

agency limitations govern. Before accepting a gift that is permitted as an exception under the Ethics Law, officials and employees should check with their agencies to determine if an agency-imposed restriction applies.) The several exceptions permit an otherwise prohibited gift to be accepted, provided the gift would not: 1) impair the impartiality or independent judgment of the official or employee; or 2) give the appearance of impairing the impartiality and independent judgment of the official or employee. ***Board members should consult with Ethics Commission staff before accepting any gifts.***

Board members may accept reasonable expenses for food, travel, lodging, and scheduled entertainment to attend a meeting or conference if the member is a scheduled speaker or scheduled panel member. If the value of the expenses exceeds \$20.00, the event must be reported on the recipient's financial disclosure statement.

The State Board President shall determine the appropriate action to take in reference to any uncertainty regarding any expense statement submitted by a member. All professional development travel expenses should be approved by the President/Committee before incurring of said expenses. In case of time constraints, the President, in consultation with the Vice President, may approve the request. All other travel expenses may be approved by the President.

B. AGENDA DEVELOPMENT

The meeting agenda will include the topics to be discussed, date, time, and location of the meeting, as well as indicate what portions of the meeting, if any, will be closed to the public. The agenda will be made available to the public in advance, with as much notice as practicable.

All meeting agendas are developed in consultation with the President, Vice President, and State Superintendent. Individual Board members may recommend to the Board President topics to be placed on the Board agenda by submitting a request to the President or during the Board's planning discussion at its regular meeting. Requests from individuals and groups external to the Maryland State Department of Education to place items on the State Board's monthly meeting agenda will be considered only if the requested item is one that is being conducted in partnership with the Maryland State Department of Education and the State Board.

The President has final authority for establishing the meeting agenda of the State Board.

Agenda Format/Order of Business:

Call to Order and Declaration of a Quorum

Pledge of Allegiance

Introduction of Guests

***Consent Agenda**

Public Comment

Oral Argument (as scheduled)

***Reports to the Board (moved up on the agenda)**

- Old Business
- New Business
- Presentations/Information Items

***State Board Member Reports and Comments**

- Board Member Comments
- Board Committee Reports

Superintendent's Report

***Regulatory Actions**

Future Agenda Items/Agenda Planning

Opinions

Adjourn

Either the President or a majority of the seated Board members may revise the order of business at any meeting so as to best fit the requirements of time, the availability of necessary personnel and other pertinent considerations.

C. DISCLOSURE OF BOARD MATERIALS

Meeting materials will be available to Board members no later than the Wednesday preceding the scheduled meeting.

If legally appropriate, the Executive Director will make materials publicly available on the website the Friday before each regularly scheduled Board meeting, as is practicable. It should be noted on public documents that materials are subject to change.

Board members are encouraged to review the meeting materials in advance and forward any questions or requests for additional information to the State Superintendent as soon as practicable.

D. DISMISSAL OF APPEAL OF ORDER

The State Board President, in consultation with counsel to the State Board, shall dismiss an appeal through the issuance of an order, signed and dated by the State Board President, under one or more of the following circumstances as set forth in COMAR 13A.01.05.02:

- The appeal was not filed within 30 days;
- The appeal is moot;
- The appeal does not raise a legal basis for appeal;
- The appellant lacks standing to bring the appeal; or
- The State Board has no jurisdiction over the appeal.

E. ANNUAL EVALUATIONS OF THE STATE SUPERINTENDENT AND EXECUTIVE DIRECTOR

The Maryland State Board of Education shall conduct annually an evaluation of the State Superintendent and the Executive Director of the State Board of Education.

State Superintendent

- An evaluation will occur on an annual basis at the end of the fiscal year, using performance standards established jointly by the State Board and the State Superintendent in accordance with the Board's *Framework for Evaluation of the State Superintendent* (Appendix A).
- The Board President will sign the State Superintendent's evaluation.
- The signed evaluation will be placed in the State Superintendent's personnel file.

Executive Director

- Annually, using performance standards established jointly by the State Board and the State Superintendent, in consultation with the Executive Director. The State Board will provide input to the State Superintendent for those duties which relate directly to the State Board.
- The State Superintendent will write the Executive Director's evaluation, which will be reviewed by the State Board prior to the evaluation being given to the Executive Director. This will include the State Board's evaluation and those duties which more directly relate to the State Superintendent.
- The State Superintendent will review the final evaluation with the Executive Director and then sign it for placement in the Executive Director's personnel file.

The evaluation shall be conducted according to the following timeline:

1. The President of the Board distributes evaluation forms to the Board members at the March Board meeting.

2. Members bring completed forms with them and meet as a group with the State Superintendent and Executive Director separately at the April Board meeting. During these meetings, members may ask questions of the State Superintendent and the Executive Director and the State Superintendent and Executive Director can ask questions of Board members.
3. Following the April Board meeting, members of the State Board make necessary revisions to the evaluation forms and return their completed forms to the Board President.
4. Prior to the May Board meeting, the President uses the completed evaluations to prepare a single composite evaluation for the State Superintendent and the Executive Director.
5. The President, at the May Board meeting, shares composite evaluations with the State Superintendent and the Executive Director. Both individuals may request to meet with the Board prior to the end of the May Board meeting to challenge/discuss their individual evaluations.
6. The State Superintendent and the Executive Director will receive copies of their evaluations. The originals of the final evaluations will be placed in their personnel files. The Board President will retain a copy of each annual evaluation which shall be passed on to the next Board President in order to retain a second copy of each annual evaluation. All other copies used in the approval process shall be collected and destroyed.

F. MEDIA RELATIONS AND PUBLIC COMMUNICATIONS

The State Board shall seek to maintain open relations with the press.

State Board members have a responsibility to make it clear when they are speaking or writing on their own behalf that they are not representing the opinions of the Board. Members should add a disclaimer to written and electronic communications indicating that their statements represent the individual's personal views and not those of the State Board. Unless directed by the full Board, or as directed by the Board President, members should refrain from speaking on behalf of the State Board.

In public communications, State Board members should support all official actions, policies, and positions of the Board, once adopted.

MSDE Communications staff are available to assist with media relations, to include serving as a liaison and providing official statements through press releases.

G. PUBLIC COMMENT

The public comment segment of the State Board meeting is an opportunity and a courtesy extended to members of the public to provide the State Board with views on issues pertaining to elementary and secondary education policy and the administration of the public school systems of the State. The State Board welcomes individuals who are sufficiently concerned to make the effort to comment publicly at a State Board meeting.

All speakers shall conduct themselves in a non-disruptive manner. Although State Board members do not respond to the comments during this segment of the Board meeting, the State Board members do listen and may take follow up action within the scope of the Board's authority and jurisdiction.

A person who desires to speak before the Board must register with the Office of the State Board of Education no earlier than on week prior to and up to 3:00 p.m. on the last business day preceding the meeting date. Required registration information shall include the speakers name, email and phone contact, the name of the organization represented (if any), and the topic to be discussed.

In order to have an orderly presentation of comments by the public, the following procedures apply:

1. Sign-up for public comment is limited to 10 speakers. Once registration has reached capacity, individuals may be placed on a waiting list. Individuals on the waiting list will be notified up to one day prior to the regular Board meeting if a space becomes available.
2. Comments are limited to three minutes per speaker. Staff monitors time through the use of a timer. When the three minutes expire, the speaker is permitted to complete a sentence but should make no further remarks.
3. The speaker may not discuss personnel matters or comment on issues pending in appeals to a local board or to the State Board.
4. Comments shall be directed to the Board, not to an individual Board member. Questions will not be entertained and no discussion will ensue.
5. No signs or posters may be displayed by the public during meetings of the State Board. In lieu of signs, individuals are permitted to submit written comments to the State Board.
6. If any individual fails to comply with these procedures, the State Board President may order the person to leave the public meeting and may take such further action as necessary to ensure compliance with these procedures.

7. Written statements may be provided to the Executive Director to be distributed to Board members.

H. REAPPOINTMENT OF STATE SUPERINTENDENT

The State Superintendent, by statute, is appointed for a 4-year term commencing on July 1 and extending through June 30 four years later.

When a State Superintendent serving a regular four-year term wishes to be considered for reappointment, the following time table shall be effected:

- The Superintendent shall notify the State Board by December 1 in the fourth year of his/her term, in writing, that s/he wishes to be considered for reappointment.
- The MSBE shall consider this request in executive session at its regularly scheduled December meeting using the three previous year's evaluations and such other information as it deems appropriate.
- The MSBE shall notify the Superintendent of its decision, in writing, within one week, to the extent possible, after its regularly scheduled December meeting.

If the State Superintendent does not wish to be considered for reappointment, the courtesy of notification as soon as practicable before December 1 is encouraged.

I. EXECUTIVE SUCCESSION PLANNING

With respect to ensuring continuity and stability in leadership, the State Superintendent will assure that the Department's senior staff have sufficient knowledge of the procedures of the State Board, and will have in place a written executive succession plan identifying who is to act in his/her place when s/he is no longer available or unable to perform his/her duties for an extended period of time. Copies of the written executive succession plan shall be provided to, at minimum, the deputy state superintendents, the State Board President, and the Department's chief legal counsel/attorney general. Any written executive succession plan shall have no effect in the event the State Superintendent resigns, is not renewed, or is otherwise terminated by the State Board.

The plan shall be submitted within 60 days of taking office and updated annually or in the event of a major change.

J. VOTING

All resolutions of the State Board shall be passed by vote. All regular members present shall be entitled to exercise voting rights on all matters. The student member may vote

IV. OFFICE OF THE STATE BOARD

The Office of the Maryland State Board of Education (State Board Office) supports the officers and members of the State Board to ensure the effective and independent functioning of the State Board in fulfillment of its statutory, policy making, regulatory and administrative responsibilities. The State Board Office also works closely with the State Superintendent of Schools for the Maryland State Department of Education (MSDE) and department staff in communicating and coordinating the expectations and informational needs of the State Board.

Staff of the State Board Office serve State Board members in a variety of ways to include, but not limited to:

- Responding to requests for information and assistance;
- Preparing and distributing board meeting materials and coordinate meeting logistics;
- Serving as a liaison between State Board members and Department staff, the Governor's Office, the State Legislature, and other stakeholders, as requested;
- Researching information about education-related data, policy, and programs, as needed;
- Orientation of new board members;
- Preparing and distributing correspondence;
- Processing travel reimbursement.

Please contact the Office of the Maryland State Board of Education with any questions, requests or concerns at:

Office of the Maryland State Board of Education
200 West Baltimore Street
Baltimore, Maryland 21201-2595
410-767-0467
Stateboard.msde@maryland.gov

APPENDIX A

Maryland State Board of Education Framework for Evaluation of the State Superintendent

The State Board shall annually evaluate the performance of the State Superintendent pursuant to the procedures set by the State Board. The State Board shall establish annual performance goals and metrics for the year beginning July 1, 2017 based on four categories:

Category 1: Leadership

Carrying out the powers and duties of the State Superintendent and upholding the legal, contractual, and moral requirements of the position, as they relate to conduct, performance of duties, and competence.

Category 2: Management and Operations

Successfully leading and managing MSDE, including but not limited to: staffing, budgeting, reporting, and auditing; as well as support of the Board.

***Category 3: Innovation, Implementation and Communication/External Relations**

Demonstrating successful executive leadership, including but not limited to:

- *Bringing potentially impactful, research-based and actionable education policy initiatives to the Board for consideration.*
- *Effectively executing programs designed to improve students' and educators' performance.*
- *Leading the state's conversation about school improvement.*

***Category 4: Progress**

Meeting interim indications of progress – as previously agreed on with the superintendent and the Board – towards state education metrics for results in 2019- 2020.

**NOTE: Categories 3 & 4 above will be substantiated and made concrete during discussions between the Board and State Superintendent that will establish priorities and goals for the year)*

Evaluation criteria for the coming year shall be established as indicated below:

- *Identify targets and timeframe with the focus on:*
 - moving student performance forward annually;
 - thorough data reporting; and
 - establishing specific outcomes within a reasonable time period.

- *All State Board members meet with the Superintendent to discuss short- and long-term goals and priorities (e.g. 1, 2, 5... years)*

- *State Board and Superintendent come to agreement on a determined number of goals and priorities moving ahead*
 - Understanding that not all will be met immediately (within a year), but lays the foundation and allows for innovation and new initiatives
 - Encourages buy-in and mutual commitment to the established goals and priorities

- *The superintendent will bring forward to the board specific data/research supported and costed-out policy proposals for the Board's consideration. These proposals will be made:*
 - In response to the specific goals and priorities established, and
 - On any other topic as part of the superintendent's regular job expectation throughout the year.

- *Broader comment on Superintendent's overall responsibilities, as determined by the State Board*

ACKNOWLEDGEMENT

I (print name) _____ have received the Maryland State Board of Education (State Board) Governance and Operations Manual and understand its contents and my obligations and responsibilities as a State Board member.

Signature

Date