MARYLAND STATE BOARD OF EDUCATION

GOVERNANCE AND OPERATIONS MANUAL

(April, 2020)

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I. VISION AND MISSION

Vision

To ensure all students have access to a world class educational system that prepares them to graduate ready for post-secondary learning, rewarding work, and success in society and life.

Mission

Provide leadership, set policy, and advocate for continuous improvement of Maryland's educational system to achieve the following:

- *Assist every student to realize his or her potential.*
- *Develop and support a strong accountability system to increase academic success for all students*
- *Promote a safe, healthy, and orderly environment for learning and teaching*
- *Ensure educator and administrator effectiveness*
- *Promote students' physical, mental, social, and emotional well-being*
- *Expand high-quality educational opportunities for students and parents*
- *Work with districts to strengthen infrastructure*
- *Increase communication and partnerships with stakeholder's statewide*

II. COMPOSITION AND GENERAL AUTHORITY

A. Establishment

The Maryland State Board of Education (State Board) was organized in Maryland in 1864 and is the head of the Maryland State Department of Education (MSDE). The State Board has general control and supervision over public schools and the educational policy and interests of the State.

B. Membership

The State Board consists of 13 regular members, and 1 student member, all appointed by the Governor with the advice and consent of the State Senate. Regular members serve staggered four-year terms and the student member serves a one-year term. The initial teacher member will serve until the end of June 30, 2022, or until a successor is appointed and qualifies; and the initial parent will serve until the end of June 30, 2023, or until a successor is appointed and qualifies.

All members are eligible to be reappointed to a second full term but may not serve for more than two full terms.

C. Statutory Powers and Duties

The State Board is organized and has the following general powers and duties as provided in Subtitle 2, Education Article of the Annotated Code of Maryland. (http://mgaleg.maryland.gov/webmga/frmStatutesText.aspx?article=ged&section=2-205&ext=html&session=2017RS&tab=subject5)

1. ***Visitatorial Power***

   The State Board is vested with the last word on any matter concerning educational policy or the administration of the system of public education. The power of visitation vested in the State Board is one of general control and supervision; it authorizes the State Board to superintend the activities of the local boards of education to keep them within the legitimate sphere of their operations, and whenever a controversy or dispute arises involving the educational policy or proper administration of the public school system of the State, the State Board's visitatorial power authorizes it to correct all abuses of authority and to nullify all irregular proceedings.

2. ***Authority over the general care and supervision of public elementary and secondary education, as well as childcare facilities, juvenile services education, and vocational rehabilitation services. Among its specific powers are the following:***

   a. Quasi-Judicial Powers

i. With the advice of the Attorney General, *explain the true intent and meaning* of the Education Article and the Board's bylaws, rules, and regulations.
ii. *Decide all controversies and disputes* under the Education Article – the decision of the State Board is final.
iii. *Order* public and non-public schools to *correct deficiencies* or to *end operations* if either fails to meet the standards established by the State Board.
iv. With approval of Governor, *remove for cause any elected local board member*.

b. Legislative Powers
   i. Determine the *elementary and secondary educational policies* of the State.
   ii. Implement the provisions of the Education Article that pertain to the public schools and *adopt bylaws, rules, and regulations* for the administration of the public schools.
   iii. *Establish basic policy and guidelines for the program of instruction* for the public schools.
   iv. *Establish rules* and regulations for the *promotion of students* in a public school and *graduation* from a public high school.
   v. *Adopt bylaws, rules, and regulations for the approval and accreditation of all public schools and establish standards for and certify the approval of non-public schools.*
   vi. On the recommendation of the State Superintendent, establish standards and guidelines for planning and constructing *school building projects*.
   vii. With the *Professional Standards and Teacher Education Board, develop rules and regulations for the certification of teachers and* professional personnel and requirements for preparation of teachers and other education personnel.

c. Executive Powers
   i. *Appoint State Superintendent* of Schools. The State Superintendent serves a four-year term and is responsible for the administration of the MSDE and carries out the educational policies of the State Board. The State Superintendent is the Chief Executive, and also serves as Secretary and Treasurer of the State Board.
   ii. *Institute legal proceedings* to enforce the Education Article and Board's regulations.
   iii. *Prepare and send to the Governor an annual State public school budget* including the appropriation for the Department and State aid to the counties and Baltimore City for current

expenses, for student transportation, and for the construction of school buildings.

iv. With the advice of the State Superintendent, *recommend* to the Governor and the General Assembly *any legislation* that it considers necessary.

v. *Accept federal funds* allocated by Congress for public schools and serve as *educational authority for the expenditure and administration of these funds*.

D. Compensation

A member of the State Board serves without compensation but is entitled to reimbursement for expenses in accordance with the Standard State Travel Regulations.

E. Ethics Policy and Financial Disclosure

State law requires each Board Member to complete an annual financial disclosure form with the State Ethics Commission.

As members engage in Board business and discussion, they need to be vigilant about identifying potential conflicts of interest or the appearance of impropriety. You are advised to call the Ethics Commission at 410-260-7770 whenever you think there is a possibility of conflict or impropriety

III. ORGANIZATION AND OPERATIONS

A. PROCEDURES AND EXPECTATIONS

1. Election of Officers

- The President manages the process.
- Annually, at the June meeting, in executive session, the President will ask members to indicate intentions regarding serving as an officer (President and Vice President). This does not preclude a member from making a nomination on the day of the elections.
- Annually, at the July meeting:
  - The election process will be managed by the most senior member in years of service on the State Board, who does not desire to be a nominee for President. If more than one person is eligible, the State Board will select one of the candidates by majority vote.
  - In executive session, interested members will address the other Board members stating why they should be elected for the stated office. This will be followed by an unofficial vote to determine preferences for the positions.
  - In public session, members will vote by voice vote for the President and Vice President. (State Education Article, § 2-204 of the Annotated Code of Maryland). Individual votes will be recorded in the public session minutes.
- If there is more than one candidate for a given office, a written ballot will be used. If there are more than two candidates for a given office, successive rounds of balloting will be conducted, with the candidate receiving the fewest ballots being removed from each successive round until one candidate has a majority vote.
- Affirmative vote of a majority of the members then serving is required for election to office. (State Education Article, § 2-204 of the Annotated Code of Maryland)
- The terms of office will be 1 year. (State Education Article, § 2-204 of the Annotated Code of Maryland)
- A member may not serve more than 4 years as President. (State Education Article, § 2-204 of the Annotated Code of Maryland)
- In the event that the President resigns from or otherwise leaves the State Board during his/her term of office, the Vice President will become President for the remainder of the unexpired term.
- In the event that the position of Vice President becomes vacant during a term of office, a new Vice President will be elected by the State Board at the next regularly scheduled meeting.

2. Duties and Responsibilities of Officers

President

- Presides at all meetings of the State Board.
- Serves as the official spokesperson for the Board and represents the Board in public and ceremonial functions. This may include testifying before the Legislature, providing remarks at public events, etc. The President should notify members of the State Board of such appearances in advance, or as soon as practicable.
- Manages the annual evaluation of the State Superintendent including, as appropriate, selecting a committee.
- Determines, in consultation with the Vice President and the State Superintendent, the agendas for all meetings of the State Board.
- Calls special meetings of the State Board when necessary.
- Appoints the membership of Ad Hoc committees recommended by the Board.
- Appoints the State Board representative(s) to all organizations external to the State Board.
- Reviews and approves State Board member requests to attend meetings or conferences held out-of-state.
- Gives direction to and holds State Board members accountable for meeting attendance, familiarity with agenda materials, support of Board actions, and general behavior during Board meetings.
- Ensures that correspondence sent to or on behalf of the State Board is shared with all members. Given the varied nature and types of communications received, the President will exercise his/her judgement in forwarding relevant/appropriate communications.

Vice President

- Presides at State Board meetings in the absence of the President.
- Assists the President in carrying-out his/her duties and responsibilities.
- Assists the President with the management of the annual evaluation of the State Superintendent and serve as an ex officio member of any evaluation committee.
- Participates in meetings/conference calls with the President and State Superintendent to plan monthly meeting agendas.
- Assumes the Presidency upon premature vacancy by the existing President.

3. Expectations of State Board Members

Officers

- *Leadership* – State Board officers must have the capacity to inspire a shared vision for the State Board and the State Department of Education, be decisive, and capable of tackling difficult issues.
- *Objectivity* – State Board officers must be able to listen well and provide a forum for productive dialogue, with contributions from all sides of an issue. Must be able to place State interests before special or parochial interests.
- *Roles and Responsibilities* – An able officer understands the distinctions between the State Board's ole and staff role, as well as the areas in which those roles overlap.
- *Working Culture* – A dynamic State Board officer welcomes good ideas, encourages innovative thinking, and refuses to tolerate inappropriate and divisive behavior.
- *Meeting Management*- State Board officers must be able to run effective meetings, use time efficiently, and keep the discussion focused on the critical issues of governance.
- *Communication* – State Board officers must be able to articulate the goals and objectives of the State Board and communicate effectively with all constituencies, and distinguish between personal opinion and that of the State Board.
- *Relationship with State Superintendent* –State Board officers must be able to develop and maintain an effective working relationship with the State Superintendent. The relationship between the officers and the State Superintendent requires clarity of roles, trust, and honesty.

State Board Members

- Make decisions based on the best interests of the State Board, not those of a special interest group or local subdivision.
- Attend State Board meetings. State Board members should notify the President or the State Board Office if they cannot attend part or all of a scheduled meeting. A member of the State Board who fails to attend at least 50% of the meetings of the Board during any consecutive 12-month period shall be considered to have resigned (State Government Article, § 8-501 of the Annotated Code of Maryland).
- Read all written materials prior to each meeting in preparation for discussion and decision making.
- Actively participate in decision making.
- State Board members often possess expertise in education policy and practice. We must expect that they will, in their private capacities,

work on, write, and speak about education issues. However, when a State Board member is publicly engaging in an issue that is before the State Board or that is specifically about Maryland policy or practice, that State Board member should make clear that s/he is expressing personal views and not speaking on behalf of the Board.

- Recognize that individual State Board members do not have authority to bind, speak, or act for the State Board or Department of Education, except as authorized by the State Board as a body.
- Avoid committing the State Board to a position with public comments except when State Board policy is already clearly established.
- Support official actions, policies, and positions of the State Board and refrain from publicly opposing decisions/actions once they are adopted.
- Respect and protect the confidentiality of all information shared and discussed in Executive Sessions of the Board.
- Comply with the State Ethics Law, including annual submission of Financial Disclosure Forms, and avoid even the appearance of a conflict of interest.
- Show respect for fellow Board members, staff, and members of the public.
- Refrain from comments concerning family members, personal philosophy, and personal experiences in order to have public sessions conducted in a professional and business-like manner.
- Serve as a liaison to commissions, committees, and task forces for the Department of Education and external organizations, as needed, and provide regular updates to the Board.

4. Meeting Procedures

Regular Meetings:
Each year, the State Board shall: 1) hold a meeting in July; and 2) at least three other regular meetings. (§2-204, Education Article I). The Board shall establish and approve a regular meeting calendar in July of each year for the next calendar year. Generally, regular meetings of the Board shall occur on the 4th Tuesday of each month. A schedule of regular meetings shall be approved by the Board and published for the public. Changes to the published calendar should occur rarely and only upon general consensus of the Board. Board staff shall handle all meeting logistics.

Special Meetings:
The Board may hold special meetings as necessary (§2-204, Education Article I). The President or a majority of seated State Board members may

call a special meeting to address issues as needed. Board members may notify the President in writing of the request for a special meeting. Special meetings will be held at a date and time convenient to a majority (quorum) of the Board members. Board staff will handle meeting logistics, to include confirming a date and location. Board members will provide calendar availability to Board staff and the President, or the President's designee within 48 hours after a request for a special meeting has been made. Board members will be informed of the confirmed date as soon as reasonably possible.

Executive Session:
The Board may meet in Executive Session as pursuant to §3-305(b) of the General Provisions Article of the Annotated Code of Maryland. To meet in closed session the Board must first meet in an open session, after notice, and the presiding officer must read a closing statement disclosing the topics for discussion and reason for adjourning to closed session. The Board shall then adopt a motion to go into executive session.

Information Work/Study Sessions:
The President or a majority of seated Board members may convene informational work or study sessions to allow for more detailed discussion and review of education policy issues. No official action shall be taken during these sessions and they are open to the public.

Public Hearings:
The Board may designate a meeting as a public hearing on a particular issue, giving more individuals an opportunity to present their opinions to the Board.

Electronic/Remote Participation:
Board members are expected and strongly encouraged to be physically present at all regular State Board meetings and Executive Sessions; however, members may request to participate remotely if absolutely necessary. Electronic/remote participation by Board members is at the discretion of the President and as permitted by state law. All requests should be submitted to the President as soon as possible for consideration. If the request is from the President, approval will be granted by the Vice President, who in the President's physical absence will preside over the meeting.

Remote participation depends on the appropriate video and/or audio technology being available and working at the meeting site and at the location from which the member is participating. The member is responsible for testing the technology in advance to be sure it works

appropriately. If using video conferencing and technical difficulties occur during the meeting, the member may participate remotely via audio.

Members who participate remotely will not be given credit for meeting attendance for purposes of meeting the statutory attendance requirement.

Quorum:
The presence of a majority of the Boards seated members constitutes a quorum and is necessary to take official action. A quorum can be present either in person or remotely. Email communications among a quorum, as opposed to between individual members, could constitute a meeting if the emails are so close in time as to show that a quorum was discussing an issue that should be addressed in public session.

In the absence of a quorum, the President (or presiding officer) will make a decision to cancel the meeting. If known in advance, the President should give notice as soon as possible.

Rules of Order:

- Obtaining and Assigning the Floor:
  Board members must be recognized by the President before making a motion or speaking in debate. The President must recognize any board member who seeks the floor while entitled to it.

- Motion Procedure for Action Items:
  To make a motion, a Board member must first obtain the floor by recognition of the President. After a motion has been made, another Board member who wishes it to be considered will second it, or the motion dies. The President states the motion and calls for discussion, after which the Board may act on such matter following repetition of the motion by the President.

Absence of the President:
If it is necessary for the President to be absent from a meeting for any reason, the Vice President shall preside and exercise all the powers and duties of the President. If the President and the Vice President are absent, the Board shall select a member, by majority vote, to preside and exercise all the powers and duties of the President.

Meeting Cancellation:
The President, in consultation with the Vice President and State Superintendent, has the authority to cancel and/or reschedule a meeting as necessary due to extenuating circumstances (such as inclement weather). Upon making a decision to cancel or reschedule a meeting, the President shall communicate the decision and rationale for the decision to the State Board by phone or electronic communication. The President's decision shall be final unless a majority of seated Board members object in writing (includes email) to the cancellation within 24 hours of the President's notification.

In the case of inclement weather on a scheduled meeting date, the Board will follow the decision made by the Governor regarding closures for State Government. If the Governor issues an order closing State facilities, any scheduled meeting(s) would be cancelled. If the Governor does not make such a declaration, the President will consult with the Vice President and make a determination of how to proceed. Board members will be notified of any decisions by the President and /or Executive Director as soon as possible.

Minutes:
A written summary of each meeting will be prepared to reflect the following: each item under consideration by the Board, the action taken on each item, and each vote that was recorded (§3-306(c)). Any proposed edits or changes must be submitted to the Executive Director for final drafting no fewer than three business days in advance of the next/upcoming meeting. Proposed edits should then be distributed to the Board in advance of the meeting. Approved minutes shall be posted on the Board's website within 10 business days of the Board meeting at which the minutes were approved.

5. Committees

Committees and task forces will operate on an Ad Hoc, as needed, basis and shall be appointed by the President or upon the recommendation and/or approval by motion/vote of the State Board to establish such committees. Committee members may be appointed by designation of the President, by motion or vote of Board members, or by a member volunteering to serve. The Chair for a committee established by the Board will be appointed by the President. No committee shall be comprised of a number of members as to constitute a quorum.

Members may also volunteer or be appointed to serve as a liaison to commissions, committees, and task forces of the State Board, the State Department of Education, and external organizations, as needed.

Every four (4) years, the President will appoint a Policy Review Committee to undertake a review of internal State Board Policy.

Members serving on committees, commissions, and task forces shall provide regular updates to the full Board and submit recommendations, as appropriate. All actions and recommendations must be approved by majority vote of the Board. No committee, subcommittee, commission, or task force, or individual representing the State Board in such capacity, may act independently on behalf of the Board unless its charge specifically empowers it to act on the Board's behalf.

6. <u>Compensation and Reimbursement for Expenses</u>

State Board members serve without compensation but are entitled to reimbursement for expenses in accordance with the regulations outlined in the Public Ethics Law (General Provisions, Title 5) and the State Travel Management Unit (Subtitle 02 Business Administration 23.02.01 *Standard Travel Regulations;* State Finance and Procurement §10-203, Annotated Code of Maryland).

State Board members may be reimbursed for actual and essential expenses incurred in attending meetings or incurred in the performance of their duties as directed by the State Board. Actual and essential expenses may include: mileage, lodging accommodations, meals, parking, postage, printing, registration fees, and other such expenses incurred in connection with official State Board business. An itemized receipt must accompany every request for reimbursement.

Travel arrangements and expense reporting should be coordinated through the Office of the State Board. In determining proper expense items for members, the State Board has established the following guidelines:

<u>Reimbursement for in-state travel expenses:</u>

- Regular and special meetings of the Board.
- Hearings of legislative committees on matters concerning the Department of Education.
- Meetings of advisory committees and task forces as a representative of the Board.

- Meetings and conferences sponsored by the Department of Education or organizations that have a direct relationship to the work of the State Board and the Department of Education to serve and support students and schools.
- Any other expense specifically related to Board functions.

Reimbursement for out-of-state travel expenses:

- Attendance at any out-of-state event must be approved by the President/State Board in order for expenses to be paid or reimbursed.
- Each Board member is generally limited to two (2) out-of-state events or conferences that serve a direct purpose associated with the State Board and/or the Department of Education per calendar year, unless they are serving in a leadership role representing the State Board, or their expenses are covered personally or by another organization (as approved).
- Expenses will be covered for up to three (3) Board members at any one national meeting. Additional members may attend if their expenses are paid personally or covered by another organization (as approved).

Only expenses of Board members may be reimbursed. Expenses for spouses, family members, or other persons traveling with a Board member are not reimbursable. Expense reports shall be submitted to the Office of the State Board within 60 days of the date incurred.

The Ethics Law limits acceptance of unsolicited gifts, such as payment of travel expenses to conferences by officials and employees if the gifts are from a controlled donor as set forth in §5-505(b). Controlled donors include individuals or businesses that: 1) do business with or seek to do business with the official's or employee's agency; 2) are regulated by the official's or employee's agency; 3) have private interests that can be impacted by an official's or employee's performance of his/her duties; or 4) are regulated lobbyists with respect to matters within the jurisdiction of the official employee. Any analysis of a question concerning the application of the Law's gift limitations necessarily begins with the question: is the gift being given by a controlled donor? If the answer to that question is "no", the gift limitations do not apply and the unsolicited gift may be accepted. On the other hand, if the answer to the questions is "yes", further analysis is required to determine if one of the exceptions in §5-505 (c) applies. (Note that an agency may impose stricter limitations on gifts than those contained in the Ethics Law, and in such cases the

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 commending 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

on all matters with the exception of any matter that relates to: (i) the dismissal of or other disciplinary action(s) involving personnel; or (ii) appeals to the State Board under §2-205 of the subtitle or §4-205 or §6-202 of Article I. The affirmative vote of a majority of the members serving on the Board is required for any action by the Board (§2-204). Members not present at a meeting (held in person or by conference call) shall not be entitled to vote.

Votes of the Board shall be by voice vote. Votes shall be taken by the President by first calling the member who made the motion followed by the member who seconded the motion. The President will then acknowledge every vote taken by calling the names of each member voting for, against, and abstaining from a motion so that this information may be recorded in the minutes. This includes votes from members participating remotely. In instances where the vote is unanimous, the President shall recognize and record the vote as unanimous.

In all instances requiring emergency voting /remote polling of Board members, the vote will be ratified at the next scheduled public meeting.

Once a vote has been taken and is approved by a majority of the seated members, it becomes a Board action. All Board members are obligated to support Board actions regardless of personal feelings or personal 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