



Frederick County Public Schools
Board of Education
POLICY DEVELOPMENT
Policy 114

A. Policy Purpose

To identify a process for development of Board of Education (Board) policies and amendments to serve as guidelines for the operation of the school system and the successful, efficient function of the Frederick County Public Schools (FCPS).

B. Definitions

1. “Policies” is defined to mean guidelines and statements adopted by the Board, assigning authority and outlining principles to be followed with respect to specific matters, which serve as a means to govern and manage FCPS.

C. Policy Statement

1. The Board, with the advice of the Superintendent, sets goals and expectations for FCPS through the creation, revision, and adoption of policies. These policies guide the development and implementation of educational programs and the management of system operations.
2. Board policies are aligned with FCPS mission and goals, as well as applicable federal, state, and local laws.
3. The Board values input from key stakeholders in the development of its policies. Key stakeholders include FCPS staff, students, parents/guardians, and other community members.
4. The Board expects that administrators will apply policies established by the Board.

D. Implementation

1. **Applicability.** These procedures shall apply to the creation of new policies, updates and amendments to existing policies, or the decommissioning of existing policies, which is solely the responsibility of the Board.
2. **Schedule of Review.** The Board will review policies in a six (6) year rotation by series (e.g., 100, 200, 300, 400, 500) recognizing that time sensitive topics and/or changes in the law or Board defined priorities may modify the review cycle. The review of 400 series policies may take up to two (2) years. The Policy Committee shall also create or review any policy referred to it by at least three (3) Board members.
3. **Policy Committee**

- a. At its first meeting in December, the Board president shall annually designate three Board members to serve on the Policy Committee, designating one member to serve as chairperson. The Citizens Advisory Council (CAC) shall recommend to the Board one member to serve as an advisory, non-voting member of the Policy Committee, subject to the approval of the Board.
- b. **The Chairperson**
 - i. The chairperson shall be responsible for developing the agenda and policy review schedule with input from the Board, the committee members and the Superintendent or the Superintendent's designee.
 - ii. The chairperson shall coordinate with staff designated to support the work of the committee.
 - iii. The chairperson shall lead the regularly scheduled meetings of the committee.
 - iv. The chairperson shall keep the full Board informed regarding progress of the committee.
 - v. The chairperson shall make recommendations to the Board for policy approval after an affirmative vote of the policy committee.
- c. **Policy Committee Members**
 - i. Policy committee members shall attend regularly scheduled committee meetings to review, revise, and gather information on Board policies.
 - ii. Policy committee members shall work collaboratively with the Superintendent or the Superintendent's designee, and appropriate staff in the review and development of policy.
- d. **Policy Committee Meetings**
 - i. The Policy Committee shall meet no less frequently than once per month, except in December and July in which month a meeting will be held in the discretion of the committee chairperson.
 - ii. **Public Comment**
 - 1. The Policy Committee meeting shall include an opportunity for the committee to receive public comment from students, parents, and members of the community-at-large on the policies being considered. The committee will not provide a response to public comment received during its meeting or to written public comments, but may consider those comments in developing, updating, or decommissioning a policy.
 - 2. Written Comment: Individuals are provided the opportunity to and encouraged to submit written comments electronically and email them to the address indicated on the Board's website (<https://www.fcps.org/boe/policy-committee>). Written comments must be submitted as a PDF attachment (strongly preferred) or a Microsoft Word document with the .doc or .docx extension and will be uploaded to BoardDocs as part of the official meeting record. Comments in the body of an e-mail will not be accepted.
 - iii. The agenda shall be distributed to Board members, the public, staff and the media in advance in accordance with Maryland law. The Board will endeavor to make the agenda as accessible as possible for the public.
 - iv. The Policy Committee shall not meet unless at least two voting (2) members of the committee are available.

- v. To advance a policy to the Board for consideration, at least two (2) members of the committee must vote for the proposed policy changes.
- e. **Factors.** In developing, updating, or decommissioning policies, the Policy Committee shall consider the following non-exhaustive list of factors (presented alphabetically and in no particular order of importance), as appropriate:
 - i. Cost implications;
 - ii. Court decisions and other legal limits or conditions;
 - iii. Effect on school system operation;
 - iv. Federal, state, and local laws and regulations;
 - v. Impact on those affected by the policy, including consideration of racial and other biases and whether the policy reflects the background, perspectives, and experiences of FCPS students and staff;
 - vi. National, state, and local literature and research;
 - vii. Other policies of the Board and of other governmental agencies; and
 - viii. Similar policies adopted by other school systems.

4. Approval Process

a. Policy Analysis

- i. A [policy analysis](#) for the adoption of a new policy, non-technical amendments to an existing policy, or decommission of an existing policy shall be prepared by the Policy Committee and will include the following elements:
 - 1. A statement as to the nature of the change – adoption of a new policy, substantive amendment, technical amendment, or decommissioning of a policy;
 - 2. Statement of issues or questions addressed;
 - 3. Where appropriate, cost analysis and fiscal impact;
 - 4. Relationship to other Board policies and FCPS regulations;
 - 5. Legal requirements, such as federal, state, or local laws or regulations that mandate the policy or require certain standards contained in the policy;
 - 6. Identification of similar policies adopted by other Maryland school systems;
 - 7. A draft of the proposed policy;
 - 8. Other alternatives that were considered by staff;
 - 9. Whether, and how, the Superintendent will report on the implementation of the policy; and
 - 10. A timeline for adoption of the policy and the updating or creation of associated regulations.
- ii. The policy analysis will be presented to the Board as part of the Policy Committee’s report and recommendation at the First Reading.
- iii. A policy analysis is not required for technical amendments, which will only require an accompanying rationale.

b. Technical Amendments

- i. The Policy Committee may recommend that the Board adopt technical amendments to policies when the proposed amendments are needed to:
 - 1. Comply with federal, state, or local law;
 - 2. Bring the policy into alignment with a more recently enacted Board policy;
 - 3. Apply a new format template without substantive changes; and/or

4. Update directory information (e.g., FCPS office names, phone numbers, etc.).
 - ii. Technical amendments may be adopted immediately by the Board upon the recommendation of the Policy Committee.
 - c. **Substantive (Non-Technical) Amendments**
 - i. First drafts of new policies, substantive (non-technical) amendments or updates to existing policy, or the recommendation to decommission a policy will be presented to the full Board at a regular meeting or work session and will serve as the “First Reading.”
 - ii. At the conclusion of the First Reading, the Board will determine whether the policy should be returned to the Policy Committee for further consideration, advanced to a “Second and Final Reading” at the next available regular meeting or work session of the Board, or advanced to the Second and Final Reading as an Action/Consent item at the next regular meeting of the Board.
 - d. **No Changes.** If the Policy Committee determines that a policy is in good standing with no revisions required, the Board may accept that recommendation at the First Reading with no further action requiring on the policy at subsequent Board meetings.
 - e. **Public Hearings.** The Board may also elect to hold a public hearing on a policy item, as it deems necessary.
 - f. **Process Amendments.** The Board reserves the right to modify the above process, as necessary.
 5. **Policy Format.** Each policy shall apply the following format:
 - a. Policy Purpose
 - b. Definitions
 - c. Policy Statement
 - d. Implementation
 - e. Related Information
 - f. Policy History
 6. **Policy Interpretation**
 - a. In the event of a conflict, federal, state, and local laws and regulations supersede Board policy.
 - b. If a conflict exists between Board policies, the most recently enacted policy supersedes the older policy, but generally efforts will be made to read the policies consistently to avoid conflicts.
 7. **Policy Suspension.** At a full meeting of the Board, the Board may suspend all or part of a policy to allow the Policy Committee to consider whether a change in the law or exigent circumstances with systematic implications requires action to be taken upon the policy.
 8. **Policy Implementation**
 - a. Unless otherwise indicated by the Board, new policies, amendments or updates to existing policies, and the decommissioning of a policy will take effect immediately upon being approved by the Board.

- b. The Superintendent will develop regulations, as appropriate, to execute the provisions of duly enacted Board policies and will provide periodic updates to the Board on the regulation development.
- c. The Superintendent will ensure publication of Board policies and FCPS regulation in such a way that is easily accessible and searchable on the FCPS Web site.

E. Related Information

1. FCPS Regulations

- a. [Regulation 114-01](#), *Policy Development*
- b. [Regulation 114-02](#), *Regulation Development*

2. FCPS Forms

- a. [FCPS Policy Analysis Form](#)

3. Maryland Statutes

- a. Md. Education Code Ann. § 4-108, *Powers and Duties of Board*

F. Policy History (Maintained by Legal Services)

<i>Responsible Office</i>	Board of Education of Frederick County
Adoption Dates	07/13/05
Review Dates	2017, 2018, 2019, 2023
Revision Dates	02/27/19, 09/27/23, 01/24/24