



Frederick County Public Schools
Board of Education
EMPLOYMENT EXPECTATIONS
Policy 301

A. Policy Purpose

To outline the general provisions associated with employment by Frederick County Public Schools ("FCPS") and to establish a common understanding of the terms of hire that are extended from the Board of Education (the "Board") as the employer to an employee to set the terms and conditions of their employment.

B. Definitions

1. "Pension and Retirement System" is defined to mean the system that governs eligibility for employees to receive benefits.
2. "Tenure" is defined to mean the status granted after a trial period to a teacher that gives protection from dismissal except for serious causes determined by formal proceedings.
3. "Termination" is defined to mean an ending of employment that is not a voluntary resignation.
4. "Terms of Employment" is defined to mean the benefits and responsibilities that an employee agrees to when they accept a job.

C. Policy Statement

1. All employees should have a clear understanding of the contracts governing their work to ensure a clear understanding of what is expected during the term of employment.
2. The Board expects all employees to engage in their work in a professional manner and prioritizes supporting employees in appropriate ways.
3. The Board encourages participation in professional development activities. As such, the Superintendent should direct department leaders to establish funding within their departmental budgets for expenses that arise in leadership employee's official duties.
4. The Superintendent has the authority to assign and classify and/or reclassify positions in order to best meet the needs of the school system.
5. FCPS shall comply with all Education Article of the Annotated Code of Maryland and Code of Maryland ("COMAR") requirements regarding professional educational personnel certification requirements.

D. Implementation

1. Applicability

- a. This policy shall apply to all FCPS employees as appropriate.
- b. In the event of a conflict between this policy and a negotiated agreement, the terms of the negotiated agreement shall prevail.

2. Employment Contracts and Tenure

- a. All contracts with professional certificated personnel shall be written on contracts prescribed by the State Board of Education.
- b. Except as provided in Section D(2)(c), the probationary period of employment of a certificated employee is three (3) years from the date of employment. In accordance with Maryland law, tenure is acquired upon the first day of the fourth year of continuous employment.
- c. A certificated employee who has achieved tenure in another Maryland local public school system and is hired as a Frederick County Public Schools teacher may retain tenure under the following conditions:
 - i. The employee's contract is renewed after one (1) year of probationary employment.
 - ii. The employee's final evaluation rating in the prior county is satisfactory or better.
 - iii. There has been no break in the employee's service between the two (2) school systems longer than one (1) year.
- d. A certificated employee who is subject to these provisions may have their probationary period extended for a second year from the date of employment if:
 - i. The employee does not qualify for tenure at the end of the first year based on established performance evaluation criteria.
 - ii. The employee demonstrates a strong potential for improvement.

3. Teacher Termination

- a. The procedure for terminating teacher service shall be in accordance with the Education Article of the Annotated Code of Maryland.
- b. If the Board effects a reduction in force because a position is abolished as a result of budgetary action by the local appropriating authority on or after May 1, notice must be given to the employee within fifteen (15) days following final action by the appropriating authority or June 30, whichever is earlier.
- c. Any reduction in the bargaining unit as a result of budgetary actions or curriculum and/or administrative reorganization shall be conducted in accordance with any applicable procedures in the ratified negotiated agreement and bylaws of the State Board of Education.
- d. Personnel holding conditional certificates are under contract for one year. Employment must be renewed each year by new contract (letter prescribed by State Department of Education may be used for renewal in lieu of contract).
- e. Any person desiring to vacate a certificated contract position without it being considered a breach of contract must submit a request for consideration to the Director

of Human Resources or their designee. The Director of Human Resources will consider the request and recommend approval or denial to the Superintendent.

4. Assignment and Classifications

- a. Assignments of central office professional certificated personnel are subject to the rules and regulations of the State Board of Education.
- b. The Superintendent shall classify administrative, supervisory, and technical positions.
- c. The Superintendent shall recommend to the Board for adoption new or reassigned job classifications.
- d. Administrative and supervisory personnel in the bargaining unit shall have responsibilities and rights as defined in the current ratified negotiated agreement, as applicable.

5. Professionalism

- a. The Superintendent is directed to establish regulations governing employee professionalism, which may include articulation of FCPS' expectations with respect to appropriate attire and conflicts of interest.
- b. The Board shall, to the extent possible, include funds in its annual budget to support staff professional development through the participation in meetings and conferences. The funds are subject to annual budget appropriations.
- c. Teacher Assistance to Principals
 - i. The principal may authorize volunteering teachers to perform supervisory duties for activities, which occur outside of the students' normal school day, whether or not the principal will be present. The teacher shall not, however, be authorized to suspend students or to carry out any other duty reserved by law to the principal.

6. Pension and Retirement Systems

- a. All eligible employees shall become members of the pension or retirement system as a condition of their employment. Exceptions are stated in the Annotated Code of Maryland.
- b. Eligible employees are provided the following retirement benefits:
 - i. Service retirement;
 - ii. Disability retirement;
 - iii. Vested retirement allowance; and,
 - iv. Death benefit.
- c. Credit for unused sick leave and accumulated contribution is determined by the regulations of the Maryland State Retirement or Pension Systems, as applicable.

E. Related Information

1. Board Policy

- a. [Policy 300](#), *Personnel*
- b. [Policy 302](#), *Salaries and Benefits*
- c. [Policy 304](#), *Certification*
- d. [Policy 319](#), *Administrative, Management and Technical (AMT) Group*

2. FCPS Regulations

- a. [Regulation 100-05](#), *Auxiliary Custodians*
- b. [Regulation 100-08](#), *Responsible Use of Social Media*
- c. [Regulation 300-01](#), *Recruitment, Selection and Employment of Personnel*
- d. [Regulation 300-41](#), *Employees: Non-Benefited*
- e. [Regulation 300-13](#), *Substitute Teachers: Minimum Qualifications*
- f. [Regulation 300-27](#), *Resident Substitutes*
- g. [Regulation 300-43](#), *Terminal and Severance Pay*
- h. [Regulation 300-45](#), *Responsible Use of Digital Technology - Staff*

3. Maryland Statutes

- a. Md. Code Ann., Educ. §§ 6-201, *Appointment of Employees by County Board*
- b. Md. Code Ann., Educ. § 6-202, *Suspension or Dismissal of Teachers, Principals, Supervisors, Assistant Superintendents or Other Professional Assistants*
- c. Md. Code Ann., Educ. § 6-204, *Credit for Previous Employment*
- d. Md. Code Ann., State Pers. & Pens. D. II § 22, *Employees' and Teachers' Retirement Systems*
- e. Md. Code Ann., State Pers. & Pens. D. II § 23, *Employees' and Teachers' Pension Systems*

4. Code of Maryland Regulations (COMAR)

- a. [COMAR 13A.07.02.01](#), *Contracts*
- b. [COMAR 13A.12.01](#), *General Provisions*
- c. [COMAR 13A.12.02](#), *Teachers*
- d. [COMAR 13A.12.03](#), *Specialists*
- e. [COMAR 13A.12.04](#), *Administrators and Supervisors*
- f. [COMAR 13A.12.05](#), *Suspensions and Revocations*

5. Negotiated Agreements

- a. [Board and FASSE Negotiated Agreement](#)
- b. [Board and FCASA Negotiated Agreement](#)
- c. [Board and FCTA Negotiated Agreement](#)

6. External Resources

- a. [Maryland State Retirement and Pension System \(MSRPS\)](#)

F. Policy History (Maintained by Legal Services)

<i>Responsible Office</i>	Office of Human Resources
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