in the course of discharging their responsibilities, but to ensure that as expenditures are made, they are done in a cost effective, prudent, and reasonable manner.

1. Salaries are set by the County Commissioners and are adjusted periodically.
2. Board members are entitled to be reimbursed for travel and other expenses incurred in the performance of their duties. Travel expenses within Allegany County are typically not considered reimbursable expenses. In addition, if multiple Board members are going to the same event, there is an expectation that Board members will share transportation. If a Board member elects to use his/her own vehicle, such reimbursement is made at 50% of the regular travel reimbursement rate. Exceptions to the above may be approved in advance by the Board President.
3. For out-of-county travel, reasonable and proper costs of transportation, lodging, meals, business communications, registration fees, and/or incidental expenses incurred while on official business attending meetings, seminars, conferences, or conventions are reimbursable. Board members may be reimbursed for actual mileage, tolls, parking, and meal expenses upon submission of dated, itemized receipts to the Executive Assistant to the Superintendent of the Chief Financial Officer to the Board of Education. Alcoholic beverage expenses will not be reimbursed. Receipts are required for all expenditures such as tolls, parking, meals, and other expenditures for which receipts are readily obtainable. All travel should be accomplished by the most economical means. The intent in all cases is to minimize expenses to the Board of Education.
4. Expenses related to Board member attendance at approved conferences (e.g. Maryland Association of Boards of Education or National School Boards Association), such as registration, travel fare, and hotel shall be handled exclusively by the Executive Assistant to the Superintendent in advance. Airfare shall be at a reasonable coach class rate.
5. No travel or meal expenses will be assumed for spouses or family members who accompany Board members to conferences or events. In the event that such expenses are co-mingled, Board members shall reimburse ACPS for their spouse's/family member's additional expense.
6. Non-Reimbursable Expenses (this list is not all inclusive)
  - a. Entertainment while in attendance at a conference (e.g., movies; plays; concerts)
  - b. In-room movies at hotel
  - c. Mini-bars
  - d. Laundry and related services
  - e. Membership fees for airline/frequent flier clubs
  - f. Pet care
  - g. Air flight/travel insurance

- h. Parking tickets/traffic violations
  - i. Clothing/personal items
  - j. Airline upgrades
6. Members shall be reimbursed for other expenses incurred in the performance of their duties, other than personal-related expenses, as submitted to the Executive Assistant to the Superintendent or to the Chief Financial Officer of the Board of Education.

**Disputes:** Should a question arise whether an expense is covered under these provisions, the matter is typically referred to the Board President for a ruling. If unresolved by the President, the matter is usually referred to the Board's Ethics Panel for a ruling. The Board member in question may present evidence as to the nature of the challenged expenses to the Ethics Panel. The ruling of the Ethics Panel is usually considered determinative.

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## **X. BOARD MEETINGS**

### **POLICY: BOARD MEETINGS (FILE: BE)**

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#### **General**

1. Board members are expected to notify either the Board President or the Superintendent of their expected absence or late arrival at a scheduled Board meeting or activity, as soon as it is known to the Board members.
2. Questions of Board members concerning published meeting agenda items are to be forwarded either to the Board President or the Superintendent in advance of the meeting, insofar as possible.
3. Requests to Board members for items to be placed on a future Board meeting agenda are to be presented to the Board President or Superintendent.
4. Closed meetings by the Board will only be conducted in accordance with State law.

#### **Addressing Educational Concerns**

1. Board members may, from time to time, receive concerns, questions or complaints from citizens about particular schools or DCPS personnel. Because Board members may sit on an appellant body on these same issues, Board members are restricted to only ascertain enough information to be able to direct the citizen to the appropriate administrative personnel to properly address the issue. Board members are expected to refrain from expressing personal views, receiving information that may prejudice the potential appeal process, or circumvent the administrative process.
2. Board members may also receive concerns, questions, or complaints from citizens about district-wide programs/activities, the Board and/or Board adopted policies. Board members are expected to only obtain pertinent information from the citizen, refrain from expressing any personal views, and convey the information to the Board President and/or the Superintendent for appropriate actions or consideration.
3. Individual Board members may have their own concerns, questions or complaints about particular schools, personnel, district-wide programs/activities, the Board and Board adopted policies. Board members are expected to present their concerns, questions, or complaints to the Board President and/or Superintendent as appropriate. The Board members are further expected to discuss appropriate action, including what should be presented, to the whole Board. Concerns, questions or complaints on issues based upon direct Board action should be presented to the whole Board.

## **Meeting Procedures**

All business will be conducted in meetings open to the public except for matters that may be conducted in closed sessions in accordance with Maryland law. Meetings will be held at the Central Office of the Board of Education, located at 108 Washington Street, Cumberland, Maryland 21502, unless announced differently. Meetings may be held in other locations provided that they are handicapped accessible. Meetings of the Board are conducted for the purpose of carrying on the business of the schools, and therefore are not public meetings, but meetings held in public.

1. The Board of Education shall hold meetings on a regular basis upon due notice to the public.
2. Each meeting agenda and supporting documents shall be made available to members of the Board prior to the date of the meeting. All open session agendas are available to the public.
3. Agenda items may be suggested by Board members, administrators, or citizens of the county for inclusion on the agenda. Proposed agenda items suggested by citizens of the county shall be submitted in writing and received in the Office of the Superintendent of Schools to be considered for placement on a future meeting agenda. The Board may agree to place additional items on the agenda at the request of the superintendent, the Board President, or a Board member prior to the meeting.

After receipt of a written request to place an item on the agenda, the superintendent shall consult with the President of the Board in order to consider its inclusion on an agenda. If accepted for inclusion on an agenda, the individual making the request shall be notified of the date, time and place of the meeting at which the item will be considered.

4. Only items on the agenda will be discussed at any meeting of the Board. If an opportunity may be lost or if timely action on an issue is required, items may be added to the agenda during a meeting upon the recommendation of the Superintendent and approval of the Board President or a majority of the Board.
5. The minutes of the previous meeting shall be forwarded to all Board members prior to a subsequent meeting in which they are to be approved.

## **Public Participation at Board Meetings**

The Board recognizes its responsibility to conduct the business of the school district in an orderly and efficient manner and will therefore require reasonable controls to regulate public participation at Board meetings. Except for Closed Executive Sessions, all citizens are invited to attend meetings and will be given limited time to address the Board regarding educational matters. In order to provide appropriate time for each speaker to address the Board, no more than 5 minutes per speaker will be provided. When a large number of individuals wish to speak, the President may shorten the time available to each speaker or limit the number of speakers on each side of the issue.

An individual speaking to an item may exercise this privilege during the public comment portion of the meeting or at the time the item is considered by the Board if he or she has:

- a. Contacted the superintendent's office prior to the meeting and indicated an interest in speaking to a specific item on the agenda or an item of interest not on the agenda at the time; or
- b. Signed the speakers' list prior to the meeting indicating an interest in speaking to a specific item.

Persons who wish to speak to the Board shall first be recognized by the president, identify themselves by name and address and proceed with comments as briefly as the subject permits.

### **Response to Public Comment by Board Members and Superintendent**

The individual Board members and the Superintendent will be offered the opportunity to respond to comments from the public in a separate section of the agenda. Any responses are the individual responses of the speaker and do not represent the Board's response. The time allocated for each Board member shall be limited to a maximum of 3 minutes. No discussion or action will be taken at this meeting but action may be taken at a future meeting.

Individual Board members are also bound by the terms of Respect and Responsibility in the Board Room in their comments.

### **Respect and Responsibility in the Board Room**

The President is responsible for the orderly conduct of the meeting and shall rule on such matters as the time to be allowed for public discussion, the appropriateness of the subject being presented, and the suitability of the time for such a presentation. The Board as a whole shall have the final decision in determining the appropriateness of all such rulings.

Informed dialogue and civil discourse is essential to guiding decisions about education. In keeping with the school system's emphasis on respect and responsibility in the schools, those character traits will be the guidelines for behavior at school board meetings. Everyone in attendance will be asked to respect diverse opinions, and to assume responsibility for maintaining an atmosphere conducive to thoughtful decision-making. Listening respectfully and disagreeing courteously is the responsibility of everyone in attendance.

Interruption or other interferences with the orderly conduct of Board of Education business will not be allowed. Defamatory or abusive remarks, attacks on individuals in the form of accusations, allegations, and/or insinuations are always out of order.

At a public meeting of the Board, no person shall initiate charges or complaints against specific employees of the district. Complaints against specific employees should be made in accordance with Policy KE - Responding to Inquiries & Complaints from the Public.

At any Board meeting at which constituents are offered the opportunity to speak, the following statement shall be agreed to on the sign-up sheet prior to each meeting:

We ask that comments be limited to a maximum time of 5 minutes per individual, unless otherwise considered by the Board President. Rude, slanderous, defamatory, inflammatory, vulgar, or threatening remarks or other behavior that is disruptive or interferes with the order of the meeting is not permitted."

The presiding officer may terminate a speaker's privilege of addressing the Board if he/she persists in improper conduct or remarks.

### **Rules of Order**

It shall be the responsibility of the Board president to preside over all meetings of the Board. The Board shall operate as a committee of the whole and business shall be conducted using *Robert's Rules of Order, New Revised Edition* as a guide. Actions are taken by voting members of the Board. All meetings will be conducted in an orderly and businesslike manner using these rules, except when these rules are superseded by Board policy or Maryland law.

### **Quorum and Number of Votes Needed for Action:**

Three members of the Board shall constitute a quorum. Motions or resolutions may be adopted only with the concurrence of an absolute majority (three votes) of the Board. In the event there is a disqualification

of one or more members because of a conflict of interest, and the disqualified results in less than a quorum, the disqualified person or persons shall disclose the nature and circumstances of the conflict to the Board and may subsequently participate if necessary to take public action on the item.

**Master Calendar:**

Prior to July of each year, the Board of Education approves a master calendar of Board meetings for the ensuing school year. The calendar shall be posted on the Board’s website.

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**XI. TYPES OF MEETINGS**  
**POLICY: BOARD MEETINGS (FILE: BE)**

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**There are four (4) types of meetings:**

**1. Open Regular Meetings**

Meetings held for the purpose of gaining information, taking action and/or discussing matters of concern to the Board. Informational presentations by members of the staff are scheduled during these sessions. These sessions are specifically designed for ease of citizen participation by providing an opportunity under “Hearing of Constituents” for persons to address the Board regarding educational matters.

**2. Open Special Meetings**

Special meetings of the Board shall be conducted as the duties and business of the Board require. Special Meetings shall be called by the president and the Superintendent or by the majority of the Board upon request to the Superintendent. No business will be transacted except that which is related to the subject for which the meeting was convened.

**3. Open Informal Sessions**

When the majority of board members agree, informal sessions open to the public can be scheduled for the purpose of enhancing communication between the Board, other elected officials or public agencies. The informal session may be requested by Board members, other elected officials, or representatives of public agencies.

**4. Closed Executive Sessions**

Subject to the provisions of relevant law, the members of the Board, counsel, and officers of the Board may conduct a closed session in order to discuss items as permitted by the General Provisions Article of the Annotated Code of Maryland. Hearings and appeals before the Board are held in closed session as provided by law. Minutes of the closed session will be reviewed and approved at the next appropriate closed session. Board members who have a conflict of interest concerning an item on the executive session agenda should not be present when that item is discussed. If a voluntary recusal by a Board member does not occur, the Board may determine the existence of a conflict by majority vote. If a conflict exists, the individual with the conflict shall be excluded from attendance during the discussion and action on that agenda item. Similarly, the Superintendent should not be present when an appeal of the decision of the Superintendent is considered by the Board or if the superintendent has a conflict of interest with an agenda item as determined by the majority of the Board.

**Administrative Function:**

Administrative Functions may include reports by the Superintendent or others in his administration concerning the administration of a law, rule, regulation, or bylaw of a public body. Administrative functions do not include matters that constitute an advisory, legislative, or quasi-legislative function. Topics under this exemption could include an update from the school system’s internal auditor; the

scheduling of an appeal hearing; or a briefing from the Board's attorney. Administrative functions may take place in Executive Sessions which are not open to the public.

#### **Creation of Board Agendas:**

In accordance with Board policy, the Board President with the superintendent sets agenda for meetings. The Superintendent will provide the Board all reports and documents that are to be discussed at an upcoming meeting. If at all possible, these documents should be made available by the Thursday before the scheduled meeting and are delivered to each Board member.

Materials are made available to the public the same day as the Board online through BoardDocs.

Agenda items shall include matters proposed by the Superintendent and President of the Board, as well as issues of concern to Board members, at the discretion of the Board President.

The order of the agenda is determined by the President, and the components of the agenda for the meetings usually include the following:

1. **Opening Ceremonies** (Call to Order/Pledge of Allegiance)
2. **Consent Agenda** – The consent agenda consists of those routine items that are waiting Board approval. The items appear on the agenda but are not open for discussion during regular meetings. They are all acted on with a single vote. A Board member who wants further discussion of an issue should request that the item be removed from the Consent Agenda.
3. **Hearing of Constituents** – Public comment may be heard at regularly scheduled meetings. During this time, for up to 30 minutes (or longer at the discretion of the Board), citizens may address the Board on education issues. Sign-up sheets will be available before the meeting for those who wish to speak. Each speaker is limited to five minutes. Topics excluded are personnel issues or any issues of a confidential nature. It is the practice of this Board to hear all constituents.
4. Prior to the Hearing of Constituents the following message is read: *“The Allegany County Board of Education is pleased to receive comments and ideas from our public pertaining to the policies, procedures, and/or practices of the school system. We ask that comments be limited to a maximum time of five minutes per individual, unless otherwise considered by the Board President. Issues that are specific to individual employees should be referred to the immediate supervisor for appropriate consideration and review. Rude, slanderous, defamatory, inflammatory, vulgar, or threatening remarks or other behavior that is disruptive or interferes with the order of the meeting is not permitted. Individual Board members are also bound by the terms of Respect and Responsibility in the Board Room in their comments.”*
5. **Superintendent's Report:** Recognitions, Proclamations and Updates from Staff
6. **Unfinished Business**
7. **New Business**
8. **Reports of Special or Advisory Committees**
9. **Adjournment**

#### **Annual Board Evaluation:**

Policy BAA (Evaluation of the School Board) states that the Board shall hold a separate meeting twice a year, at a time and place to be determined by the Board, for the purpose of self-evaluation. During this meeting, the Board will evaluate its own performance for the prior year, and will discuss strategies to improve its effectiveness and set future goals. Such meetings will be in compliance with the Open Meetings Act.

#### **School Board Retreats:**

Purpose - To identify Board meetings for the purpose of discussing permissive topics with no official action taken (e.g., long range strategic planning, and/or Board self-evaluation)

Policy Statement - The Board, as a decision-making body, is confronted with a continuing flow of problems, issues and needs that require action. While the Board is determined to expedite its business in a public meeting, it also is mindful of the importance of planning, brainstorming and thoughtful discussion without action.

Therefore, periodically the Board may schedule retreats, which shall comply with the Open Meetings Act, in order to provide its members and the executive staff with such opportunities.

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**XII. EVALUATION OF THE SCHOOL  
POLICY: EVALUATION OF THE SCHOOL BOARD (FILE: BAA)**

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Purpose - To establish the need for a self-evaluation that addresses how well the Board functions as a policy making body.

Policy Statement - The Board of Education periodically shall establish realistic objectives related to Board procedures and relationships and shall, at the end of a specified length of time, measure its performance against the stated objectives through a self-evaluation process.

The following areas of Board operations and relationships are representative of those in which objectives may be set and progress appraised:

1. Board member orientation and continuing development
2. Board meetings
3. Fiscal management
4. Board-community relations and communications
5. Board-superintendent relations
6. Instructional management
7. Planning and goal setting
8. Board-staff relations
9. Legislative leadership
10. Policymaking

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**XIII. CITIZEN PARTICIPATION  
POLICY: BOARD MEETINGS (FILE: BE)**

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A very important mission of a public education system is to seek and encourage involvement from the citizens in the community. The Allegany County Board of Education strongly encourages community involvement from citizens; and further, it encourages active participation in the policy making process as it conducts its business.

The superintendent is responsible for implementing Board policy, so he (or she) should be the “go to” person for Board members seeking a way to respond to citizen questions and concerns. It is always a good idea, therefore, for Board members to inform the superintendent when questions come up or if a Board member engages in a discussion with a citizen on a specific policy issue.

An excellent way for citizens to communicate with Board members is by making public comment at the various public meetings held by the Board. Public Comment gives citizens a chance to air their thoughts and ideas as well as to raise issues of concerns. The individual Board members and Superintendent will be offered the opportunity to respond to comments from the public in a separate section of the agenda. Also, see page 13, infra. Furthermore, Board members respond to citizens after the meeting to discuss

their concerns with them. When speaking with constituents, it is important to qualify that your opinions are your own and you are not necessarily speaking on behalf of the Board.

In addition to speaking at public meetings during public comment, individuals may also submit written comments and other materials related to their specific interests to the Board.

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#### **XIV. COMMUNICATION AND CONFIDENTIALITY POLICY: SCHOOL BOARD COMMUNICATION (FILE: BH)**

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##### **School Board Communications**

The Board believes that open communication is essential for the effective operation of the school system. The Board will ensure that its members have knowledge of the communications directed to it from the public and from the employees. Both the Board and the individual Board members have a responsibility to communicate effectively and honestly with the public. Individual Board members have no authority except when participating in a legally convened meeting of the Board or vested in special authority by Board action.

Ideally, the President of the Board speaks for the Board, and whenever possible, questions from the press should be referred to and handled by the President. However, it is understood that in a small community, this may not always be practical. Therefore, Board members are encouraged to speak judiciously and thoughtfully to reporters, acknowledging Board discussion and concerns raised in open session, but fully respecting the final decision of the Board. Communication with fellow Board members and the Superintendent about discussion with the press is encouraged.

As a general rule, Board members should presume that any communication to any individual within the school system is a matter of public record. Thus, members should carefully consider the effect the communication could have on existing proposed Board and school system positions and policies. This takes on additional significance where there is a possibility of the Board being required to decide an appeal in its quasi-judicial capacity or the possibility that the Board will become involved in a legal issue. Board members should remain aware of these issues when composing or replying to emails.

Board members are strongly encouraged to check their emails on a regular basis.

- 1. Board Communication with the Public** – All written communication received by the system addressed to the Board will be delivered to the President and distributed to all Board members. The President of the Board will acknowledge appropriate communication and inform all Board members. Anonymous communications, either written or oral, received by any Board member concerning personnel, students or other school-related matters, shall either be immediately discarded or referred to the superintendent.
- 2. Board Communication with Employees** – Board communications, policies, and directives shall be communicated to the superintendent. The superintendent will take action as appropriate to keep employees informed of the Board's communications, policies, and directives.
- 3. Employee Communication with the Board** – All official communications or reports to the Board or to any subcommittees from principals, directors, supervisors, teachers or other staff members will be submitted to the Board through the superintendent who may require other employees to assist in the

dissemination of information to the Board.

Communication from employees to the Board and individual Board members regarding policy, practice, and procedure is encouraged.

Communication from employees to the Board and individual Board members concerning any other issue is permitted unless such communication involves issues which may require a Board member's recusal from any appeal to the Board. Inappropriate communications include but are not limited to matters which involve specific employees and student matters that may come to the Board on appeal.

Board members and employees are both responsible for identifying inappropriate communication. Board members and employees are responsible for restricting communications with employees to permissible topics and terminating inappropriate communication.

4. **Visits to Schools** – Board members are encouraged to visit schools. Individual Board members interested in visiting schools, classrooms, or offices will make arrangements for visitations through the office of the superintendent and/or the school principal. Upon arrival, Board members are required to register their presence in the main office in accordance with the procedures required for all visitors. Such visits will be regarded as expressions of interest in school affairs and not as visits for supervisory or administrative purposes.
5. **Social Interaction** – It is expected that when Board members and staff meet at social events and other functions, they may informally discuss educational issues of mutual interest. Nothing in policy limits social interaction between employees and Board members.

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## XV. BUDGET

### POLICY: ANNUAL BUDGET (FILE: DB)

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One of the most significant responsibilities of the Board is the review and adoption of the annual budget. Because the Board is dependent on federal, state and county funds to operate, Board members need to be familiar with funding constraints and aware of the practical politics that they will face in fiscal matters. Board members should remember that many of the limitations and constraints are beyond their control.

#### **Operational Budget:**

The Operational Budget contains the money allocated by the state, county and federal governments for the general operation of the school system.

On an annual basis beginning in the fall, the Superintendent, in conjunction with school and departmental staff usually begin the informal process of preparing a proposed budget for the following fiscal year. (The ACPS fiscal year runs from July 1 through June 30 of each calendar year.) Conversations between the Board and Superintendent also generally begin mid- to late-fall.

At the end of February or the beginning of March, the Superintendent formally presents a Proposed Operational Budget to the Board at a Public meeting. After the meeting, the Board formally takes the proposed budget under consideration. The Board formally adopts an Operational Budget for presentation to the County Commissioners after receiving the Superintendent's Proposed Operating Budget. Formal adoption of the Board's Proposed Operating Budget may take place after budget work sessions. The Allegany County Commissioners formally allocate funds to the Board of Education through the County Budget which is adopted in late-spring. Thereafter, the Board of Education may need to amend its Operational Budget if the revenue is different from that which was expected.

Once the Board of Education's Operational Budget is adopted, the school system can move funds from line-item to line-item within a category according to policy DBI, but may not move money from one of the 15 categories to another without the permission of the Allegany County Commissioners. Permission of the Allegany County Commissioners must also be obtained if the total operating budget is either increased or decreased.

**Capital Projects:**

Capital projects (major construction projects) are budgeted through the Capital Improvement Budget. Annually, the Board approves a 5-year Capital Improvement Plan (CIP) which lays out the proposed schedule of these construction projects.

Many of the capital construction projects are funded in part by the State of Maryland. As a result, the Board depends heavily on its State delegation and elected officials to assist in procuring funding for capital improvements. Unlike general education funding from the State which is contained in the annually adopted state budget and allocated pursuant to an objective formula to the various counties and Baltimore City, capital improvement funding is local in nature and can be more subjective. The Interagency Committee for School Construction (IAC) reviews local school system requests and awards project planning approval and construction funding. It is common practice to petition the Maryland Board of Public Works (BPW) for additional funding after the initial grants are awarded by the IAC.

**Restricted Programs:**

Restricted program money is received by ACPS for a specific purpose. These funds are generally in the form of grants.

**Audits:**

The Board shall provide for one annual audit of its financial transactions and accounts. Specific mandated audits from other government agencies will be conducted as required.

The annual audit shall be made by a certified public accountant or a partnership of certified public accountants who are:

- a. Enrolled for practice by the State Board of Public Accountancy; and
- b. Approved by the State Superintendent.

The annual audit shall be made in accordance with the standards and regulations adopted by the Maryland State Board of Education.

The results of the annual audit are a matter of public record and shall be reported within 3 months after the close of the fiscal year for the county board to the State Superintendent and the county fiscal authority on the form and in the manner required by the State Board.

In addition, the Board shall submit the reports required by the State Board of Education and by the State Superintendent. The reports shall be made in a timely manner, include the items requested, and be on the forms required by the State Board and by the State Superintendent.

The Board shall prepare, publish, and make available to interested parties and annual report on the condition, current accomplishments, and needs for improvement of the schools as well as a statement of the business and financial transactions of the county board. This report shall be published before the end of the calendar year.

Individual Allegany County schools shall use the *School Accounting Manual*, as required by the county superintendent, for reporting the receipts, expenditures, and balances of the operations and activities concluded by the public schools.

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**XVI. NEGOTIATIONS**  
**POLICY: EMPLOYEE NEGOTIATING ORGANIZATIONS (FILE: HHE)**

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The representation of public school employees by an employees' organization is determined by law. The Board recognizes the Allegany County Teachers Association (ACTA), the Association of Public School Administrators and Supervisors of Allegany County (APSASAC), the Allegany County Educational Services Council (ACESC), and the American Federation of State, County and Municipal Employees (AFSCME) as the exclusive bargaining agents for public school employees.

The superintendent will recommend to the Board a chief negotiator and members of the negotiating teams as its representatives in collective bargaining.

By law, the Board of Education is permitted to meet in closed session to discuss issues related to contract negotiations with the employee organizations. Board members are to refrain from engaging in conversation with negotiating parties and should respect the confidentiality of the process. (References: Annotated Code of Maryland 6-408 and 6-510)

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**XVII. LEGISLATIVE PRIORITIES**

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Beginning in January, the Maryland General Assembly meets for 90 days to consider and enact legislation and adopt the State budget. In the fall of each year, prior to the legislative session, the Board adopts legislative positions on issues pertinent to the education of students in Allegany County. These positions are shared with Allegany County State Senators and Delegates and are intended to help the House and Senate Members understand how proposed legislation affects Allegany County Public Schools. The Legislative Position Paper is general and proactive in nature since specific legislation has not yet been introduced.

Once the legislative session starts, the Superintendent or designee presents a legislative update at each public Board meeting. This update informs the Board on the status of the bills that have been introduced. The Board has the opportunity to write position papers or formal testimony in support of or opposition to legislation under consideration. On occasion, Board members may testify before a Senate or House committee on a bill that would have significant local and/or state impact.

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**XVIII. ATTENDING SCHOOL, SCHOOL SYSTEM, AND COMMUNITY EVENTS**

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One of the strengths of the Allegany County Public School system is the visibility of Board members and administrative staff at school activities and functions.

Back-to-School Convocation – If at all possible, all Board members should try to be present. Convocation is held in August at or near the start of the school year.

Board members are encouraged to attend the following events:

Graduations: There are three high school graduations held and the Career Center holds a certification ceremony. (Note: Starting times may be different at each school.) Generally, one member of the Board gives a brief speech. Board members participate in handing out the diplomas

to the graduates. Board members may also attend graduation and certificate of completion ceremonies for the Adult Education program as they are able.

High School Academic Awards:

Examples include: National Honor Society Induction, Accolades Banquet, and Career Center Certification Presentation.

Allegany County Teacher of the Year:

There is a school system-sponsored reception each spring honoring the teacher of the year nominees (one each from each school). At the dinner, the Allegany County Teacher of the Year is announced. The chosen teacher serves as Allegany County's candidate in the Maryland State Teacher of the Year competition.

School System Retirement Reception: Near the end of each school year, a school system-sponsored reception honors all retirees.

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## **XIX. POLICY DEVELOPMENT**

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Proposals regarding policies may originate with a member of the Board, the superintendent, staff members, parents, students, consultants, civic groups or other residents of Allegany County. Typically, policies are referred to the Policy Committee for review and development prior to presentation to the Board.

The Board also conducts an on-going policy review throughout the year. The Superintendent is given the continuing responsibility of calling to the Board's attention, all policies that are out-of-date, or for other reasons, appear to need revisions. Adoption of new policies or the revision or repeal of existing policies is solely the responsibility of the Board.

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## **XX. BOARD COMMITTEE APPOINTMENTS AND LIAISON ASSIGNMENTS**

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Special committees comprised of Board members may be created for specific assignments. Those committees are appointed by the Board President and terminated upon completion of their assignment or by majority vote of the entire Board.

Other committees may be standing committees that meet regularly on a continuing basis. One example of a standing committee is the policy committee.

A Board committee serving in an advisory capacity will ordinarily consist of no more than two (2) Board members and be guided by the following:

1. The committee will be advisory to the Board and have no deliberative authority.
2. Board committees cannot speak for or act for the Board.
3. The committee will not hold hearings without Board approval.
4. The committee will make recommendations to the entire Board, which alone may take action.
5. The committee will have access to school personnel on routine matters.

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## XXI. LEGAL LIABILITY AND THE BOARD

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The Board's counsel represents the interests of the corporate body of the Board and not individual Board members. Consequently, while Board members may occasionally have individual questions, requests for advice and assistance should come through the Board President or Superintendent regarding day-to-day matters. The entire Board, however, is involved in the development of legal strategies and is apprised of legal opinions and advice except where there is a potential conflict of interest.

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## XXII. SUPERINTENDENT SELECTION, EVALUATION AND RESPONSIBILITIES POLICY: SCHOOL SUPERINTENDENT (FILE: CB) & BOARD/SUPERINTENDENT RELATIONS (FILE: BDD)

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Maryland state law governs the appointment, term, qualifications, vacancy, and removal of the Superintendent of Schools. The term of the Superintendent of Schools is four years, beginning on July 1<sup>st</sup>. The Superintendent of Schools serves until a successor is appointed and qualifies. By February 1<sup>st</sup> of the year in which a term ends, the Superintendent of Schools must notify the Board whether or not he/she is a candidate for reappointment. (Md. Education Code Ann. §4-201)

In the year in which a term begins, the Board of Education appoints the Superintendent of Schools between February 1<sup>st</sup> and June 30<sup>th</sup>. Should the Board decide to reappoint the incumbent Superintendent of Schools, the Board must take final action at a public meeting no later than March 1<sup>st</sup> of that year. The appointment of the Superintendent of Schools is subject to written approval of the State Superintendent of Schools. If there is a vacancy in the office, the Board shall appoint an interim Superintendent of Schools who serves until July 1<sup>st</sup> after his/her appointment subject to approval of the State Superintendent of Schools.

### **Responsibilities and Duties of the Superintendent:**

The Superintendent of Schools is responsible for the administration of his/her office and carries out the laws of the State of Maryland, the bylaws and policies of the Maryland State Board of Education, as well as the policies of the Allegany County Board of Education and the Administrative Regulations that implement them.

Relevant law prescribes the following duties of the Superintendent:

1. Interpret laws, controversies and disputes;
2. Approve contracts made by the Board;
3. Conduct correspondence, receive and/or complete reports;
4. Direct the professional improvement of teachers;
5. Visit schools and advise principals;
6. Evaluate programs of instruction (and report such to the Board)
7. Prepare and recommend for adoption curriculum guides and courses of study and other teaching aids;
8. Prepare lists of necessary textbooks, materials and equipment needed by schools;
9. Prepare and present the annual budget;
10. Make recommendations as to buildings, land and locations of flashing caution signs;
11. Issue work permits as needed;
12. Respond to requests by the Board members; and
13. Provide information related to agenda items/or a request by the Board.

In addition, the Superintendent performs the following duties:

1. Advises the Board of Education on educational policies of the school system, school attendance areas, curriculum guides and courses of study, and any question under consideration by the Board;
2. Recommends contracts, to the extent required by law, and other documents for Board approval;
3. Informs the Board in advance of administrative reorganizations, including transfers of functions, establishment of positions and offices, and consolidations of positions and offices;
4. Proposes annual operating and capital budgets to the Board of Education;
5. Attends all meetings of the Board, as well as committee meetings as requested, except when the Board is considering appeals in its quasi-judicial role in closed session, or when the Superintendent's tenure, salary, or the administration of his/her office is under consideration;
6. Advises the Board on any question under consideration at the meetings that he/she is permitted to attend;
7. Serves as the executive officer, secretary, and treasurer of the Board of Education.
8. Recommends and/or advises of the appointment and/or transfer of administrative and supervisory personnel to the Board for its approval (where appropriate) whether by discrete personnel actions or by way of a monthly personnel report approved by the Board;
9. Administers disciplinary actions of ACPS personnel and students;
10. Implements State law and State Board of Education regulations insofar as they govern local school system operations;
11. Provides leadership and direction with planning, coordination, and evaluation of all aspects of the operations of ACPS, and is responsible for day-to-day operations and management of the public schools;
12. Promotes an awareness of, and advocacy for, matters involving public education in Allegany County including reaching out to professional organizations, civic groups, and public officials of the national, state, and local levels; and
13. Responds to Board questions, concerns, and requests for information whether made in open meeting, executive session, or privately.

#### **Evaluation of Superintendent:**

The Board shall conduct a written evaluation of the superintendent annually at a time designated by the Board President. It is the responsibility of the Board of Education to evaluate the performance of the superintendent each year by June 30<sup>th</sup>. Generally, each Board member completes his/her own evaluation for the President to compile. The Superintendent may distribute his/her own review/summary to aid Board members in this process. A written instrument will be used for the assessment and the results discussed with the superintendent during an executive session. In addition, there will be opportunity for discussion of goals and evaluation with the Superintendent. (Md. Education Code Ann. §4-201 and §4-205)

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### **XXIII. STAFF AND THE BOARD OF EDUCATION**

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The Board of Education has one employee – the Superintendent of Schools. The Board hires, evaluates and either renews or does not renew the Superintendent's contract. All other employees work for the Superintendent. Board members are expected to act in a professional manner when interacting with staff.

According to NSBA's *Becoming a Better Board Member*, "Boards govern, superintendents administer, and together they form the school district's leadership team." Basically, the Board is responsible for setting vision of the school system and making policy that supports that vision. The Superintendent is responsible for the day-to-day operations that implement board directives and duties.

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## **XXIV. RESOLVING CONCERNS**

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Members of the Board are expected to abide by the following standards in their relationships with each other when conducting business.

1. Make decisions based upon a desire to serve the students in Allegany County in the best possible way;
2. Represent the entire County, rather than individual election areas, groups or patrons;
3. Refrain from using the schools or any part of school program for their own advantage or for the advantage of friends and supports;
4. Listen to and respect the opinion of others;
5. Respectfully and responsibly voice their own opinions, concerns, and questions without the use of disparaging remarks about other Board members, the Superintendent or staff;
6. Recognize that it is the responsibility of the Board to oversee that schools are run and further, recognize that it is the responsibility of the Superintendent, as executive officer of the Board, to run the schools;
7. Base decisions of staff employment that require action of the Board upon what is in the best interest of students, recognizing that the assignment of positions is the responsibility of the Superintendent;
8. Abide by and support publicly the decisions of the majority of the Board;
9. Avoid individually making promises and/or commitments before questions are discussed by the Board in Board meetings;
10. Refuse to, as an individual, assume or imply authority of the Board, recognizing that only the majority of the Board in a Board meeting can render a decision or take a Board position;
11. Hold confidential information as a trust to be discussed only with fellow Board members in a Board meeting;
12. Attend all scheduled Board meetings and activities insofar as possible;
13. Prepare for Board meetings by reviewing advance information and bringing these materials, as necessary, to the meeting;
14. Review Board policy periodically to remain familiar with what is adopted and determine what revisions are needed;
15. Actively participate in Board professional development and training activities provided locally and through the Maryland Association of Boards of Education (MABE), the National School Boards Association, and other recognized educational entities;
16. Participate as members in MABE's committees and sub-committees; and
17. Regularly attend community functions as related to education.

Board members are expected to address personal concerns in the same manner as any other citizen. The Superintendent and Board of Education will address unresolved issues only after they have been explored by the correct sequence of school personnel. When communicating by letter, fax or email, please send your correspondence only to the appropriate individual in the sequence. Please see the "Departments" section of the ACPS website for contact information.

If you (as a Board member) have a concern or disagree with a decision made about a child's instruction, discipline, safety or other matter, the most effective and appropriate means to pursue resolution is provided below in recommended sequence of order:

Good practice is to follow this sequence, starting with #1 and proceeding to the next level as necessary if your concern is not satisfactorily resolved:

1. The child's teacher or counselor as appropriate
2. School assistant principal or principal
3. The appropriate member of staff or senior staff as suggested by the Public Relations Officer.
4. Superintendent
5. Board of Education\*

- ❖ Should the conflict get to a Board of Education hearing, board member/parent must recuse himself/herself from hearing and all discussion pertaining to said matter.