MARYLAND STATE
BOARD OF EDUCATION

Governance and Operations Manual

January 2026

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I. Vision, Mission, and Values

VISION

We will be a system of world-class schools where students acquire the knowledge and skills necessary for success in college, career, and life.

MISSION

We will ensure a rigorous and world-class educational experience for every Maryland student, in every neighborhood, that prepares each to be college and career ready, through:

- strategic direction and leadership;
- policy making and resource allocation; and
- engagement and advocacy.

VALUES

Accountability

We will take responsibility for our commitments, and maintain open, transparent, and responsive communication on academic, operational, and financial policies and outcomes.

Engagement

We will partner and engage with diverse stakeholders and decision makers in the design, implementation, and evaluation of our policies, programs, and actions.

Equity

We will do whatever it takes to eliminate barriers to success and provide the necessary resources and supports to ensure that every Maryland student achieves at the highest level.

Excellence

We will ensure a rigorous and engaging educational environment for all students defined by high expectations, research-based instructional practices, and highly effective, culturally responsive educators.

Transformation

We will pursue best-in-class outcomes through bold, impactful actions to ensure that every student has the tools, resources, supports, and opportunities they need to thrive.

II. Composition and General Authority

A. ESTABLISHMENT

The Maryland State Board of Education (State Board) was organized in Maryland in 1864 and is the head of the Maryland State Department of Education (MSDE). The State Board has general control and supervision over public schools and the educational policy and interests of the State. § 2-201 through § 2-205 of the Annotated Code of Maryland are the governing sections of law pertaining to the composition and authority of the State Board.

B. MEMBERSHIP AND TERMS

The State Board consists of 14 members, all appointed by the Governor with the advice and consent of the Senate:

- One member shall be a certified teacher who is actively teaching. The Governor shall appoint the teacher member, with the advice and consent of the Senate, who received the highest number of votes after an election by teachers in the State.
- One member shall be the parent of a student enrolled in a public school in the State. The Governor shall appoint the parent member, with the advice and consent of the Senate, from a list of three qualified individuals submitted to the Governor by the Maryland PTA.
- One member shall be a regularly enrolled student in good standing in a public high school in the State. The Governor shall select the student member from a list of 2 persons nominated by the Maryland Association of Student Councils.

All members serve for a term of 4 years, except for the student member who may only serve a one-year term with the possibility of reappointment for a maximum of two, one-year terms. Each member serves until a successor is appointed and qualifies. The Governor shall appoint a new member to fill any vacancy on the Board for the remainder of a term and until a successor is appointed and qualifies. State Board members appointed to complete a term are eligible to serve two, full four-year terms, in addition to the remainder of the term they have been appointed to fill. Reappointments are made by the Governor and are subject to Senate confirmation.

C. STATUTORY POWERS AND DUTIES

The State Board is organized and has the following general powers and duties as provided in Subtitle 2, Education Article of the Annotated Code of Maryland. See Appendix A for additional information on the different forms of public policy that govern public education in Maryland.

State Board General Powers and Duties

1. **Visitatorial Power**

   The State Board is vested with the last word on any matter concerning educational policy or the administration of the system of public education. The power of visitation vested in the State Board is one of general control and supervision; it authorizes the State Board to superintend the activities of the local boards of education to keep them within the legitimate sphere of their operations, and whenever a controversy or dispute arises involving the educational policy or proper administration of the public school system of the State, the State Board's visitatorial power authorizes it to correct all abuses of authority and to nullify all irregular proceedings.

2. **Authority over the general care and supervision of public elementary and secondary education, as well as childcare facilities, and vocational rehabilitation services. Among its specific powers are the following:**

   a. Quasi-Judicial Powers

      i. With the advice of the Attorney General, explain the true intent and meaning of the Education Article and the Board's bylaws, rules, and regulations.
      ii. Decide all controversies and disputes under the Education Article – the decision of the State Board is final.
      iii. Order public and non-public schools to correct deficiencies or to end operations if either fails to meet the standards established by the State Board.
      iv. With approval of the Governor, remove for cause any elected local board member.

   b. Legislative Powers

      i. Determine the elementary and secondary educational policies of the State.
      ii. Implement the provisions of the Education Article that pertain to the public schools and adopt bylaws, rules, and regulations for the administration of the public schools.
      iii. Establish basic policy and guidelines for the program of instruction for the public schools.
      iv. Establish rules and regulations for the promotion of students in a public school and graduation from a public high school.
      v. Adopt bylaws, rules, and regulations for the approval and accreditation of all public schools and establish standards for and certify the approval of non-public schools.
      vi. On the recommendation of the State Superintendent, establish standards and guidelines for planning and constructing school building projects.
      vii. With the Professional Standards and Teacher Education Board (PSTEB), develop rules and regulations for the certification of teachers and professional personnel and requirements for preparation of teachers and other education personnel.

   c. Executive Powers

      i. Appoint State Superintendent of Schools. The State Superintendent serves a four-year term and is responsible for the administration of the MSDE and carries out the educational policies of the State Board. The State Superintendent is the Chief Executive, and also serves as Secretary and Treasurer of the State Board. The State Superintendent shall enforce the bylaws, rules, and regulations of the State Board.
      ii. Institute legal proceedings to enforce the Education Article and Board's regulations.
      iii. Prepare and send to the Governor an annual State public school budget including the appropriation for the Department and State aid to the counties and Baltimore City for

current expenses, for student transportation, and for the construction of school buildings.

iv. With the advice of the State Superintendent, recommend to the Governor and the General Assembly any legislation that it considers necessary.

v. Through MSDE, accept federal funds allocated by Congress for public schools and serve as educational authority for the expenditure and administration of these funds.

3. **The State Board is statutorily required to submit an annual report to the Governor on the operations of MSDE and the overall plan for elementary and secondary education in the State. At the State Board's discretion, the State Board will submit this report to the Governor and the General Assembly each year.**

D. COMPENSATION

A member of the State Board serves without compensation but is entitled to reimbursement for expenses in accordance with the Standard State Travel Regulations. Additional information is provided in Section III.A.6 later in this manual.

E. ETHICS POLICY AND FINANCIAL DISCLOSURE

State law requires each Board Member to complete an annual financial disclosure form with the State Ethics Commission.

As members engage in Board business and discussion, they need to be vigilant about identifying potential conflicts of interest or the appearance of impropriety. You are advised to call the Ethics Commission at 410-260-7770 whenever you think there is a possibility of conflict or impropriety.

F. LEGISLATIVE AGENDA

As an independent policy setting body in the State, it is appropriate for the State Board to consider any proposed legislation or amendments pertaining to public education that could be necessary to meet the Strategic Plan's mission, vision, values, and the Blueprint for Maryland's Future.

Before and during the annual Maryland legislative session, the State Superintendent and the State Board leadership will meet to communicate about proposed legislative priorities, proposed legislation, and introduced bills.

Pursuant to Education Article §2-205(k), with the advice of the State Superintendent, the State Board recommends to the Governor and the General Assembly any legislation that it considers necessary. The State Board and MSDE advocate for education policies to advance the Strategic Plan and the Blueprint for Maryland's Future. The State Board will annually develop a legislative agenda.

The State Board takes all official positions on legislation during the legislative session. To the extent practicable, official positions will be taken during the regularly scheduled Board meetings. In the event that legislation is scheduled for hearings in between the regularly scheduled Board meeting, the State Superintendent will recommend a position on legislation to Board leadership. Board and MSDE staff will, with as much notice as possible, provide via email the recommendation of the State Superintendent and Board leadership of a position on a specific piece of legislation for State Board members to share any concerns.

Nothing herein is intended to inhibit the State Superintendent's routine engagement and conversations with members of the General Assembly, the Governor or their staffs.

III. Organization and Operations

A. PROCEDURES AND EXPECTATIONS

1. Election of Officers

a. Nominations

i. The President manages the nomination process.
ii. Annually, at the June meeting, in executive session, members will have the opportunity to submit nominations, including self-nominations, for officers of President and Vice President. Nominations shall continue during the July meeting prior to elections.

b. Unofficial Vote

i. Annually, at the July meeting, the election process will be managed by the most senior member in years of service on the State Board, who does not desire to be a nominee for President. If more than one person is eligible, the State Board will select one of the candidates by majority vote in public session.
ii. In the July meeting executive session, interested members will address the other State Board members stating why they should be elected for the stated office. This will be followed by an unofficial, anonymous vote to determine preferences for the positions. An unofficial vote for President will be held first. Then, an unofficial vote for Vice President will be held. The Board member who manages the election will ensure the count of the collected ballots matches the number of Board members present and read/show the name on the ballot for counting purposes.
iii. If there is more than one candidate for a given office, a written ballot will be used for the unofficial vote. If there are more than two candidates for a given office, successive rounds of balloting will be conducted, with the candidate receiving the fewest ballots being removed from each successive round until one candidate has a majority vote.

c. Formal Vote

i. In public session, members will vote by voice vote for the President and Vice President. (State Education Article, § 2-204 of the Annotated Code of Maryland). Individual votes will be recorded in the public session minutes.
ii. Affirmative vote of a majority of the members then serving is required for election to office. (State Education Article, § 2-204 of the Annotated Code of Maryland)
iii. The terms of office will be 1 year. (State Education Article, § 2-204 of the Annotated Code of Maryland)
iv. A member may not serve more than 4 years as President. (State Education Article, § 2-204 of the Annotated Code of Maryland)
v. In the event that the President resigns from or otherwise leaves the State Board during his/her term of office, the Vice President will become President for the remainder of the unexpired term.
vi. In the event that the position of Vice President becomes vacant during a term of office, a new Vice President will be elected by the State Board at the next regularly scheduled meeting consistent with the election process outlined above.

2. Duties, Responsibilities, and Expectation of Officers

a. Board President Duties and Responsibilities

i. Serves as the official spokesperson for the Board and represents the Board in public and ceremonial functions. This may include testifying before the Legislature, providing remarks at public events, etc. The President should notify members of the State Board of such appearances in advance, or as soon as practicable.
ii. Manages the annual evaluation of the State Superintendent and Executive Director including, as appropriate, selecting a committee.
iii. Determines, in consultation with the Vice President and the State Superintendent, the agendas for all meetings of the State Board.
iv. Calls special meetings of the State Board when necessary.
v. Appoints the membership of standing committees and Ad Hoc committees recommended by the Board.
vi. Appoints standing committee and Ad Hoc committee chairs.
vii. Appoints the State Board representative(s) to all organizations external to the State Board.
viii. Reviews and approves State Board member requests to attend meetings or conferences held out-of-state.
ix. Gives direction to and holds State Board members accountable for meeting attendance, familiarity with agenda materials, support of Board actions, and general behavior during Board meetings.
x. Ensures that correspondence sent to or on behalf of the State Board is shared with all members. Given the varied nature and types of communications received, the President will exercise his/her judgment in forwarding relevant/appropriate communications.
xi. Engage with stakeholders.
xii. Select State Board members to serve as liaisons or representatives to commissions, committees, and task forces for MSDE and external organizations, as needed, and provide regular updates to the Board.

b. Vice President Duties and Responsibilities

i. Presides at State Board meetings in the absence of the President.
ii. Assists the President in carrying-out his/her duties and responsibilities.
iii. Assists the President with the management of the annual evaluation of the State Superintendent and serves as an ex officio member of any evaluation committee.
iv. Participates in meetings/conference calls with the President and State Superintendent to plan monthly meeting agendas.
v. Assumes the Presidency upon premature vacancy by the existing President.
vi. In the absence of the President (and with their assent), the Vice President shall serve as the official spokesperson for the Board.

c. Expectations of Officers

i. **Leadership** – State Board officers must have the capacity to inspire a shared vision for the State Board and the State Department of Education, be decisive, and capable of tackling difficult issues.
ii. **Objectivity** – State Board officers must be able to listen well and provide a forum for productive dialogue, with contributions from all sides of an issue. Must be able to place State interests before special or parochial interests.
iii. **Roles and Responsibilities** – An able officer understands the distinctions between the State Board's role and staff role, as well as the areas in which those roles overlap.
iv. **Working Culture** – A dynamic State Board officer welcomes good ideas, encourages innovative thinking, and refuses to tolerate inappropriate and divisive behavior.
v. **Meeting Management** –- State Board officers must be able to run effective meetings, use time efficiently, and keep the discussion focused on the critical issues of governance.
vi. **Communication** – State Board officers must be able to articulate the goals and objectives of the State Board and communicate effectively with all constituencies and distinguish between personal opinion and that of the State Board.
vii. **Relationship with State Superintendent** – State Board officers must be able to develop and maintain an effective working relationship with the State Superintendent. The relationship between the officers and the State Superintendent requires clarity of roles, trust, and honesty.

3. Expectations of State Board Members

a. Make decisions based on the best interests of the State Board, not those of a special interest group or local subdivision.

b. Attend State Board meetings. State Board members should notify the President or the State Board Office if they cannot attend part or all of a scheduled meeting. A member of the State Board who fails to attend at least 50% of the meetings of the Board during any consecutive 12-month period shall be considered to have resigned (State Government Article, § 8-501 of the Annotated Code of Maryland). Board staff maintain attendance records, which will be shared from time to time with the Governor's Appointments Office at their request.

c. Attend assigned State Board committee meetings.

d. Read all written materials prior to each meeting in preparation for discussion and decision making.

e. Actively participate in decision making.

f. State Board members often possess expertise in education policy and practice. We must expect that they will, in their private capacities, work on, write, and speak about education issues. However, when a State Board member is publicly engaging in an issue that is before the State Board or that is specifically about Maryland policy or practice, that State Board member should make clear that they are expressing personal views and not speaking on behalf of the Board. State Board members should inform the Board President of intentions to speak on referenced matters.

g. Recognize that individual State Board members do not have authority to bind, speak, or act for the State Board or Department of Education, except as authorized by the State Board as a body.

h. Avoid committing the State Board to a position with public comments except when State Board policy is already clearly established.

i. Support official actions, policies, and positions of the State Board and refrain from publicly opposing decisions/actions once they are adopted.

j. Respect and protect the confidentiality of all information shared and discussed in Executive Sessions of the Board.

k. Comply with the State Ethics Law, including annual submission of Financial Disclosure Forms, and avoid even the appearance of a conflict of interest.

l. Show respect for fellow State Board members, staff, and members of the public.

m. Refrain from comments concerning family members, personal philosophy, and personal experiences during public session in order to conduct meetings in a professional and business-like manner.

n. Serve as a liaison to commissions, committees, and task forces for the Department of Education and external organizations, as needed, and provide regular updates to the Board.

o. Engage with stakeholders.

p. Make an effort to visit at least one school per semester during the school year.

4. Meeting Procedures

a. Regular Meetings:

Each year, the State Board shall: 1) hold a meeting in July; and 2) at least three other regular meetings. (§2-204, Education Article I). The Board shall establish and approve a regular meeting calendar in July of each year for the next calendar year. Generally, regular meetings of the Board shall occur on the 4th Tuesday of each month. A schedule of regular meetings shall be approved by the Board and published for the public. Changes to the published calendar should occur rarely and only upon consensus of the Board. Board staff shall handle all meeting logistics.

b. Special Meetings:

The Board may hold special meetings as necessary (§2-204, Education Article I). The President or a majority of seated State Board members may call a special meeting to address issues as needed. State Board members may notify the President in writing of the request for a special meeting. Special meetings will be held at a date and time convenient to a majority (quorum) of the State Board members. Board staff will handle meeting logistics, to include confirming a date and location. State Board members will provide calendar availability to Board staff and the President, or the President's designee within 48

hours after a request for a special meeting has been made. State Board members will be informed of the confirmed date as soon as reasonably possible.

c. Executive Session:

The Board may meet in Executive Session as pursuant to §3-305(b) of the General Provisions Article of the Annotated Code of Maryland. To meet in closed session the Board must first meet in an open session, after notice, and the presiding officer must read a closing statement disclosing the topics for discussion and reason for adjourning to closed session. The Board shall then adopt a motion to go into executive session.

d. Information Work/Study Sessions:

The President or a majority of seated State Board members may convene informational work or study sessions to allow for more detailed discussion and review of education policy issues. No official action shall be taken during these sessions and they are open to the public.

e. Public Hearings:

The Board may designate a hybrid meeting as a public hearing on a particular issue, giving more individuals an opportunity to present their opinions to the Board. The Board shall make a virtual option available for participation during a public hearing.

f. Virtual/Remote Participation:

State Board members are expected and strongly encouraged to be physically present at all regular State Board meetings and Executive Sessions; however, members may request to participate virtually if absolutely necessary. Virtual/remote participation by State Board members is at the discretion of the President and as permitted by state law. All requests should be submitted to the President as soon as possible for consideration. If the request is from the President, approval will be granted by the Vice President, who in the President's physical absence will preside over the meeting.

Virtual participation depends on the appropriate video and/or audio technology being available and working at the meeting site and at the location from which the member is participating. The member is responsible for testing the technology in advance to be sure it works appropriately. If using video conferencing and technical difficulties occur during the meeting, the member may participate via audio.

g. Quorum:

The presence of a majority of the Board's seated members constitutes a quorum and is necessary to take official action. A quorum can be present either in person or virtually. Email communications among a quorum, as opposed to between individual members, could constitute a meeting if the emails are so close in time as to show that a quorum was discussing an issue that should be addressed in public session.

Number of Members Seated	Quorum and Number Needed to Act in a Public Session
14	8
13	7
12	7
11	6

In the absence of a quorum, the President (or presiding officer) will cancel the meeting. If known in advance, the President should give notice as soon as possible.

h. Rules of Order:

i. Obtaining and Assigning the Floor:

State Board members must be recognized by the President before making a motion or speaking in debate. The President must recognize any board member who seeks the floor while entitled to it.

ii. Motion Procedure for Action Items:

To make a motion, a Board member must first obtain the floor by recognition of the President. After a motion has been made, another Board member who wishes it to be considered will second it, or the motion dies. The President states the motion and calls for discussion, after which the Board may act on such matter following repetition of the motion by the President.

i. Absence of the President:

If it is necessary for the President to be absent from a meeting for any reason, the Vice President shall preside and exercise all the powers and duties of the President. If the President and the Vice President are absent, the Board shall select a member, by majority vote, to preside and exercise all the powers and duties of the President.

j. Meeting Cancellation:

The President, in consultation with the Vice President and State Superintendent, has the authority to cancel and/or reschedule a meeting as necessary due to extenuating circumstances (such as inclement weather). Upon deciding whether to cancel or reschedule a meeting, the President shall communicate the decision and rationale for the decision to the State Board by phone or electronic communication. The President's decision shall be final unless a majority of seated State Board members object in writing (includes email) to the cancellation within 24 hours of the President's notification.

In the case of inclement weather on a scheduled meeting date, the Board will follow the decision made by the Governor regarding closures for State Government. If the Governor

issues an order closing State facilities, any scheduled meeting(s) would be canceled. If the Governor does not make such a declaration, the President will consult with the Vice President and decide how to proceed. State Board members will be notified of any decisions by the President and /or Executive Director as soon as possible.

k. Minutes:

The official record of each State Board meeting is the archived livestream video. A written summary of each meeting will be prepared to reflect the following:

- each item under consideration by the Board;
- the action taken on each item;
- and each vote that was recorded (§3-306(c)).

If the livestream video fails to record the entirety of the State Board meeting, the written summary will be the official record of that meeting.

Any proposed edits or changes to the written summary must be submitted to the Executive Director for final drafting in advance of the next/upcoming meeting. Proposed edits should then be distributed to the Board in advance of the meeting. Approved minutes shall be posted on the Board's website within 10 business days of the Board meeting at which the minutes were approved.

l. Public Comment at State Board Meetings:

Members of the public are encouraged to submit comment(s) and feedback to the State Board of Education to share their views on issues pertaining to matters under the Board's authority, including the administration of the public school systems of the State. The State Board will generally follow the process and principles outlined below:

1. All speakers shall conduct themselves in a respectful, civil manner. Although State Board members do not respond to the comments during the public comment segment of the Board meeting, they do listen and may take follow-up action within the scope of the Board's authority and jurisdiction. The State Board will not allow signs or posters to be displayed during the State Board meeting.

2. Registration for public comment will open via an online form that can be found on the State Board website at 8am eight (8) days before the regular Board meeting and will close at 11:59pm three (3) days before the Board meeting. The State Board will hold a morning and an afternoon public comment. The Board will welcome up to ten (10) speakers in the morning and five (5) speakers in the afternoon for a maximum of 45 minutes of public comment. During registration, speakers will select their preferred timing window for the morning or afternoon. Due to demand, no timing window is guaranteed for those who sign up.

3. The State Board may maintain a waitlist for those who sign up after the public comment period is full. There is no guarantee that those on the wait list will have an opportunity to speak.

4. The State Board may adjust the public comment period and registration windows for its regular meetings as it deems necessary, at the discretion of the State Board President.

5. To promote a diversity of perspectives during the public comment period, and at the discretion of the State Board President, the State Board may limit the number of speakers from a single organization addressing the same topic if there is a wait list of others who wish to speak.

6. Comments are limited to three (3) minutes per speaker. Time will be monitored by staff through the use of a timer. When that time expires, the speaker is permitted to complete a sentence but should make no further remarks.

7. **Public comment submissions may not be related to personnel matters or issues pending in appeals to a local board or to the State Board.**

8. Members of the public may submit their comments in writing to the State Board at stateboard.msde@maryland.gov for distribution to all members. Written comments received by the State Board are not made public and are shared only with the members of the State Board.

5. Committees

a. Structure and Membership

The Board President shall establish committees and assign State Board members as committee members. Committees may also be established by the recommendation of another Board member with a supermajority (two-thirds) vote of the State Board. The Board President will determine, in consultation with the Board Vice President, committee assignments after polling members on their preferences for committee service. No committee shall be composed of a number of members that would constitute a quorum.

Any State Board member may attend committee meetings as an observer but only committee members may vote on recommendations before the committee.

Standing committees shall meet at least quarterly to maintain the functionality of the committee, but can meet more frequently as the committee deems appropriate. Standing committee meetings are public meetings and are subject to the Open Meetings Act. The Board President may work with the Office of the Attorney General on legal counsel staff attendance at committee meetings.

State Board committees will be supported by State Board Office and Department staff, as appropriate. The State Superintendent will identify and assign Department staff liaisons, as appropriate. Committee chairs will work with staff to outline roles, expectations, and duties as needed for the committee's purpose.

b. Committee Chairs

The Chair for a committee will be appointed by the Board President. The Chair presides at meetings of their assigned committee. In consultation with the Board President and Vice

President and with support of staff, the Chair prepares meeting agendas and coordinates and facilitates the work of the committee in furtherance of the State Board's goals and objectives. The Chair (or a designee in their absence) will provide regular updates and submit recommendations, as appropriate, to the State Board. The Chair shall report publicly on its activities through an oral presentation following meetings of the committee.

c. Committee Recommendations

All recommendations must be approved by majority vote of the Board. Committees may make recommendations on relevant matters for consideration to the full board. The Board President may designate agenda items to committees prior to review by the full Board. No committee may act independently on behalf of the Board unless its charge specifically empowers it to act on the Board's behalf. A quorum of the committee membership must be present to vote on formal recommendations to the full Board. At the discretion of Board leadership, Board agenda items will be assigned to committees or brought to the full board.

d. Standing and Select Committees

The State Board shall have four (4) committees: three standing committees and one select committee.

A brief description of each is provided below. Standing committees shall meet at least quarterly and must work in collaboration with State Board and MSDE staff. The select committees shall meet upon necessary activation of their purposes. The Board President may establish additional committees as deemed necessary. Workgroups and task forces may be established as needed by the Board President. Committee members may be selected by designation of the Board President.

Standing Committees

i. Education Policy Committee

Purpose: To develop a legislative platform and review pending legislation that will advise the full State Board on legislation that will improve education statewide in Maryland; to review proposed changes from MSDE to the Code of Maryland Regulations (COMAR); and to monitor, advise, and make recommendations on all matters related to education policy, including but not limited to: academic performance, assessments, college and career readiness, curriculum, early childhood education, and educator certification. Education Policy Committee meetings are public meetings.

ii. Strategy and Operations Committee

Purpose: To review, monitor, and evaluate the implementation of MSDE's strategic plan and annual budget. The Committee oversees MSDE's investment in education by comparing it to student outcomes over time, ensuring alignment with long-term goals. It also provides oversight on key emergent initiatives and conducts deep dives into the implementation and operational progress of departmental work to support continuous improvement and accountability. The Strategy and Operations Committee

meetings are public meetings, with the exception being the consideration of budget matters that are subject to Executive Privilege.

iii. Governance Committee

Purpose: To formulate, review, and revise policies and activities to ensure effective State Board operations and functioning, including but not limited to a biannual review of the State Board Governance and Operations Manual to provide recommended updates to the full State Board. The Governance Committee will conduct its work in a closed meeting as it deliberates administrative functions of the State Board.

Select Committees - (as necessary and for a specified time period)

iv. Search Committee

Purpose: To build and implement a robust national search process for the State Superintendent of Schools upon a vacancy or anticipated vacancy in the position of State Superintendent.

e. External Committees

Members may also serve as representatives of the Board on commissions, committees, and task forces of MSDE and external organizations, as designated by the Board President. Members serving on committees, commissions, and task forces shall provide regular updates to the full Board and submit recommendations, as appropriate.

State Board staff shall maintain an active list of external committees that State Board members are serving on and provide the list annually to the State Board President and State Superintendent.

6. Compensation and Reimbursement for Expenses

a. State Board members serve without compensation but are entitled to reimbursement for expenses in accordance with the regulations outlined in the Public Ethics Law (General Provisions, Title 5) and the State Travel Management Unit (Subtitle 02 Business Administration 23.02.01 *Standard Travel Regulations*; State Finance and Procurement §10-203, Annotated Code of Maryland).

b. State Board members may be reimbursed for actual and essential expenses incurred in attending meetings or incurred in the performance of their duties as directed by the State Board. Actual and essential expenses may include: mileage, lodging accommodations, meals, parking, postage, printing, registration fees, and other such expenses incurred in connection with official State Board business. An itemized receipt must accompany every request for reimbursement.

c. Travel arrangements and expense reporting should be coordinated through the Office of the State Board. In determining proper expense items for members, the State Board has established the following guidelines:

d. Reimbursement for in-state travel expenses:

i. Regular and special meetings of the Board.
ii. Hearings of legislative committees on matters concerning the Department of Education.
iii. Meetings of advisory committees and task forces as a representative of the Board.
iv. Meetings and conferences sponsored by the Department of Education or organizations that have a direct relationship to the work of the State Board and the Department of Education to serve and support students and schools.
v. Visits to schools and school-sponsored events.
vi. Any other expense specifically related to Board functions.

e. Reimbursement for out-of-state travel expenses:

i. Attendance at any out-of-state event must be approved by the President/State Board in order for expenses to be paid or reimbursed.
ii. Each Board member is generally limited to two (2) out-of-state events or conferences that serve a direct purpose associated with the State Board and/or the Department of Education per calendar year, unless they are serving in a leadership role representing the State Board, or their expenses are covered personally or by another organization (as approved).
iii. Expenses will be covered for up to three (3) State Board members at any one national meeting. At the discretion of Board leadership, the State Board may cover the expenses of additional members. Additional members may also attend if their expenses are paid personally or covered by another organization (as approved).

f. Only expenses of State Board members may be reimbursed. Expenses for spouses, family members, or other persons traveling with a Board member are not reimbursable. Expense reports shall be submitted to the Office of the State Board within 60 days of the date incurred.

g. The State Board President shall determine the appropriate action to take in reference to any uncertainty regarding any expense statement submitted by a member. All professional development travel expenses should be approved by the Board President/Committee or designee before incurring said expenses. In case of time constraints, the Board President or the Board President's designee, in consultation with the Vice President, may approve the request. All other travel expenses may be approved by the Board President in advance.

7. Gifts

a. The Ethics Law limits acceptance of unsolicited gifts, such as payment of travel expenses to conferences by officials and employees if the gifts are from a controlled donor as set forth in §5-505(b).

b. Controlled donors include individuals or businesses that:

1. do business with or seek to do business with the official's or employee's agency;
2. are regulated by the official's or employee's agency;
3. have private interests that can be impacted by an official's or employee's performance of his/her duties; or

4. are regulated lobbyists with respect to matters within the jurisdiction of the official employee.

c. Any analysis of a question concerning the application of the Law's gift limitations necessarily begins with the question: is the gift being given by a controlled donor? If the answer to that question is "no", the gift limitations do not apply and the unsolicited gift may be accepted. On the other hand, if the answer to the questions is "yes", further analysis is required to determine if one of the exceptions in §5-505 (c) applies. (Note that an agency may impose stricter limitations on gifts than those contained in the Ethics Law, and in such cases the agency limitations govern. Before accepting a gift that is permitted as an exception under the Ethics Law, officials and employees should check with their agencies to determine if an agency-imposed restriction applies.) The several exceptions permit an otherwise prohibited gift to be accepted, provided the gift would not: 1) impair the impartiality or independent judgment of the official or employee; or 2) give the appearance of impairing the impartiality and independent judgment of the official or employee.

State Board members should consult with Ethics Commission staff before accepting any gifts.

d. State Board members may accept reasonable expenses for food, travel, lodging, and scheduled entertainment to attend a meeting or conference if the member is a scheduled speaker or scheduled panel member. If the value of the expenses exceeds $20.00, the event must be reported on the recipient's financial disclosure statement.

A. AGENDA DEVELOPMENT

1. The meeting agenda will include the topics to be discussed, date, time, and location of the meeting, as well as indicate what portions of the meeting, if any, will be closed to the public. The agenda will be made available to the public in advance, with as much notice as practicable.

2. All meeting agendas are developed by the Board President in consultation with the Vice President and State Superintendent. The Board's agenda will reflect and promote the mission and vision of the Board, as well as identified priorities and purposes, including, but not limited to:

   a. Determining educational policies of the State consistent with Board priorities

   b. The Strategic Plan adopted by the Board

   c. Implementation of the Blueprint for Maryland's Future

   d. Adoption of bylaws, rules, and regulations for the administration of public schools

   e. Promoting matters that advance school improvement

   f. State Superintendent-identified priorities, as appropriate

3. Individual State Board members may recommend to the Board President and Vice President topics to be placed on the Board agenda by submitting a request to the President or during the Board's planning discussion at its regular meeting.

4. The Board President, in consultation with the Vice President and the State Superintendent will consider requests from individuals and groups external to the State Board and MSDE to include items on the State Board's monthly meeting agenda.

5. The President has final authority for establishing the meeting agenda of the State Board.

6. In order to maintain the directional continuity of the State Board and to preserve the systemic intent of the Board's mission, the Board will generally seek to focus on building, implementing, and refining its stated goals, priorities, and actions. While State Board members may rotate off the Board as key policy initiatives move forward, ensuring the ongoing successful implementation of those initiatives is vital for successful outcomes for Maryland's children.

7. Either the President or a majority of the seated State Board members may revise the order of business at any meeting so as to best fit the requirements of time, the availability of necessary personnel and other pertinent considerations.

B. DISCLOSURE OF BOARD MATERIALS

1. Efforts will be made to ensure meeting materials are available to State Board members no later than the Wednesday preceding the scheduled meeting. Materials will be provided in a paperless, electronic format via BoardDocs for all Board agenda items.

2. Unless legally proscribed, the Executive Director shall ensure that Board meeting materials are publicly available on the website the Friday before each regularly scheduled Board meeting, as is practicable. It should be noted on public documents that materials are subject to change.

3. Department staff shall make every effort to provide materials to the Executive Director for distribution to the Board and for public availability reasonably in advance of the regularly scheduled Board meeting. State Board members are encouraged to review the meeting materials in advance and forward any questions or requests for additional information to the Executive Director and the State Superintendent as soon as practicable.

C. APPEALS

1. The State Board explains the true intent and meaning of the provisions of the Education Article and the bylaws, rules, and regulations adopted by the Board. Except in limited circumstances (e.g., collective bargaining or another administrative remedy is provided in law), the Board decides all controversies and disputes arising under the Education Article and regulations. Most disputes arise from local board of education decisions. The decision of the Board is final.

2. Depending on the type of matter before the State Board, the following Standards of Review apply:

    a. Decisions of a local board involving a local policy or a controversy and dispute regarding the rules and regulations of the local board: The local board decision is considered prima facie correct, and the State Board may not substitute its judgment for that of the local board unless the decision is arbitrary, unreasonable, or illegal. The appellant has the burden of proof by a preponderance of the evidence.

b. Disputes involving state School Laws and Regulations: The State Board exercises its independent judgment on the record before it in the explanation and interpretation of the public school laws and State Board regulations.

c. Certificated Employee Suspension or Dismissal pursuant to Education Article, § 6-202, Annotated Code of Maryland: The State Board shall exercise its independent judgment on the record before it in determining whether to sustain the suspension or dismissal of a certificated employee. The local board has the burden of proof by a preponderance of the evidence. The State Board, in its discretion, may modify a penalty.

d. Student Suspension and Expulsion: The local board decision to suspend or expel a student is final. The State Board may not review the merits of a student suspension or expulsion. The State Board accepts an appeal if there are specific factual and legal allegations of one or more of the following:

i. The local board has not followed State or local law, policies, or procedures;
ii. The local board has violated the due process rights of the student; or
iii. The local board has acted in an unconstitutional manner.

3. The State Board may reverse or modify a student suspension and expulsion if the allegations are proven true or if the decision of a local board is otherwise illegal. The appellant shall have the burden of proof by a preponderance of the evidence.

D. DISMISSAL OF APPEAL OF ORDER

1. The State Board President, in consultation with counsel to the State Board, shall dismiss an appeal through the issuance of an order, signed and dated by the State Board President, under one or more of the following circumstances as set forth in COMAR 13A.01.05.02:

a. The appeal was not filed within 30 days;

b. The appeal is moot;

c. The appeal does not raise a legal basis for appeal;

d. The appellant lacks standing to bring the appeal; or

e. The State Board has no jurisdiction over the appeal.

E. EXECUTIVE SUCCESSION PLANNING

1. It is the responsibility of the State Board to attend to executive succession planning. This includes regular conversations with the State Superintendent regarding capacity for executive leadership among senior leaders within the Department and across LEAs in the State.

F. MEDIA RELATIONS, PUBLIC COMMUNICATIONS, AND INTERNAL COMMUNICATIONS

1. Media Relations

The State Board shall seek to maintain open relations with the press.

State Board members have a responsibility to make it clear in interactions with media when they are speaking or writing on their own behalf that they are not representing the opinions of the State Board. Members should add a disclaimer to written and electronic communications indicating that their statements represent the individual's personal views and not those of the State Board. Unless requested by the Board President,members should refrain from speaking on behalf of the State Board.

2. Public Communications

In public communications, State Board members should support all official actions, policies, and positions of the Board, once adopted.

Official communications from the State Board shall be developed in coordination with the Board President, Vice President, and the Executive Director, and shall be shared with the full Board upon distribution. MSDE Communications staff are available to assist with media relations, to include serving as a liaison and providing official statements through press releases. The State Board and State Board staff have control over the content on the State Board portion of the marylandpublicschools.org website.

3. Social Media

The State Board acknowledges the critical role that social media plays in communication for State Board members in their personal and professional capacities. State Board members should exercise caution when posting on matters that may be in consideration by the Board and avoid addressing issues discussed in closed sessions of the Board or that include Board deliberations.

Accounts that make reference to a Board member's service on the Board should include a statement that all opinions reflect the individual member and are not an official statement of the Board. If State Board members choose to set up social media accounts that reflect their status as a public figure, they should inform Board leadership and the Executive Director.

4. Internal Communications with the Department

When members of the State Board have requests for information from MSDE staff, they should direct their requests **whenever possible** through the Executive Director and State Board leadership to ensure the operational efficiency of the Department is maintained and to ensure that timely information is provided.

Individual State Board members will often engage with MSDE staff such as through committee work or already established community engagement events.

G. ANNUAL EVALUATIONS OF THE STATE SUPERINTENDENT AND EXECUTIVE DIRECTOR

1. The Maryland State Board of Education shall conduct an annual evaluation of the State Superintendent and the Executive Director of the State Board of Education. Evaluations of other State Board staff members are conducted by the Executive Director.

    a. State Superintendent

        i. Effective and regular communication between the State Board and the State Superintendent throughout the year is essential for success in carrying out the responsibilities of the position. The State Board is committed to ensuring effective communication is a component of professional development and the evaluation process. The State Superintendent's evaluation process will be conducted in closed session.
        ii. The State Board President and Vice President will sign the State Superintendent's evaluation. The signed evaluation will be placed in the State Superintendent's personnel file. Appendix C of the Governance Manual further defines the current timeline and process for the State Superintendent's evaluation.

    b. Executive Director for the State Board

        i. An evaluation will occur on an annual basis at the end of the fiscal year, using performance standards established jointly by the State Board and the Executive Director.
        ii. The evaluation will include performance standards established in the job description for the Executive Director. The State Board will provide input to the State Board President, Vice President, or their designee.
        iii. The State Board President and Vice President will write the Executive Director's evaluation, which will be reviewed by the full State Board prior to the evaluation being given to the Executive Director.
        iv. The State Board President and Vice President will review the final evaluation with the Executive Director and then sign it for placement in the Executive Director's personnel file.

H. APPOINTMENT OF THE STATE SUPERINTENDENT

a. The State Superintendent, by statute, is appointed for a four-year term commencing on July 1 and extending through June 30 four years later. The term runs with the office and not the person holding the office. If a State Superintendent is fulfilling an uncompleted 4-year term, the fourth year of the original term will be the end of that Superintendent's term. The appointment and reappointment processes are personnel matters that will be mostly conducted in executive session of the State Board.

b. Appointment Process for the State Superintendent

    i. Upon a vacancy or notification from the incumbent State Superintendent that they do not plan to seek another four-year term, the State Board shall immediately activate the Search Committee outlined in Section A(5) of this Manual.

ii. The Search Committee shall provide a projected public timeline on pending completion of the search process and a projected date by which the announcement of an appointment of the State Superintendent will be made.

c. Reappointment Process of the State Superintendent

i. When a State Superintendent serving a regular four-year term or the remainder of a term, wishes to be considered for reappointment for another term, the following timetable and conditions shall be effected:
ii. The Superintendent shall notify the State Board by September 1 in the fourth or final year of their term, in writing, that the Superintendent wishes to be considered for reappointment. For example: if the term ends on June 30, 2028, the Superintendent shall notify the State Board by September 1, 2027 of his/her wishes. If the State Superintendent does not wish to be considered for reappointment, the courtesy of notification as soon as practicable is encouraged and no later than September 1.
iii. The MSBE shall consider this request in executive session by its regularly scheduled September meeting using the available previous evaluations and such other information as it deems appropriate.
iv. The MSBE shall notify the Superintendent of its decision to consider the reappointment, in writing, to the extent possible, by October 1.
v. If the Superintendent asks to be considered for reappointment and the MSBE notifies the Superintendent of its decision to consider reappointment, the Superintendent and the MSBE shall work towards having a contract in place for the Superintendent by the regularly scheduled October meeting.
vi. The Board President and Vice President will lead negotiations on behalf of the Board. A majority vote of the Board is required to approve the contract for the State Superintendent. A vote to approve the contract shall be conducted in public session.
vii. The board seated in the year prior to the start of the term is responsible for making the appointment of the Superintendent, as the law calls for the appointment to be made prior to July 1 (2-302(a)). For example, the appointment of a Superintendent for a term beginning on July 1, 2028 shall be made by the board seated from July 1, 2027 through June 30, 2028. Prior boards may not negotiate contract extensions or make an early appointment.
viii. To be eligible for reappointment for a new term, the Superintendent must earn a satisfactory evaluation as indicated by a “meets expectations” or “exceeds expectations” rating on the final annual evaluation occurring in the fourth and final year of the term.
ix. The appointment to a new term beginning July 1, takes effect once the State Board issues a commission to the Superintendent.

I. VOTING

1. All resolutions and actions of the State Board shall be passed by vote. All regular members present shall be entitled to exercise voting rights on all matters.

2. The student member may not vote on any matter that relates to: (i) The dismissal of or other disciplinary action involving personnel; or (ii) Appeals to the State Board under § 2-205 of this subtitle or § 4-205 or § 6-202 of this article.

3. The teacher member may not vote on any matter that relates to appeals to the State Board under § 6-202 of this article.

4. The affirmative vote of a majority of the members serving on the Board is required for any action by the Board (§2-204). For example, if only a bare quorum of eight are present at the public session, all members must vote in the affirmative to pass a motion.

5. Absent members shall not be entitled to vote.

6. Votes of the Board shall be by voice vote. Votes shall be taken by the President by first calling the member who made the motion followed by the member who seconded the motion. The Board President will then acknowledge every vote taken by calling the names of each member voting for, against, and abstaining from a motion so that this information may be recorded in the minutes. This includes votes from members participating remotely. In instances where the vote is unanimous, the Board President shall recognize and record the vote as unanimous.

7. In all instances requiring emergency voting or virtual polling of State Board members, the vote will be ratified at the next scheduled public meeting.

8. Once a vote has been taken and is approved by a majority of the seated members, it becomes a Board action. All State Board members are obligated to support Board actions regardless of personal feelings or personal vote.

J. CONTINUITY OF OPERATIONS

1. With respect to ensuring continuity and stability in leadership, the State Superintendent will assure that the Department's senior staff have sufficient knowledge of the procedures of the State Board and will have in place a written continuity of operations plan identifying who is to act in their place when they are no longer available or unable to perform their duties for an extended period of time. Copies of the written continuity of operations plan shall be provided to State Board President, State Board Vice President and the Department's chief legal counsel. Any written executive succession plan shall have no effect in the event the State Superintendent resigns, is not renewed, or is otherwise terminated by the State Board.

2. The plan shall be submitted to the individuals identified in the prior paragraph within 60 days of taking office and shall be updated by July 1 of each year of the Superintendent's term, or in the event of a major change of staff.

IV. Office of the State Board

The Office of the Maryland State Board of Education (State Board Office) supports the officers and members of the State Board to ensure the effective and independent functioning of the State Board in fulfillment of its statutory, policy making, regulatory and administrative responsibilities.

The State Board Office works closely with the State Superintendent of Schools and the Maryland State Department of Education (MSDE) staff, to communicate and coordinate the expectations and informational needs of the State Board. When members of the State Board have requests for information from MSDE or the State Superintendent, they should direct their requests through the Executive Director and State Board leadership to ensure the operational efficiency of the Department is maintained and to ensure that timely information is provided. Individual State Board members should not reach out directly to MSDE staff unless working in specific capacities, such as through committee work or already established community engagement events.

Staff of the State Board Office serve State Board members in a variety of ways to include, but not limited to:

- Responding to requests for information and assistance;
- Preparing and distributing board meeting materials and coordinating meeting logistics;
- Serving as a liaison between State Board members and Department staff, the Governor's Office, the State Legislature, and other stakeholders, as requested;
- Researching information about education-related data, policy, and programs, as needed;
- Orientation of new State Board members;
- Preparing and distributing correspondence, including public comments received in the State Board office;
- Processing approved expenses.

CONTACT INFORMATION

Please contact the Office of the Maryland State Board of Education with any questions, requests or concerns at:

Office of the Maryland State Board of Education
200 West Baltimore Street
Baltimore, Maryland 21201-2595
410-767-0467
Stateboard.msde@maryland.gov

Appendix A: Forms of State Policy for Public Education in Maryland

Type	Authority	Description	Process	Enforceability
State Law	Laws of the state	Laws in the Education Article	Adopted by the Maryland General Assembly	Law
Regulation (Code of Maryland Regulations - COMAR)	Education Article §2–205(c)	Policy framework for the administration of public schools through the state regulatory process	State regulatory adoption process, adopted by a majority vote of the State Board of Education	Carries the force of law §2–205(c)(2)
Emergency Regulations	Education Article §2–205(c)		Emergency regulations can be adopted in accordance with State law	Carries the force of law §2–205(c)(2)
Board Decision	Education Article §2–205(d, e)	Legal proceedings that address disputes or provide explanation of the other forms of policy decided on by the board in §2–205	Decided through a legal proceeding or declaratory judgment of the full Board	Carries the force of law §2–205(e)(2)
Board Governance Manual (By-Laws)	Education Article §2–205(c)	Rules that govern the operations of the State Board of Education	Adopted by a majority vote of the State Board of Education	Carries the force of law §2–205(c)(2)
Board Policy for Program of Public Instruction	Education Article §2–205(h)	Standards and rules that direct the instructional program in public schools	Adopted by a majority vote of the State Board of Education after an opportunity for public feedback	Clarification or enforcement through a legal proceeding in §2–205(d)(1); withholding funds§5-205(e); or remove the LEA superintendent for insubordination §4-201

Type	Authority	Description	Process	Enforceability
State Superintendent's Guidance for Program of Public Instruction	Education Article §2–205(h)	Administrative guidance to advance the academic program and administration of public schools; Delegated authority from the Board	Developed by the State Superintendent and distributed to school leaders	Clarification or enforcement through a legal proceeding in §2–205(d)(1); withholding funds §5-205(e); or remove the LEA superintendent for insubordination §4-201
Board Resolution	N/A	An expression of the will and direction of the Board	Adopted by a majority vote of the State Board of Education	N/A

Appendix B: Typical Order of State Board Meeting Agendas

AGENDA FORMAT/ORDER OF BUSINESS:

- Call to Order and Declaration of a Quorum
- Pledge of Allegiance
- Introduction of Guests
- Public Comment
- **New Business:**
  - Consent Agenda
  - Oral Argument (as necessary)
- State Superintendent's Update
- Priorities
- Reports to the Board for Discussion/Action
  - Presentations/Information Items
  - Regulatory Actions
- State Board Member Reports and Comments
  - Board Member Comments
  - Board Committee Reports
  - Future Board Agenda Topics
- Opinions
- Adjourn

Appendix C: Framework for the Evaluation of the State Superintendent

The Board has established the following framework for implementing the annual evaluation of the Superintendent.

The State Board shall conduct the Superintendent's evaluation in executive session, shall provide the Superintendent a written evaluation and shall provide the Superintendent the opportunity to respond orally and in writing regarding the State Board's evaluation. The Superintendent's evaluation shall be kept confidential. The Board will follow the timeline and process for the evaluation outlined below:

Month	Activities
April	• By April 15, the Superintendent will submit a self-evaluation to the Board. • During the regular April Board Meeting, the Superintendent will discuss their self-assessment and the Board will have opportunity to ask clarifying questions. • After the regular April Board Meeting, each Board Member will have an opportunity to review the evaluation and provide feedback.
May	• During the regular May Board Meeting in executive session (without the Superintendent being present), the Board shall deliberate on the Superintendent's evaluation. • In accordance with Board governance responsibilities and by May 31, the Board President and Vice President will prepare an evaluation for the Superintendent. • The Board may schedule a special Board Meeting in May with the Superintendent in executive session for the Superintendent to share any final thoughts and answer any potential clarifying questions on their self-evaluation. • The President and Vice President finalize the ratings for the evaluation after taking into consideration the feedback and sentiment of the full Board.
June	• By June 15, the State Board President and Vice President shall finalize and deliver the evaluation to the Superintendent.

Acknowledgement

I have received the Maryland State Board of Education (State Board) Governance and Operations Manual and understand its contents and my obligations and responsibilities as a State Board member.

Print Name

Signature

Date