BOARD OF EDUCATION OF HARFORD COUNTY

BOARD MEMBER HANDBOOK

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The Harford County Public Schools
102 Hickory Ave.
Bel Air, Maryland 21014

TABLE OF CONTENTS

I. Legal and Historical Background 1

A. Historical Background of Board of Education 1

B. Legal Status of Board of Education 1

C. Relationship of Board of Education to Federal, State and County Government 2

II. Authority and Responsibility of Board of Education 3

A. General Control Over Educational Matters in the County 3

1. Strategic Plan 3

2. Vision Statement 3

3. Mission Statement 3

4. Belief Statement 3

B. Board Policy 3

C. Other Statutory Duties 3

1. Budget 4

a. Capital 4

b. Operating 4

c. Budget Committee 5

2. Personnel 5

3. Collective Bargaining 5

4. Appointment of Superintendent 6

5. Appellate Function 7

D. Board/Superintendent Relationship 7

III. Governance 8

A. Introduction 8

B. Board Meetings 8
1. School System Governance Section of Board Policy Manual 8
2. Agenda Setting 9
3. Rules of Procedure 9
a. Robert's Rules of Order 9
b. Majority/Voting Requirements 9
4. Legal Requirements of Meeting 10
a. Open and Closed Meetings 10
b. Meeting Minutes/Records 10
5. Duties of President/Vice President 11
a. Election 11
b. Duties 11
C. Committees 12
1. Citizen Advisory Committees 12
2. Standing Board Committees 12
3. Ad Hoc Committees 12
D. Public Engagement 12
E. Key Work of School Boards 13
IV. Board Organization and Membership 14
A. Membership 14
1. Hybrid Board 14
2. Qualification for Membership 14
3. Student Member 14

B. Requirements of Members 15

1. Ethics/Financial Disclosure 15

2. Attendance at Meetings 15

3. Board Code of Conduct 15

C. Board Member Orientation/Training/Leadership Development 16

D. Expenses and Reimbursement of Board Members 16

E. Removal of Board Member 17

V. Operating Procedures and Protocols 18

A. Communications 18

1. General 18

a. Maryland Public Information Act (MPIA) 18

b. Standards for Board Communication 18

B. Intra-Board Communication 19

C. Board/Superintendent Communication 19

D. Board/Staff Communication 19

E. Board Communication with Public 19

F. Social Media Expectations 20

G. Visiting Schools 21

FOREWORD

The purpose of this Board Member Handbook is to advise members of the Board of Education of Harford County of the requirements and responsibilities of such office. This Board Member Handbook sets forth and describes the most significant responsibilities and requirements of Board membership and the provisions of law and regulation, Board policy and protocols which govern the performance and actions of Board members as they carry out the duties of their office. To the extent this Board Member Handbook sets forth specific rules of procedure not otherwise set forth in law, regulation or Board policy, such specific rules are binding upon the Board.

This Board Member Handbook does not contain an exhaustive list of all the requirements and responsibilities of Board membership. Rather, the Board Member Handbook is intended to serve as an overview of the most important regulations and responsibilities of Board membership.

BOARD MEMBER HANDBOOK

I. Legal and Historical Background

A. Historical Background

Public education provides the foundation for American democracy. The Maryland Constitution recognizes the importance of education in mandating a system of public schools. Article VIII Section 1 of the Maryland Constitution provides as follows:

> *"The General Assembly, at its First Session after the adoption of this Constitution, shall by law establish throughout the State a thorough and efficient System of Free Public Schools; and shall provide by taxation, or otherwise, for their maintenance."*

Public schools in Maryland were first authorized by the Maryland State Constitution of 1864 pursuant to the state constitutional provision quoted above. A board of school commissioners oversaw the Harford County public schools until 1916 when the Maryland General Assembly passed legislation which provided that the board of school commissioner in each county be designated and referred to as the board of education and that the chief officer of the county school system be referred to as the superintendent of schools.

Public schools in Harford County were segregated on the basis of race until 1957 when a plan of desegregation was initiated. Full desegregation of the public schools was accomplished in the 1965-1966 school year.

The history of Harford County's public education system is long and proud. Service as a member of the Board of Education is an honor and privilege.

Appendix A contains additional resources which provide more in-depth information regarding the history of public education in Harford County.

B. Legal Status of the Board of Education

The Board of Education of Harford County is authorized and established by Maryland law. Specifically, Section 3-103 of the Education Article of the Maryland Code mandates that there is to be a county board of education for each county located in Appendix B. Section 3-104 of the Education Article, also linked in Appendix B, provides that each county board is a body corporate and politic of the state of Maryland, has perpetual existence and may sue or be sued. Section 3-104 also provides that each county board is to be referred to by

the name of the county which it serves. Thus, the Board of Education of Harford County is a distinct and separate legal entity.

The school system is sometimes referred to as the Harford County Public Schools (HCPS). The terms, Board of Education and HCPS are sometimes used synonymously. However, the legal name for the entire public school system is Board of Education of Harford County.

C. Relationship of Board of Education of Harford County with Federal, State and County Government

As discussed above, the Board of Education is a distinct legal entity under Maryland law. The Board of Education of Harford County, and other local school boards in Maryland, are generally considered state agencies for legal purposes.

As a state agency, the Board of Education of Harford County is separate and independent from Harford County Government although the Board of Education of Harford County receives most of its funding from Harford County Government.

The Board of Education of Harford County, as are all boards in Maryland, is subject to the authority of the Maryland State Board of Education (MSBE) and the Maryland State Department of Education (MSDE). The MSBE has general authority over educational matters in the state. The MSDE is under the authority of the State Board. The MSDE administers MSBE's policies, rules, and regulations. The State Superintendent of Schools oversees the MSDE. The relationship between and among the MSBE, MSDE, and the State Superintendent of Schools is substantially similar to the relationship between and among the Board of Education of Harford County, the Harford County Superintendent of Schools, and HCPS administration at the local level.

While Maryland state laws governing public education are passed by the Maryland General Assembly, the MSBE also issues state regulations which govern public education as well. Such regulations, which are also referred to as MSBE bylaws, are found in Title 13A of the Code of Maryland Administrative Regulations, also known as COMAR.

The chief federal agency which oversees and administers federal law pertaining to education is the United States Department of Education (USDOE). This agency administers, in conjunction with the Maryland State Department of Education such laws as the No Child Left Behind Act (NCLB); the Individuals With Disabilities Education Act (IDEA); and Family Educational Rights and Privacy Act (FERPA). Appendix B contains links to statutory references regarding the legal status of the Board.

II. Authority and Responsibility of Board of Education

A. General Control Over Educational Matters in the County

Under Maryland law, the Board of Education of Harford County is charged with the general authority and control over educational matters in Harford County. Appendix C sets forth the Board's overall goals for the system.

B. Board Policy

Pursuant to Maryland law, with the advice of the county Superintendent, the Board is charged with the responsibility for educational policies of the county school system. The adoption of policies is another method by which the Board exercises its general authority to govern educational matters within the county.

Policies adopted by the Board of Education usually address matters that are systemic in nature rather than matters which are administrative or operational in nature. Operational matters usually fall within the purview of the Superintendent.

The Board policies are found in the Board Policy Manual which is found on the Board's website. The Policy Manual contains several topical sections which pertain to various aspects of the Board's responsibilities and functions.

Included within the Policy Manual are policies which govern the process the Board follows for policy development, review, and revision. Generally, the Board must wait 30 days to allow for public comment before taking final action regarding proposed new or modified policies. Appendix D contains a link to the Board Policy Manual.

The Board is assisted in policy development by the Board Policy Committee. Appendix E contains a link to the charter for this committee.

C. Other Statutory Duties

In addition to the Board's general authority over educational matters in Harford County and policy making, Maryland law sets forth many specific duties and responsibilities for the Board of Education. Some of the most significant of these are as follows:

1. Budget

a. Capital

Adopting the annual Capital Budget is one of the major responsibilities of the Board. The capital budget includes construction and planning funds for new facilities, modernization, and renovations; furniture and equipment associated with these projects, and countywide maintenance efforts. Facilities issues include building utilization, educational program capacity, enrollment projections, boundary changes, and school closings. Financing for capital projects comes primarily from three sources: local bonds, local transfer tax, and state school construction funds.

Each spring, the Superintendent reviews all Harford County Public School facilities decisions and capital budget requests. The Board holds a public hearing in July to receive the public's priorities for new facilities, additions, and renovations. In September, the Superintendent publishes a proposed Capital Budget, as well as a Five-year and long-range Capital Improvement Program. The Board holds a public hearing on the proposed Capital Budget, discusses it at work sessions, and adopts a Capital Budget Request to submit to the Interagency Committee on School Construction (IAC) in October. This budget may be revised when the Board adopts its Operating Budget Request in February. Final adoption does not occur until June 1, after the final funding allocation decisions of the IAC and the Harford County Government are known.

b. Operating

Adopting the annual operating budget is one of the major responsibilities of the Board. The operating budget includes salaries, contractual services, supplies and materials, furniture and equipment, and other funds necessary for the daily operation of the school system. The operating budget is developed under the direction of the Superintendent after receiving input from the Board, staff, and stakeholders.

The Superintendent presents his/her proposed budget to the Board in December and recommends the budget's adoption to the members of the Board. The Board holds a work session prior to the adoption of the budget to secure additional information on

the various line items and categories of the proposed budget and on items the Board itself is considering. At this meeting, the public is invited to voice their priorities and reactions to the Superintendent's proposed budget.

The budget is submitted to the County Executive by March 1st each year. While the Executive may reduce the budget before sending it to the County Council, the Council may choose to restore all or a portion of the reductions. The Council has the authority to adopt the education budget by overall and category totals, but usually extends the courtesy to the Board to recommend category totals after the Council has decided the overall budget amount. After the Council's final action on or before June 15, the Board makes final adjustments to the budget no later than June 30. During the fiscal year, the Board may transfer funds within categories, but must request approval from the County Executive and County Council for any transfers among categories.

c. Budget Committee

The Board is assisted in its work regarding the development, review, and approval of the budget by its Budget Committee. Set forth at Appendix F is a link to the charter for this committee.

2. Personnel

Pursuant to Maryland law, it is the responsibility of the Superintendent to recommend the appointment of all certificated personnel to be employed by the Board of Education, i.e. administrative and supervisory positions. The Board, by vote in an open session, acts on such recommendations.

The Superintendent also notifies the Board of any transfers of personnel among administrative and supervisory positions. While these are not subject to Board approval, the Board shall be advised in advance.

3. Collective Bargaining

Pursuant to Maryland law, the Board of Education engages in contract negotiations with bargaining representatives or unions which represent the five employee units the Board has designated. Maryland law requires that the Board designate specific units of employees for collective bargaining purposes and requires the Board to determine which

employees shall be placed in which bargaining unit. The bargaining representatives (or unions) are as follows:

- The Association of Public School Administrators and Supervisors of Harford County (APSASHC);
- The Harford County Education Association (HCEA);
- The Harford County Education Association Education Support Professionals (HCEA-ESP)
- The American Federation of State, County and Municipal Workers (AFSCME); and,
- The Association of Harford County Administrative Technical and Supervisory Professionals (AHCATSP).

These bargaining representatives represent all Board employees except for employees who are excluded because they are directly involved in negotiations (e.g. Executive Council Members and their direct support personnel).

The purpose of these contract negotiations is to reach labor agreements with the Board of Education's employees regarding wage, salaries, and working conditions or other specified matters which are subject to 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, the Superintendent, and staff are required to maintain confidentiality of matters discussed during closed sessions. Appendix G contains Subtitle 4 and 5 of Title 6 of the Education Article which set forth the legal framework regarding collective bargaining.

4. Appointment of Superintendent

Pursuant to Maryland law, the Board of Education appoints the Superintendent of Schools subject to the approval in writing by the State Superintendent. This undertaking is one of the major responsibilities of the Board of Education.

Under Maryland law, the Superintendent of Schools, at the time of appointment by the Board of Education, enters into a four-year contract beginning on July 1st. The terms and conditions of the contract are negotiated by the Board and the Superintendent.

The Superintendent may not be removed from office except and unless the Board petitions the State Superintendent of Schools to remove the Superintendent for cause.

Appendix H contains selected statutory provisions pertaining to the appointment of the Superintendent.

5. Appellate Function

Pursuant to Maryland law, the Board also hears and acts on appeals of decisions made by the Superintendent. As discussed in this Board Member Handbook, the Superintendent of Schools is the chief executive officer. As such, the Superintendent is responsible to implement the laws and regulations relating to the public schools and the policies and regulations of the Board of Education. In so doing, the Superintendent makes decisions which directly affect students, parents, employees, and other stakeholders. Most of the Superintendent's decisions regarding the administration of the school system may be appealed by persons who are directly affected by the decision. Such appeals are reviewed and decided by the Board acting in its appellate or quasi-adjudicatory function. Examples of the types of matter which the Board may review as an appeal would be the location of a school bus stop; dismissal or suspension of an employee; or the long-term suspension or expulsion of a student.

The procedures which the Board follows in reviewing cases on appeal are set forth in Board policy. The Board conducts some appeals by simply reviewing documents submitted by the parties. In other cases, a panel of the Board will conduct a hearing with witness testimony, presence of legal counsel for the parties, and argument. The nature of the process followed by the Board regarding a specific appeal is dictated by the type of case involved. The Board is assisted in all appeal cases by the Board's counsel.

Appendix I contains selected Maryland statutes and Board policy relating to Board appeals.

D. Board/Superintendent Relationship

As discussed above, the Board provides oversight with respect to the public education system in the county and performs the duties imposed upon it by Maryland law.

The Superintendent is the chief executive officer of the public school system and it is his/her responsibility to ensure that the law and regulations pertaining to public education and Board policy are carried out. The Superintendent also has specific duties that he/she is required to carry out pursuant to Maryland law.

These duties include the following:

- approval of contracts
- presentation to the Board of recommended budgets
- recommending staff for appointment
- recommending curricula to the Board

In order to perform his/her various duties and responsibilities, the Superintendent hires professional assistants. The Superintendent assigns these professional assistants various duties and functions. Appendix J contains the HCPS Organizational Chart which reflects the titles and reporting lines relating to the Superintendent's administration.

As discussed above, the Board evaluates the Superintendent in accordance with the provisions contained in the Superintendent's contract relating to his/her evaluation. These evaluations occur on an annual basis. Appendix K contains the Superintendent's Evaluation Timeline.

III. Governance

A. Introduction

The basic procedural vehicles by which the Board exercises its governing authority with respect to the public school system are Board meetings, committees, and through public engagement.

B. Board Meetings

1. School System Governance Section of Board Policy Manual

The policies contained in the School System Governance section of the Board Policy Manual set forth the procedural framework for meetings of the Board of Education. In accordance with these policies, Board meetings are scheduled on the second and fourth Mondays of the month. Special meetings of the Board may also be called by the president of the Board or by the Superintendent with the agreement of the Board president. Unless otherwise specified, business meetings of the Board of Education take place at the administrative offices of the Board of Education located at 102 S. Hickory Avenue, Bel Air, Maryland. Public comment is permitted and welcomed at Board business meetings. The specific procedure for comment by the public is found in the Board policy entitled *Public Participation at Board Meetings or Public Hearings*. Appendix L contains a link to the School System Governance section of the Board Policy Manual.

2. Agenda Setting

Various items come before the Board at its meeting. An agenda which sets forth such items and the order in which they are considered is prepared for each Board meeting. The agenda is prepared in advance by the Superintendent in consultation with the Board President and Vice President. Any Board member may submit an item for consideration for inclusion on the agenda. The Board votes to accept, reject or modify the agenda of a particular meeting at the beginning of the meeting.

Typically, several items of Board business for a particular meeting are considered on the consent portion of the meeting's agenda. All items on the agenda are considered and acted upon by the Board in accordance with the Board's Rules of Procedure. Board agendas and related materials are provided to Board of Education members in advance of the Board meeting.

Appendix M contains a link to a sample board agenda.

3. Rules of Procedure

a. Robert's Rules of Order

Pursuant to regulation issued by the Maryland State Board of Education (MSBE), local boards of education are to observe the rules generally adopted by deliberative bodies. Robert's Rules of Order is generally utilized by the Board as its rules of procedure.

b. Majority/Voting Requirements

COMAR regulations set forth the criteria as to what constitutes a majority for voting purposes. Motions or resolutions, in order to be adopted by the Board, must receive the concurrence of a majority of the entire Board. [1] For policy decisions, the concurrence of a super majority of the entire Board is required.

[1] The number of Board members who constitute the entire Board varies depending on whether the Student Member is authorized to vote on the matter before the Board.

4. Legal Requirements of Board Meetings

a. Open and Closed Meetings

As discussed above, the Board is a public agency created by Maryland law. As such, the Board is subject to the Open Meetings Act (OMA). The OMA is a Maryland law which requires public bodies such as the Board to conduct its business in public. Pursuant to the OMA, the Board must transact business in meetings open to the public unless the Board is considering certain matters the OMA expressly allows the Board to review and discuss in closed (also known as executive) session. Typical examples of matters which, under the OMA, the Board may consider in closed session are collective bargaining matters; personnel issues relating to specific employees; and consultation with legal counsel.

The OMA also requires the Board to comply with specific procedures such as publishing notice regarding an open or closed meeting; completion of specified forms when a session of the Board is closed; and taking a vote of the Board regarding whether a meeting should be closed. Appendix N contains a link to the OMA.

b. Meeting Minutes/Records

Pursuant to Maryland law and MSBE regulations, minutes of both closed and open sessions of the Board meetings are kept. These minutes are prepared by the Board Administrative Assistant. Minutes of meetings are reviewed and approved or disapproved by the Board at subsequent meetings.

Minutes of closed sessions include a record of any votes taken and information about what occurred during the closed session, but do not compromise the confidential aspect of the closed session.

Pursuant to Maryland law, records of the content of any Board resolution, policy, bylaw, or order must be transmitted to the State Superintendent of Schools.

5. Duties of President/Vice President

a. Election

Pursuant to Maryland law, the Board is to elect a president and vice president. This election occurs at the first meeting in July of every odd year. The president and vice president each serve a term of two years. The Board must fill any vacancy in the presidency or vice presidency within 30 days after it has occurred.

b. Duties

The president of the Board functions as the leader and spokesperson for the Board members, and the presiding officer relative to Board meetings. Among the president's duties are the following:

- maintain communication with the Superintendent
- ensure that evaluations of the Superintendent and the Board Administrative Assistant take place on a timely basis
- facilitate communication between and among the Superintendent and the Board
- appoint persons to serve as members on Board committees
- delegate duties and assignments to Board members
- oversee communication process with public
- act as liaison to county, state, and federal governmental agencies and officials
- preside at board meetings
- participate with Superintendent in preparing of agendas
- act as liaison with Board Counsel
- appoint a Board parliamentarian

The above list is illustrative and not exhaustive. The vice president performs the above functions in the absence of the president.

Pursuant to Maryland law, the Superintendent serves as the secretary and treasurer to the Board. In this role, the Superintendent is responsible to maintain accurate records of Board of Education meetings, act as presiding officer when the president and vice president are elected, and to otherwise ensure the proper administration of Board business.

C. Committees

1. Citizen Advisory Committees

Pursuant to Maryland law, the Board has authority to establish committees of citizens which advise the Board regarding the activities and programs in the public school system. The membership of these committees includes parents, teachers, students, and other citizens.

The following Citizen Advisory committees, or CACs, are established by the Board.

- Career & Technical Education Committee
- Family Life Committee
- Gifted & Talented Committee
- Safety & Security Committee
- Special Education Committee

2. Standing Board Committees

The Board *may* establish standing committees to assist it in carrying out its duties. The following Board standing committees are authorized.

a. Audit Committee
b. Board Policy Committee
c. Budget Committee
d. Legislative Committee
e. Student Government Committee
f. Sustainability Committee

Appendix O contains the charters of the standing committees.

3. Ad Hoc Committees

From time to time, temporary or ad hoc committees may be established by the Board to assist it.

D. Public Engagement

Another method by which the Board executes its responsibilities is by engaging the public in dialogue. Board members appear, participate, and speak at a variety of meetings sponsored by community, educational, or civic organizations. Involvement in such public dialogue provides Board members the opportunity to convey the Board's goals, mission, vision, and performance to all persons concerned about public education in the county.

Board members also may serve on external committees established by governmental agencies or civic groups which are concerned with matters which pertain to public education.

E. Key Work of School Boards

In addition to its mission and vision, statements, and policies and the mandatory duties that are defined in law, the Board is committed to "The Key Work of School Boards" which is a framework for planning and acting that is based upon systems thinking developed by the National School Boards Association. "The Key Work of School Boards" encompasses the following eight essential areas upon which the Board focuses:

Vision
Engaging in a comprehensive planning process to establish a clear vision of student achievement as the top priority of the school board, staff, and community.

Standards
Setting clear standards for student performance.

Assessment
Establishing an assessment process that measures success at regular intervals.

Accountability
Establishing a strong accountability process.

Alignment
Aligning resources to focus on students meeting the standards.

Climate
Creating a positive climate for student and staff success.

Collaborative Relationships
Building collaborative relationships with political and business leaders, with a focus on developing a consensus for student achievement as a top community priority.

Continuous Improvement
Committing to continuous improvement for student achievement.

IV. Board Organization and Membership

A. Membership

1. Hybrid Board

The Board consists of nine citizen members and one student member. Six of the citizen Board members are elected, one from each of the six councilmanic districts in the County and three are appointed by the Harford County Executive.

Appendix P contains a link to Subtitle 6A of Title 3 of the Education Article which is the law which established the hybrid Board of Education.

2. Qualification for Membership

Pursuant to Maryland law, members of the Board of Education must meet certain qualification requirements. If a member does not meet these requirements, he/she would be subject to disqualification from the Board of Education.

These requirements are as follows:

Board members may not be subject to the authority of the Board, i.e. he/she cannot be an employee of the Board. Board members must be registered voters of Harford County. Elected Board members must be a resident of the councilmanic district he/she represents.

Appendix P contains a link to Subtitle 6A of Title 3 of the Education Article which contains the qualification requirements pertaining to Board of Education members.

3. Student Member

The Board has a student member. The student member is either an 11th or 12th grader attending a Harford County public school and is selected by HCPS students by a procedure approved by the Board. He or she may vote on certain matters as specified in the law.

Appendix P contains a link to Subtitle 6A of Title 3 of the Education Article which contains the provisions of law pertaining to the Student Member.

B. Requirements of Members

1. Ethics/Financial Disclosure

Pursuant to Maryland law, Board members as well as all other Board employees are subject to the Board's Ethics Policy. Pursuant to and as required by Maryland law, the Board has adopted an Ethics policy which sets forth specific regulations regarding conflicts of interest. Board members and employees are subject to these rules. Additionally, Board members and certain specified Board employees such as the Superintendent and his executive assistants are required to file, on an annual basis, financial disclosure reports which set forth any financial relationship between the Board member and school system.

The Board Ethics Policy is enforced and interpreted by the Board of Education Ethics Panel, which consists of five citizens of Harford County selected by the Board of Education. The panel reviews the financial disclosures as appropriate, investigates complaints alleging violation of the Ethics Policy and provides, as requested, advisory opinions which interpret provisions of the Ethics Policy. The General Counsel serves as the liaison between the Board and the Ethics Panel.

Board member knowledge about and compliance with the Board Ethics Policy are of utmost importance. Appendix Q contains a link to the Board Ethics Policy.

2. Attendance at Meetings

Board members are expected to attend Board business meetings, work sessions, appeals, and other meetings or events as practicable. Failure to attend in-person at least 75 percent of all open Board Business meetings and work sessions annually, without good cause, i.e. proper notice provided to the Board President for illnesses or family emergencies, serves as a basis for recommendation for removal of a Board of Education member.

3. Board Code of Conduct

The Board of Education maintains a policy entitled Board Code of Conduct. This policy sets forth the requirements relating to the manner in which Board members conduct themselves. Among the provisions of the Code of Conduct policy are those pertaining to confidentiality, deference to Board decisions, proper relationship with the Superintendent and staff, and respect for fellow Board members. Adherence to this requirement of the Code of Conduct policy is essential to allow the Board to carry out its duties effectively and lawfully.

Appendix R contains a link to the Board of Education Code of Conduct policy.

C. Board Member Orientation/Training/Leadership Development

All Board of Education members are expected to participate in a reasonable amount of conferences, orientation, training, and leadership development activities, within the means of the Board Budget. The Board of Education is a member in two organizations which provide extensive services with respect to such activities.

These organizations are Maryland Association of Boards of Education (MABE) and National School Boards Association (NSBA). MABE's membership consists of 24 public school systems in Maryland. It provides regular seminars and training activities for new and veteran Board members. MABE also hosts an annual conference for Board members and staff of all the Maryland school systems. This conference typically occurs in the fall.

Board members are encouraged to serve as members of MABE committees or entities such as the MABE legislative committee or the MABE Legal Services Association.

NSBA's membership consists of public school systems throughout the country. It also provides seminars, training activities and information for Board members and staff as well as a national conference.

The Board of Education pays from its operating budget the costs of registration, travel, lodging, and other expenses relating to the attendance of Board members at Board member orientation training or leadership development conferences or meetings.

Appendix S contains links to both the NSBA and MABE websites.

D. Expenses and Reimbursement of Board Members

Pursuant to Maryland law, Board of Education members are entitled to be reimbursed in the amount of $300 monthly for expenses they incur in carrying out their duties as Board members. The HCPS Office of Finance issues a payment in the amount of $300 on a monthly basis to each Board member. The Finance Office also issues a United States Internal Revenue Service Form 1099 to Board members reflecting total yearly payment to each Board member. It is the responsibility of each Board member to keep records of expenses incurred relating to their Board service so that such expenses can be deducted from the yearly payments described above. If a Board member incurs expenses which exceed the $300 monthly amount, the Board member may be reimbursed for such expenses if the Board of Education approves such reimbursement.

Appendix T contains a link to Section 3-6A-04 of the Education Article entitled "Travel and Other Expenses for Members of the Board of Education."

E. Board Communication with Media

All Board members are responsible for treating members of the media just as we would any other community members - with respect and dignity. The President of the Board functions as the leader and spokesperson for the whole Board.

Board members should:

Inform journalists that media requests must go through the Manager of Communications and forward their contact info to appropriate staff in a timely manner.

As a public official and community leader, Board member words and actions reflect on their office, schools, and our entire organization. Students, families, and community members see us as role models and therefore it is important to be cautious when making public statements even if they are not directly related to your role with HCPS and the Board.

Clarify when you are speaking as an individual and not on behalf of HCPS by clearly stating that you are not speaking on behalf of or representing HCPS, unless the Manager of Communications has authorized you to do so.

HCPS Board members should not use official email or letterhead to communicate personal positions or opinions.

F. Removal of Board Member

Pursuant to Maryland law, Board members may be recommended for removal from office by the MSBE for specified reasons:

- immorality
- misconduct in office
- incompetency
- willful neglect of duty
- failure to attend in-person without good cause at least 75 percent of the scheduled meeting of the Board of Education in any one calendar year.

Before making a decision as to whether to remove a member, the MSBE is required to provide an opportunity for a hearing regarding the charges against him or her.

Appendix U contains a link to Section 3-6A-02 of the Education Article entitled

"Removal of Board Member".

1. The Harford County Council appoints a qualified individual to fill any vacancy of an elected member on the county board for the remainder of the term and until a successor is elected and qualifies.
2. The Harford County Executive appoints a qualified individual to fill any vacancy of an appointed member of the county board for the remainder of the term and until a successor is appointed and qualifies.

V. Operating Procedures and Protocols

A. Communications

1. General

a. Maryland Public Information Act MPIA

Board written communications are subject to the Maryland Public Information Act (MPIA). The MPIA is a Maryland law which permits persons to review and photocopy documents which are in the custody and control of a Maryland public agency subject to a number of exceptions. As discussed above, the Board is a Maryland public agency. Under the MPIA, document means most material that is written or forms a record including computer records and emails.

As mentioned above, there are some types of documents that may be exempt from review or photocopying under the MPIA. Examples of these exempt document types are attorney/client communications, student records, and personnel records. Board members should, however, consider all communication they write as potentially subject to review under the MPIA inasmuch as determining whether a particular document or even portion of a document is exempt from disclosure under the MPIA can be a complex legal issue. Appendix V contains a link to the MPIA.

b. Standards for Board Communication

All Board communications, whether oral or written, should comport with the standards and requirements of the Board Code of Conduct. All Board written communication, whether in the form of a conventional letter or email, should be considered formal business correspondence that will be subject to public review. By communicating in a business-like way, Board members act consistent with the Board Code of Conduct, the MPIA, and the standard of decorum consonant with public office.

B. Intra-Board Communication

Board members may communicate in writing between and among themselves regarding administrative or operational matters such as attendance at a meeting, location of a meeting or use of the Board computer network. Board members may not communicate in writing between and among themselves regarding a matter which concerns public business such as adoption of a policy, adoption of a budget, or approval of a contract.

Outside of Board meetings or social settings where the topics do not relate to Board business matters, Board members may communicate with each other verbally provided a quorum or more of Board members are not present for such communication. Board members may communicate with each other in writing, including email and other electronic means, provided a quorum or more of Board members does not participate in a contemporaneous, back and forth exchange of such written communications.

C. Board/Superintendent Communication

All written communications between Board members and the Superintendent should be copied to all other Board members. Verbal communications may occur between individual Board members and the Superintendent. However, no such communication should have the purpose of excluding any other Board member from having knowledge about the communication in question.

Specific regular communications are issued by the Office of Communications via email newsletters for the purposes of keeping the Board informed regarding school system events and business. This email update summarizes HCPS events which occurred during the prior week and provides information about other matters that occurred that are of significance to HCPS.

D. Board/Staff Communication

All Board members' written communication to staff should be done with the knowledge of the Superintendent and Board President. All written communication between Board members and staff should be copied to the

Superintendent, Board President, and the Board's Administrative Assistant.

The Board President is authorized to communicate directly to the General Counsel so that he/she can provide effective legal advice to the Board. General Counsel provides reports to the Board, the Superintendent, and other staff as needed.

E. Board Communication with Public

Board members' communication to the public is of critical importance. Board members may be approached individually by citizens who wish to discuss, either in writing or orally, general Board business such as the budget, a policy, or curriculum. In instances where a Board member is speaking about general Board matters that have been discussed and acted upon publicly, the Board member may discuss those aspects of the matter which are of public record and the Board's position regarding the matter. The Board member may express his/her position regarding a particular vote or matter, but shall also affirm that the Board, as a whole, has the final authority to make decisions regarding the matter at issue.

If a person makes an inquiry to a Board member about a matter which is specific in nature and is not a matter of public record such as, for example, the suspension of his/her child from school, an employee's performance, or the location of a bus stop, the Board member should not comment on the matter other than to help them understand the appeals process. There are two basic reasons for this rule. First, complaints regarding specific issues or complaints must first be addressed by the Superintendent and his staff. Secondly, in the event that after the Superintendent and his staff have addressed the complaint, the complaining person is dissatisfied with the Superintendent's decision regarding the matter, he/she may have a right to appeal the matter to the Board. A Board member who has already discussed the specifics of such matter with the complaining person may have to recuse themselves from any appeal regarding it because of such prior knowledge or involvement.

HCPS maintains a system for intake and review of complaints. Persons may complete an electronic contact form setting forth their concern. This contact form is received by the Board Administrative Assistant who routes the contact form to the Board members, the Superintendent, and/or the appropriate member of the HCPS staff for a response.

F. Social Media Expectations

Board members are expected to use social media in a manner that reflects professionalism, respects legal and ethical obligations, and supports the Board's governance role. The expectation of every Board member is to use social media to inform, celebrate, and engage responsibly, while avoiding conduct that compromises confidentiality, professionalism, public trust, or the Board's ability to govern effectively.

Board members may use social media to, but are not limited to: share publicly available information released by the school system, promote school events, programs, achievements, and district initiatives, celebrate students, staff, schools,

and community accomplishments when information has already been publicly released, and any required permissions have been obtained, encourage community engagement and participation in public Board meetings, school events, and opportunities for public feedback, and share personal perspectives on educational issues while clearly indicating that such views are their own and not official Board positions.

Board members must maintain strict confidentiality of sensitive topics such as employee and student privacy and personnel matters. Board members should refrain from: sharing personally identifiable student information, discussing individual student matters, records, disciplinary issues, academic performance, disabilities, health information, or other confidential information, posting photographs, videos, or information about students when such sharing would violate privacy protections, district procedures, or applicable law, confirming or denying information about individual students involved in incidents or investigations.

G. Visiting Schools

Board members are encouraged to visit the schools. If a Board member is visiting the school for the purposes of discussing with the administration or staff at the school matters of policy or operation of the school or evaluating the functioning of the school, the Board member, as a courtesy, should notify the Superintendent and the Board's Administrative Assistant in advance of such visit. If the Board member is visiting the school for the purpose of attending an assembly, a ceremony or a meeting which is generally open to the public or in order to participate in an activity with students, the Board member need not notify the Superintendent of such visit.

During the visit, the Board member should comport himself/herself consistent with the tenets of the Board Code of Conduct.

APPENDIX

Appendix A: Resources regarding history of Harford County Public Schools

a. See Our Harford Heritage, C. Milton Wright (1967) at Chapter 15
b. See Decade of Delay: The Desegregation of Harford County Public Schools, Patrick P. Spicer, Esquire, Harford Historical Bulletin Numbers 105 & 107 (2007)
c. See The Colored Schools of Harford County: Separate and Equal?, Doug Washburn, Harford Historical Bulletin Numbers 101 & 102 (2005)

Appendix B: Selected Maryland Statutes regarding legal status of Board

Section 3-6A-01 of the Education Article
Section 3-6A-05 of the Education Article
Section 3-102 of the Education Article
Section 3-103 of the Education Article
Section 3-104 of the Education Article

Appendix C: Link to Board Strategic Plan

Board Strategic Plan

Appendix D: Link to Board Policy Manual

Board Policy Manual

Appendix E: Link to Policy Committee Charter

Policy Committee Charter

Appendix F: Link to Budget Committee Charter

Budget Committee Charter

Appendix G: Link to Subtitle 4 and 5 of Title 6 of the Education Article

Subtitle 4 and 5 of Title 6

Appendix H: Links to Selected Maryland Statutes pertaining to the appointment of the superintendent

Section 4-201 of the Education Article
Section 4-202 of the Education Article

Appendix I: Links to Selected Maryland Statutes and Board Policy regarding Board appeals

Section 4-205 of the Education Article
Section 6-202 of the Education Article
Section 7-305 of the Education Article
Board Policy 22-0018-000

Appendix J: Link to HCPS Organizational Chart

HCPS Organizational Information

Appendix K: Link to Superintendent Evaluation Timeline
Superintendent Evaluation Timeline 12-20-10

Appendix L: Link to School System Governance Section of Board Policy Manual
School System Governance Section

Appendix M: Link to Sample Board Agenda
Sample Board Agenda

Appendix N: Link to Selected Provisions of the Open Meetings Act
General Provisions Article of the Annotated Code of Maryland Section 3-305(b)

Appendix O: Links to Standing Committee Charters
Budget Committee Charter
Policy Committee Charter
Strategic Planning Committee Charter
Audit Committee Charter

Appendix P: Link to Subtitle 6A of Title 3 of the Education Article
Subtitle 6A of Title 3 of the Education Article

Appendix Q: Link to Board Ethics Policy
Ethics Policy

Appendix R: Link to Board Code of Conduct Policy
Board Code of Conduct Policy

Appendix S: Links to National School Boards Association (NSBA) and Maryland Association of Boards of Education (MABE)
National School Boards Association
Maryland Association of Boards of Education

Appendix T: Link to Section 3-6A-04
Section 3-6A-04 of the Education Article

Appendix U: Link to Section 3-6A-02
Section 3-6A-02 of the Education Article

Appendix V: Links to selected provisions of the Maryland Public Information Act (MPIA)
General Provisions Article of the Annotated Code of Maryland
Public Information Act Title 4: Subtitle 1 - Subtitle 6