



**Frederick County Public Schools**  
**Board of Education**  
**ORGANIZATION OF THE BOARD**  
**Policy 101**

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**A. Policy Purpose**

To provide the legal identity of the Board of Education of Frederick County (the Board), and outline the process for appointment of officers, the role and responsibility of advisory committees, and student member selection and responsibilities.

**B. Definitions**

1. “Administrative Function” is defined to mean the implementation of an existing law, rule, regulation, policy, or bylaw, excluding licensing, permitting, or land use matters under Section 3-103(b) of the General Provisions Article of the Maryland Code Annotated.
2. “Advisory Committee” is defined as committee chartered by the Board, in accordance with the public-school laws of Maryland, with the goal of providing broad input into the policies and operation of Frederick County Public Schools (FCPS), with membership that may include Board members, parents, teachers, students, and other community members.
3. “Board of Education of Frederick County” or the “Board” is defined to mean the elected body created under § 3-103 and § 3-5B-01(a) of the Education Article of Maryland and possessing authorities established by law.
4. “Closed Session” is defined to mean a meeting or a portion of a meeting that is closed to the public, confidential to Board members and designated FCPS staff, and held in compliance with the provisions of the Maryland Open Meetings Act.
5. “Frederick County Public Schools” or “FCPS” is defined as Frederick County’s public Pre-Kindergarten through Grade Twelve (12) educational system.
6. “Meeting” is defined as meeting in person or virtually and in compliance with the provisions of the Maryland Open Meetings Act.
7. “Officers” is defined to mean the elected Board President and Vice-President.

**C. Policy Statement**

1. The Board believes that public schools are strengthened when communities are actively engaged in the education process. In support of this belief, the Board is committed to providing advisory committees which allow interested community members to serve and to provide input to the Board.
2. The Board recognizes not only the services rendered, but also the educational value offered to a student by participating on the Board as an elected Student Member of the Board. As

the voice of the student body, the Board believes the Student Member plays an important role in the process of completing the Board's work.

#### **D. Implementation**

1. **Title.** This body is to be known by the name of the *Board of Education of Frederick County*.
2. **Officers**
  - a. There shall be a President and Vice-President of the Board elected annually from the Board membership. The Superintendent shall serve as the secretary to the Board.
  - b. At its first meeting after the first Tuesday each December, the Board shall elect its officers from among its members. As secretary to the Board, the Superintendent shall act as presiding officer during the elections. The election of officers shall use the following procedure, except as may be modified from time-to-time by the Board members:
    - i. The Board shall meet in an open forum called in advance of the public Board Officer election to ensure that all Board members are aware of the election procedures and to address any proposed changes to said procedures.
    - ii. The election process shall follow *Roberts Rules of Order (Revised)*.
    - iii. At the public meeting called for the election of officers, the Superintendent shall receive nominations for each Officer position. Nominations may be self-made or by another Board member. If the nomination is made by another Board member, the nominee must declare they accept the nomination. A nominee does not need to be physically present to self-nominate or accept the nomination from another Board member.
    - iv. Once the floor is closed for nominations, the Board members shall vote by secret written ballot to elect the Board President. A Board member who is unable to be physically present for the vote may participate via telephone or virtually and, after the floor for nomination has closed, may vote by communicating in writing their vote to the Superintendent and the Board's Executive Assistant.
    - v. The results of the vote shall be tallied by the Superintendent and the Board's Executive Assistant with each vote called out orally.
    - vi. The individual receiving a majority of the votes shall be declared to be elected.
    - vii. If no candidate receives a majority of the votes, the vote shall be repeated until a majority vote is achieved. If a re-vote is required, all of the original nominees shall remain on the ballot unless they affirmatively withdraw their acceptance of the nomination.
    - viii. If there is only one candidate nominated, the candidate shall be declared to be elected on unanimous consent and without a vote.
    - ix. Once a Board President is elected, the process shall be repeated for the Vice-President position.
  - c. The Board President, with input from Board members, is responsible for the evaluation of the Superintendent and employees assigned to support the Board.
  - d. **Board President**

- i. The Board President shall preside at all meetings, sign authorized or approved contracts and other documents on behalf of the Board or delegate such duties to the Superintendent, and perform such other duties as are prescribed by the law or by the Board.
- ii. The Board President or their designee shall respond to all communications, including email, directed to the Board's attention.
- iii. The Board President may assign Board members to serve in liaison positions with outside agencies in response to requests.
- iv. The Board president will appoint up to two (2) Board members to serve on behalf of the Board as legislative representatives to follow educational related bills.
- v. On a rotating basis, if possible, the Board president will select the three (3) panel members for any appeal or hearing heard by the Board and shall designate a panel chair.
- vi. **Expenditure Authority**
  - 1. Decisions regarding the expenditure of Board or system funds generally should be decided during a public meeting of the Board subject to the requirements for quorum and voting described in [Board Policy 102, Meetings](#). Notwithstanding the foregoing, where exigent circumstances make it necessary, the Board President is authorized to encumber up to \$50,000 of Board funds without requiring a full meeting of the Board.
  - 2. Before exercising this expenditure authority, the Board President must attempt to convene an emergency meeting of the full Board with as much advance notice as is reasonably possible under the circumstances. Notice of the meeting shall be provided to the community through an announcement on the Board's website and social media and by e-mail distribution. The meeting agenda shall be published on the Board's website at least twenty-four (24) hours in advance to the extent the circumstances make doing so possible or within a reasonable time if such advance publication is not possible.
  - 3. If a quorum cannot be achieved despite a good-faith effort to convene the meeting, the Board President is authorized to proceed under this subsection. Upon exercising this emergency expenditure authority, the Board President will notify the full Board of the decision in writing within three (3) business days, including a description of the exigent circumstances, the services or goods purchased, the expected total cost, and a rationale for the decision.
- e. **Board Vice-President.** In the absence of the Board President, the Board Vice-President shall perform the duties of the President. In the event both the President and Vice President are unavailable, the Board President shall designate a Board member to assume such responsibilities.

### 3. **Advisory Committees**

- a. The Board President and Vice-President shall annually designate Board members, including the Student Member of the Board, to serve on advisory committees.
- b. The following are current Advisory Committees established by the Board to provide input to the Board in the following areas:
  - i. The Calendar Committee;
  - ii. The Citizens Advisory CAC);

- iii. The Curriculum and Instruction (C&I) Committee;
  - iv. The Ethics Panel;
  - v. The Family Life Advisory Committee (FLAC);
  - vi. The Frederick County Career and Technology Advisory Council;
  - vii. The Frederick County Public Schools Gifts for Education Committee;
  - viii. The Investment Committee of the Other Post-Employment Benefits (OPEB) Trust;
  - ix. The Policy Committee;
  - x. The Special Education Citizens Advisory Committee (SECAC);
  - xi. The Racial Equity Committee; and
  - xii. Ad Hoc Committees.
- c. The Board liaison to each committee represents the Board at committee meetings and shall provide a regular update to the full Board as appropriate.
  - d. Advisory committees to the Board will comply with the provisions of the Maryland Open Meetings Act, except as the law may require.
  - e. **The Calendar Committee.** The Calendar Committee makes recommendations of a school calendar to the Board with the goals of maximizing consistent instructional time for students, opportunities for professional growth for teachers and increasing student achievement.
  - f. **CAC**
    - i. The CAC reports directly to the Board and serves as a channel for public concerns, advice and information as identified by the Board.
    - ii. The CAC may:
      - 1. Seek ideas from the public to address topics of interest related to the education of FCPS students;
      - 2. Gauge public opinion on topics related to public concerns as they see fit in a timely manner;
      - 3. Prepare information on topics and issues raised by the Board;
      - 4. Research topics related to the education of FCPS students within the community, including but not limited to, surveying public opinion; and
      - 5. Bring information, public opinion and research to the Board during regularly scheduled Board meetings as necessary.
    - iii. One (1) member of the CAC, subject to Board approval, will serve as an advisory, non-voting member of the Policy Committee in accordance with [Board Policy 114, Policy Development](#).
  - g. **The C&I Committee.** The C&I Committee reviews new curriculum, instructional programs, state or federal legislation which affects curriculum, instruction, or school administration, and provides recommendations as appropriate to the Board.
  - h. **The Ethics Panel.** The Ethics Panel serves as an independent body whose responsibilities include:
    - i. Providing advisory opinions;
    - ii. Investigating complaints alleging an ethics violation by a Board member, the Superintendent, or an FCPS employee, and reporting its findings and recommendations for action to the Board; and
    - iii. Reviewing annual disclosure statements.
  - i. **FLAC**

- i. FLAC examines all instructional materials being proposed for use in Family Life and Human Sexuality units within the total health education program.
- ii. The committee's recommendations shall be submitted to the Board for final action.
- j. **Frederick County Career and Technology Advisory Council**
  - i. The Frederick County Career and Technology Advisory Council serves as the overall career and technology education advisory body for FCPS and Frederick Community College.
  - ii. Its purpose is to advise, support and foster closer cooperation and better understanding of career and technology education in industry, community, home and school.
- k. **Frederick County Public Schools Gifts for Education Committee.** The Frederick County Public Schools Gifts for Education Committee advises the Board on matters pertaining to funds generated through the Endowment Fund, the Donor Restricted Projects Fund, and the Current Initiatives Fund for the exclusive purpose of meeting educational goals within FCPS to enrich students' learning experiences and ensure the highest quality education.
- l. **The Investment Committee of the Other Post-Employment Benefits Trust Fund.** The OPEB Investment Committee advises and makes recommendations to the Board with respect to investment of the fund in accordance with provisions outlined in the Retiree Benefit Trust of Frederick County Public Schools Trust Agreement.
- m. **The Policy Committee**
  - i. The Policy Committee develops and revises policies to govern the operation of the school system in accordance with expectations outlined in [Board Policy 114, Policy Development](#).
  - ii. The Policy Committee will review each policy with regard to:
    - 1. Relevance and effectiveness; and
    - 2. As needed, alignment and compliance with updates or changes in State, federal, and local laws or regulations.
- n. **SECAC.** SECAC advises the Special Education Department and the Board regarding the needs of students with disabilities within FCPS.
- o. **Racial Equity Committee**
  - i. The Racial Equity Committee makes recommendations to the Board that will focus on identifying discrimination or harassment, raising awareness of implicit bias, and eliminating or mitigating racial inequity or its effects across the entire school system.
  - ii. The Racial Equity Committee will make recommendations to the Board on aspects related to racial equity and the equity policy within all educational programs of FCPS.
  - iii. The Racial Equity Committee will be specifically attuned to:
    - 1. Early Childhood Education;
    - 2. Elementary, middle, and high school data;
    - 3. Suspension and discipline data;
    - 4. Extracurricular activities;
    - 5. Gifted and talented or highly able programs;
    - 6. Culturally sensitive and inclusive curriculum and instruction;
    - 7. Special Education;

- 8. English learners;
  - 9. Hiring, recruitment, and retention; and
  - 10. Professional development of staff.
  - iv. The Racial Equity Committee may recommend any additional topics it deems relevant
  - p. **Ad Hoc Committees.** The Board may establish ad hoc committees as needed to address a specific issue or concern.
4. **Student Member**
- a. Any student currently enrolled as a sophomore or junior in FCPS who meets the criteria for participation in extracurricular activities may apply for the position of Student Member of the Board of Education.
  - b. Selection procedures/requirements for the Student Member can be found on the FCPS website: [FCPS / Board of Education / Student Member of the Board \(SMOB\)](https://www.fcps.org/board_of_education/student_member_of_the_board_smob) ([https://www.fcps.org/board\\_of\\_education/student\\_member\\_of\\_the\\_board\\_smob](https://www.fcps.org/board_of_education/student_member_of_the_board_smob)).
  - c. The Student Member is a non-voting member of the Board. Their input is encouraged, valued, and recorded.
  - d. Based on a consensus of the Board, the Student Member may be invited to community listening sessions, closed sessions, administrative function meetings, and/or Board retreats and may participate in such events to the extent permitted by Section 3-5B-01(e) of the Education Article of the Maryland Annotated Code.

## **E. Related Information**

### **1. Board Policy**

- a. [Policy 100, \*Governance of the School System\*](https://apps.fcps.org/legal/documents/100)  
(<https://apps.fcps.org/legal/documents/100>)
- b. [Policy 102, \*Meetings\*](https://apps.fcps.org/legal/documents/102)  
(<https://apps.fcps.org/legal/documents/102>)
- c. [Policy 103, \*Superintendent\*](https://apps.fcps.org/legal/documents/103)  
(<https://apps.fcps.org/legal/documents/103>)
- d. [Policy 104, \*Board of Education Compensation and Expenses\*](https://apps.fcps.org/legal/documents/104)  
(<https://apps.fcps.org/legal/documents/104>)
- e. [Policy 106, \*General Powers and Duties\*](https://apps.fcps.org/legal/documents/106)  
(<https://apps.fcps.org/legal/documents/106>)
- f. [Policy 109, \*Board and Board Candidate Ethics\*](https://apps.fcps.org/legal/documents/109)  
(<https://apps.fcps.org/legal/documents/109>)
- g. [Policy 114, \*Policy Development\*](https://apps.fcps.org/legal/documents/114)  
(<https://apps.fcps.org/legal/documents/114>)
- h. [Policy 505, \*Health Education\*](https://apps.fcps.org/legal/documents/505)  
(<https://apps.fcps.org/legal/documents/505>)

### **2. Code of Maryland Regulations (COMAR)**

- a. [COMAR 13A.04.18.01, \*Comprehensive Health Education Instructional Programs for Grades Prekindergarten—12\*](https://fcps-md.info/COMAR_13A-04-18-01)  
([https://fcps-md.info/COMAR\\_13A-04-18-01](https://fcps-md.info/COMAR_13A-04-18-01))

- b. [COMAR 13A.05.02.13](https://fcps-md.info/COMAR_13A-05-02-13), *Local Public Agency Administration*  
([https://fcps-md.info/COMAR\\_13A-05-02-13](https://fcps-md.info/COMAR_13A-05-02-13))
- c. [COMAR 19A.05.02](https://fcps-md.info/COMAR_19A-05-02), *Review Criteria*  
([https://fcps-md.info/COMAR\\_19A-05-02](https://fcps-md.info/COMAR_19A-05-02))

### 3. External Resources

- a. [Open Meetings Act Manual, Office of the Maryland Attorney General, Eleventh Ed. \(Oct. 2023\)](https://fcps-md.info/MD_OMA_Manual)  
([https://fcps-md.info/MD\\_OMA\\_Manual](https://fcps-md.info/MD_OMA_Manual))
- b. Robert's Rules of Order (Revised)

### 4. FCPS Regulations

- a. [Regulation 100-03, BOE Candidates – Orientation Procedures](https://apps.fcps.org/legal/documents/100-03)  
(<https://apps.fcps.org/legal/documents/100-03>)
- b. [Regulation 101-01, Racial Equity Committee](https://apps.fcps.org/legal/documents/101-01)  
(<https://apps.fcps.org/legal/documents/101-01>)
- c. [Regulation 114-01, Policy Development](https://apps.fcps.org/legal/documents/114-01)  
(<https://apps.fcps.org/legal/documents/114-01>)
- d. [Regulation 114-02, Regulation Development](https://apps.fcps.org/legal/documents/114-02)  
(<https://apps.fcps.org/legal/documents/114-02>)
- e. [Regulation 401-01, Calendar Committee](https://apps.fcps.org/legal/documents/401-01) (formerly 100-07)  
(<https://apps.fcps.org/legal/documents/401-01>)

### 5. FCPS Resources

- a. Board of Education of Frederick County Member Handbook
- b. [FCPS / Board of Education / Board Committees & Citizen Involvement](https://www.fcps.org/board_of_education/board_committees_citizen_involvement)  
([https://www.fcps.org/board\\_of\\_education/board\\_committees\\_citizen\\_involvement](https://www.fcps.org/board_of_education/board_committees_citizen_involvement))
- c. [FCPS / Board of Education / Student Member of the Board \(SMOB\)](https://www.fcps.org/board_of_education/student_member_of_the_board_smob)  
([https://www.fcps.org/board\\_of\\_education/student\\_member\\_of\\_the\\_board\\_smob](https://www.fcps.org/board_of_education/student_member_of_the_board_smob))
- d. Student Member of the Board Handbook

### 6. Maryland Statutes

- a. [Md. Code Ann., Educ. § 3-103](https://fcps-md.info/MD_Educ_Code_3-103)  
([https://fcps-md.info/MD\\_Educ\\_Code\\_3-103](https://fcps-md.info/MD_Educ_Code_3-103))
- b. [Md. Code Ann., Educ. § 3-104](https://fcps-md.info/MD_Educ_Code_3-104)  
([https://fcps-md.info/MD\\_Educ\\_Code\\_3-104](https://fcps-md.info/MD_Educ_Code_3-104))
- c. [Md. Code Ann., Educ. § 3-5B-01](https://fcps-md.info/MD_Educ_Code_3-5B-01)  
([https://fcps-md.info/MD\\_Educ\\_Code\\_3-5B-01](https://fcps-md.info/MD_Educ_Code_3-5B-01))
- d. [Md. Code Ann., Educ. § 3-5B-02](https://fcps-md.info/MD_Educ_Code_3-5B-02)  
([https://fcps-md.info/MD\\_Educ\\_Code\\_3-5B-02](https://fcps-md.info/MD_Educ_Code_3-5B-02))
- e. [Md. Code Ann., Educ. § 4-107](https://fcps-md.info/MD_Educ_Code_4-107)  
([https://fcps-md.info/MD\\_Educ\\_Code\\_4-107](https://fcps-md.info/MD_Educ_Code_4-107))
- f. [Md. Code Ann., Educ. § 4-108](https://fcps-md.info/MD_Educ_Code_4-108)  
([https://fcps-md.info/MD\\_Educ\\_Code\\_4-108](https://fcps-md.info/MD_Educ_Code_4-108))
- g. [Md. Code Ann., Educ. § 4-112](https://fcps-md.info/MD_Educ_Code_4-112)  
([https://fcps-md.info/MD\\_Educ\\_Code\\_4-112](https://fcps-md.info/MD_Educ_Code_4-112))

- h. [Md. Code Ann., Educ. § 7-415](https://fcps-md.info/MD_Educ_Code_7-415)  
([https://fcps-md.info/MD\\_Educ\\_Code\\_7-415](https://fcps-md.info/MD_Educ_Code_7-415))
- i. [Md. Code Ann., Gen. Prov. §§ 3-101, et seq.](https://fcps-md.info/MD_Gen_Prov_3-101)  
([https://fcps-md.info/MD\\_Gen\\_Prov\\_3-101](https://fcps-md.info/MD_Gen_Prov_3-101))

**F. Policy History** (Maintained by Legal Services)

<i>Responsible Office</i>	Board of Education of Frederick County
Adoption Dates	06/11/03
Review Dates	2016; 2017; 2019; 2020; 2021; 10/25/23; 03/13/24
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