Frederick County Public Schools
Board of Education
MEETINGS
Policy 102

A. Policy Purpose

To establish a policy that governs the framework for meeting structures and public engagement, balancing the need of the Board of Education of Frederick County (Board) to preserve the orderly transaction of business with the receipt of effective, efficient, and responsible community input on educational issues during regular meetings of the Board.

B. Definitions

1. "Community Member" is defined to mean any individual who resides in or owns a business, property, or land in Frederick County.

2. "Meeting" is defined as meeting in person or virtually and in compliance with the provisions of the Maryland Open Meetings Act.

3. "Parent" is defined to mean a biological or adoptive parent, a court-appointed custodian or guardian, a foster parent, or a caregiver (as defined by the Education Article of the Maryland Annotated Code or as designated by the United States Department of Health and Human Services, Office of Refugee Resettlement).

4. "Proof of Business" is defined to mean a state-issued business license, articles of incorporation or organization, or other official document filed with the State of Maryland or the United States Government showing a physical address in Frederick County.

5. "Proof of Land Ownership" is defined to mean a mortgage statement, deed or county property tax bill showing a physical address in Frederick County.

6. "Proof of Residency" is defined to mean a state-issued identification, lease or rental agreement, a mortgage statement or deed, a county property tax bill, a personal vehicle registration, or a current utility services bill (i.e., water, gas, electric, internet) showing a physical address in Frederick County.

7. "Student" is defined to mean an individual who is enrolled in FCPS and for whom FCPS maintains the student's records or personally identifiable information. "Student" does not mean an individual who has not been in attendance at an FCPS school or program.

C. Policy Statement

1. The Board values the importance of keeping the public apprised on matters of educational interest during its regular meetings.

2. The Board is committed to providing the opportunity for community members, FCPS parents, students, and staff, and elected local, State, and Federal Frederick County representatives to give input to the Board by including public comment periods during Board meetings and by use of other forums for receiving feedback. This commitment ensures that individuals and groups are afforded the opportunity to express their views on matters of educational interest to the Board and to the community, and also reinforces to our students the importance of civic participation in our democratic form of government.

3. The Board affirms its commitment to maintaining a respectful, safe, and constructive environment for public input. Public participation is a valued part of the democratic process, but it must occur in a manner that allows the Board to fulfill its duties under the Maryland Open Meetings Act.

D. Implementation

1. **Public Meetings**
   a. The Board shall conduct its annual meeting on or as near as possible to the second Tuesday in July and shall meet a minimum of one or two times per month to conduct business.
   b. At the first meeting after the first Tuesday in December, the Board shall elect Board officers and shall adopt a meeting schedule for the upcoming school year.
   c. The Board may also hold special meetings as required. Special meetings shall be called by the Board President and Secretary or by a majority of the Board.
   d. All business shall be conducted in meetings open to the public, except for matters that may be conducted in closed session in accordance with Maryland law.

2. **Accommodations at Public Meetings**
   a. To the extent possible, upon request by a student, staff member, or member of the community, the Board will provide an interpreter for those who are hearing impaired or speakers of languages other than English.
   b. A request for an interpreter should be submitted to the Board's Executive Assistant at least five (5) business days prior to the meeting date for a Spanish-language interpreter or at least ten (10) business days prior to the meeting date for any other interpreter. The Board will make every reasonable effort to accommodate a request for an interpreter made less than the required number of days in advance of the meeting, but cannot guarantee an interpreter will be available.

3. **Attendance at Meetings**
   a. Board members are expected to be present physically at all scheduled meetings, but may participate telephonically or virtually when the circumstances make doing so necessary. When the Board member participates telephonically or virtually, the member will be considered present and counted as present for purposes of convening a quorum.
   b. The Board's Executive Assistant will document in the minutes when members participate in the meeting telephonically or virtually.

4. **Regular Meeting Agenda**
    a. The Superintendent shall prepare an agenda for each meeting after consultation with the Board officers.
    b. The agenda shall include:
        i. Matters proposed by the Superintendent;
        ii. Matters of concern to at least three (3) members of the Board, which may include the Student Member of the Board;
        iii. The anticipated date and start time for the meeting; and
        iv. The location of the meeting or, if the meeting will be held virtually, information on how to access the meeting.
    c. 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.
    d. The Board will use the following agenda format as a guideline for its evening meeting, reserving the right to alter as the needs of the Board require:
        i. Call to Order.
        ii. Pledge of Allegiance.
        iii. Closed Session Announcement.
        iv. Approval of Minutes.
        v. Public Comment Period.
            1. Student Comments.
            2. Public Comments.
        vi. Superintendent Comments.
        vii. Student Member Comments.
        viii. Board Member Comments.
        ix. Board Items.
            1. Business.
            2. Policy.
            3. Strategic Plan.
        x. Action Items/Consent.
        xi. Setting Future Meeting Agenda.
        xii. Committee Reports/Legislative Update.
        xiii. Quarterly Agenda for Board Meetings.
        xiv. Adjournment.

5. **Conduct of Meetings**
    a. All Board meetings will be conducted in an orderly and businesslike manner using *Roberts Rules of Order (Revised)* as a guide, except when such rules are superseded by Board policy or Maryland law.
    b. Four (4) elected members of the Board shall constitute a quorum.
    c. Motions or resolutions may be proposed or seconded by any elected member of the Board and may be adopted only with the concurrence of a majority of the elected Board members present at the time of the vote, provided that there is a quorum at the time of the vote.
    d. A Board member with a direct financial or personal interest in a question or motion subject to a vote shall abstain from voting on the question or motion and shall announce

the reason for the abstention.

e. A vote to abstain for any reason does not alter the determination of the presence of quorum to permit the vote to be taken. For example, if four (4) elected members are present for a vote on a motion, there is sufficient quorum to take the vote with a majority vote of at least three (3) elected members necessary to pass the motion. The abstention of one (1) present member does not change the requirement that three (3) members vote in favor of the motion for it to pass.

6. **Public Comment**
   a. The Board has set forth two opportunities to receive public comments during a Board meeting at a time expressly identified in the agenda for pre-registered public comment and before the vote on any Board action, and additionally receives public comment in writing and during community listening sessions.
   b. **Pre-Registered Public Comment**
      i. The Board will provide a maximum of sixty (60) minutes for pre-registered public comment with each speaker allotted up to three (3) minutes to speak.
      ii. **Subjects for Public Comment**
         1. The Board will receive public comment during this period on issues relating to the operations of the system; Board policies and governance; and current and past agenda items before the Board.
         2. The Board shall not receive public comment relating to individual personnel issues, complaints identifying individual students, or matters that are on appeal; that serves as advertising or solicitations for products or services; that is a political campaign speech; or that is pre-recorded audio or video by someone other than the speaker.
         3. The Board President has the authority to rule comments out of order if they are determined to be irrelevant to the business of the Board. Irrelevant comments include, but are not limited to, personal attacks on individual Board members that is unrelated to Board business, personal attacks on staff or members of the public, comments unrelated to matters within the Board's jurisdiction, threats, or other behavior that disrupts the orderly conduct of the meeting. This provision is consistent with the Maryland Open Meetings Act, which allows public bodies to establish reasonable rules to ensure decorum and maintain an efficient and respectful meeting environment.
      iii. **Registration and Selection**
         1. The registration period for individuals wishing to participate in the designated public comment period will open with the publication of the agenda for the Board meeting (typically, five [5] days in advance of the meeting) and will close at noon one (1) day before the scheduled Board meeting.
         2. A person wishing to speak may pre-register by completing the form on the Board's website or by calling (240) 586-8950.
         3. Registration to participate in the designated public comment period will require the individual to be a Community Member, an FCPS parent, student, or staff member, or an elected local, State, or Federal Frederick County representative, and to provide the following information at the time of registration:

a. Full first and last name as it appears on a form of government-issued identification;
b. Proof of Business, Land Ownership, or Residency in PDF format if the government-issued identification does not have a Frederick County address;
c. Telephone number, e-mail address, and zip code;
d. Whether the speaker is a student;
e. The topic(s) to be discussed; and
f. Whether an interpreter or accommodation is requested with information regarding the specific need.

The failure to provide any of the above required registration information or the falsification of any required registration information will automatically disqualify that individual from providing public comment at that Board meeting.

4. Public comment speaking slots will be assigned on a first come, first serve basis. However, if more individuals register than there is time allocated for public comment, the following criteria shall be used to determine who is selected to speak:
   a. Student speakers shall be prioritized for up to five (5) speaking slots.
   b. Individuals who were not selected to speak at the immediately prior Board meeting shall be prioritized over those who were selected to speak at the immediately prior Board meeting.
5. Individuals selected to provide public comment shall be notified by the same method in which they registered (*i.e.*, by e-mail or by telephone) the day prior to the Board meeting and shall be asked to confirm their availability. Individuals not selected to provide public comment will be notified that they were not selected and reminded about the opportunity to submit written comments for the meeting record.

iv. **Day of Procedures**

1. The Board President shall read the following statement prior to the start of the pre-registered public comment period: "The Board views public comment as an opportunity to hear concerns of the public, with the understanding and expectation that it is not considered a question and answer platform with Board members. Consequently, the Board will not provide a response to public comment presented in its meeting or by submission of a written comment, although it may follow-up with the individual as may be appropriate." This statement may be modified by the Board President as needed.
2. Individuals selected for public comment shall be assigned a reserved seat in the Board meeting room to facilitate the orderly presentation of public comment. To access the seat, except for FCPS students who can be verified through the FCPS student information system, the selected individual will be required to provide a government-issued identification to match the pre-registered information. The failure or refusal to verify the individual's identity will disqualify that individual from providing public comment at that Board meeting.
3. Except where an accommodation is necessary to ensure access to participate in public comment, speakers may not transfer or yield their time to another person.

Only the individual whose name appears on the published list of speakers will be permitted to speak. For example, a parent may not register to speak and then allow their child to speak in their place. Rather, that parent should register the child for public comment.

4. The three (3)-minute speaking period begins once the individual has been called to the podium or table to speak. The speaking period will not be delayed to allow the speaker time to set up any props or displays, which are otherwise permitted to be used while providing public comment.
5. Every speaker shall begin their comments by identifying themselves by name and their affiliation with the school district (*e.g.*, student, parent, staff, community member of Frederick County, etc.) and shall direct their comments to the Board.
6. When the allotted time expires, the speaker is permitted to complete their sentence. The speaker must then return to the audience.
7. Speakers shall not direct comments to the members of the audience or to staff, and audience members and staff shall respect the speaker's right to present public comment without interruption.

c. **Public Comment before Board Action**
   i. Prior to each Board action, the Board President shall announce the opportunity for the Board to receive public comment on the action item on the agenda.
   ii. Individuals who wish to speak may approach the podium one person at a time.
   iii. Each speaker will be allowed up to two (2) minutes for their public comment. When the allotted time expires, the speaker is permitted to complete their sentence. The speaker must then return to the audience.
   iv. The only subject upon which an individual may speak is the subject of the action under consideration by the Board.
   v. Every speaker shall begin their comments by identifying themselves by name and their affiliation with the school district (*e.g.*, student, parent, staff, community member of Frederick County, etc.).

d. **Written Comments**
   i. 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.
   ii. Written comments must be submitted as a PDF attachment (strongly preferred) or a Microsoft Word document with the .doc or .docx extension.
   iii. Written comments will be uploaded to the Board's online meeting portal as part of the official meeting record within one week from the date of the Board meeting.
   iv. Comments in the body of an e-mail will not be uploaded to the official meeting record, but will be considered communication to the Board.

e. **Community Listening Sessions**
   i. The Board will develop a schedule for "Community Listening Sessions".
   ii. Community Listening Sessions are informal meetings at which no Board business will be conducted other than to provide the public with an opportunity to provide comment on matters of educational interest.
   iii. These Community Listening Sessions will be held no less frequently than three (3) times per year.

iv. The informal structure of the Community Listening Session will allow the community to highlight areas of celebration and areas of advocacy or concern that allow for dialogue and communication between a wide range of families and across all communities.

7. **Decorum and Safety**
   a. An individual, group, or organization attending an open session of the Board may not engage in any conduct, including visual demonstrations such as the waving of placards, signs, or banners, that disrupts the session or that interferes with the right of others to attend and observe the session.
   b. Consistent with the Board's expectations for student and staff behavior during the school day, individuals, groups, and organizations are expected to exhibit civil behavior during a Board meeting, including during any public comment period. The Board encourages observers and participants to refrain from using language, imagery, or symbols that are indecent, profane, or threatening in nature. Comments, signs, and attire should be appropriate for all potential audience members.
   c. Individuals attending a Board meeting are prohibited from approaching the dais before, during, or after the meeting. Any item such as a flyer, prop, or other material that a community member wishes to share with the Board may be left in the appropriate space designated for that purpose at the presentation table.
   d. Individuals attending a Board meeting are prohibited from wearing a face covering or face mask, except as may be necessary for medical or religious reasons.
   e. Individuals attending a Board meeting are expected to be seated and to remain in their seats while the Board conducts its business.
   f. To ensure safe and orderly conduct at its meetings, the Board may elect to have security personnel present at its meetings as it deems necessary.
   g. If any individual fails to comply with these procedures, the Board President or their designee may order the person to leave the public meeting, adjourn the meeting, or may take such further action as necessary to ensure compliance with these procedures.

8. **Public Recording of a Meeting**
   a. Individuals, groups, and organizations, including any representative of the news media, may record, photograph, or videotape the proceedings of an open session of the Board as long as it is not disruptive. The presiding officer may restrict the movement of an individual who is using the recording device, camera, or broadcasting/television equipment to maintain the orderly conduct of the session.
   b. A recording of an open session made by an individual, group, or organization, or any transcript derived from such a recording, is not deemed a part of the record of any proceeding of the Board.

9. **Annual Evaluation and Retreat**
   a. The Board shall hold a separate meeting each year, at a time and place to be determined by the Board, for the purpose of self-evaluation.
   b. During this meeting, the Board will evaluate its own performance for the prior year, and will discuss strategies to improve the effectiveness of the Board.

10. **Joint Meetings of the Board.** To facilitate communication and promote strong relationships with funding authorities, other governmental units, and educational agencies, the Board shall schedule meetings accordingly to discuss items of mutual concern.

11. **Open Meetings Act.** The Board complies with Maryland law as it relates to meeting structure and required training requirements of the Maryland Open Meetings Act.

E. Related Information

1. **Code of Maryland Regulations (COMAR)**
   a. COMAR 13A.02.01.01, *Rules for Meetings*
   (https://fcps-md.info/COMAR_13A-02-01-01)

2. **External Resources**
   a. Open Meetings Act Manual, Office of the Maryland Attorney General, Eleventh Ed. (Oct. 2023)
   (https://fcps-md.info/MD_OMA_Manual)

3. **FCPS Resources**
   a. FCPS / Board of Education / Board Meetings
   (https://www.fcps.org/board_of_education/board_meetings)
   b. FCPS / Board of Education / Board Meetings / Public Comment Registration
   (https://www.fcps.org/board_of_education/board_meetings/public_comment_registration)

4. **Maryland Statutes**
   a. Md. Code Ann., Educ. § 3-5B-02
   (https://fcps-md.info/MD_Educ_Code_3-5B-02)
   b. Md. Code Ann., Educ. § 3-5B-04
   (https://fcps-md.info/MD_Educ_Code_3-5B-04)
   c. Md. Code Ann., Educ. § 4-107
   (https://fcps-md.info/MD_Educ_Code_4-107)
   d. Md. Code Ann., Gen. Prov. §§ 3-101, *et. seq.*
   (https://fcps-md.info/MD_Gen_Prov_3-101)

F. Policy History (Maintained by Legal Services)

Responsible Office	Board of Education of Frederick County
Adoption Dates	03/10/10
Review Dates	2017; 2019; 2020; 2023
Revision Dates	11/11/20; 07/12/23; 10/22/2025