Maryland
STATE DEPARTMENT OF EDUCATION

Carey M. Wright, Ed.D.
State Superintendent of Schools

TO: Members of the Education Policy Committee

FROM: Carey M. Wright, Ed.D., State Superintendent of Schools

DATE: October 13, 2026

SUBJECT: COMAR 13A.02.01.01 *Rules for Meetings* (Permission to Adopt)

Purpose

The revised amendments to COMAR 13A.02.01.01 *Rules for Meetings* further clarify requirements for local boards of education to hold regularly scheduled business meetings of the local board in-person. There are outlined exceptions for committees and task forces of the local board and for other exceptional circumstances. The amendments would also establish minimum requirements for local boards to hold an opportunity for public comment at a regularly scheduled business meeting and alter requirements in the original draft regarding the existence of quorum in-person to conduct regularly scheduled business meetings.

Background and Process

The regulatory changes focus on transparency, accountability, and public trust in the decision-making process. In-person regularly scheduled business meetings promote open dialogue, allow the public to observe board members' interactions and deliberations directly, and foster community engagement. Requiring a written policy governing opportunities for public comment ensures that all stakeholders have a clear, consistent, and fair process to voice concerns or offer input on matters affecting local schools. This supports the principles of open government and helps align local governance with state educational priorities.

In the latest public comment period, no comments were received.

Action

For the State Board to grant permission to adopt amendments to COMAR 13A.02.01.01 *Rules for Meetings*.

Attachments

COMAR 13A.02.01.01 Revised Regulation

Title 13A STATE BOARD OF EDUCATION

Subtitle 02 LOCAL SCHOOL ADMINISTRATION

Chapter 01 Local Boards of Education

Authority: Education Article, §§2-205, 4-101, 4-105, 4-106, 5-101, 5-109, and 7-103 Annotated Code of Maryland

.01 Rules for Meetings. [The rules generally adopted by deliberative bodies for their government shall be observed by the local board of education. A motion or resolution may not be declared adopted without the concurrence of a majority of the whole board; namely: three members when the board consists of five, four members when the board consists of six or seven, and five members when the board consists of eight or nine.]

A. This regulation governs the requirements for any meeting of a local board of education (local board). A local board shall comply with the rules generally adopted by deliberative bodies for their governance to ensure that all meetings are conducted in an open and transparent manner and as required by this Chapter.

B. Terms Defined.

(1) "Exceptional circumstances" means a temporary, unexpected event that makes an in-person meeting unfeasible or unsafe, such as a state or local government-declared public health emergency, severe weather event that closes schools and government offices, or an infrastructure failure that renders the designated meeting location unusable.

(2) "In-person meeting" means the physical gathering of a quorum of a local board in a location to conduct public business.

(3) "Open Session" means a meeting or part of a meeting of the local board that is open to the public as required by the Maryland Open Meetings Act, General Provisions Article, Title 3, Annotated Code of Maryland.

(4) "Regularly Scheduled Business Meeting" means a recurring, pre-announced gathering of a quorum of the local board, conducted under a formal agenda for the purpose of conducting regular business.

(5) "Special Meetings" means any non-regularly scheduled meeting of a local board that is typically called to address urgent or specific matters that arise between regular meetings.

C. Requirements for Regularly Scheduled Business Meetings ~~Open Sessions~~.

(1) In-Person Meetings Required. A local board shall meet in person for a monthly regularly scheduled business meeting that includes ~~in~~ an open session ~~for all open sessions to conduct its official business~~. The open session in-person meeting requirement does not apply to committees and task forces of the local board.

(2) Public Observation. Regularly scheduled business meetings ~~All open sessions~~ shall be held in a physical location that:

(a) Admits the public;

(b) Is reasonably accessible to individuals who wish to attend;

~~(c) Is sufficiently sized to accommodate the expected audience~~; and

(d) Permits the public to observe and hear the meeting.

(3) Hybrid Meetings. Board members may participate remotely by video or telephone conference. ~~provided that a quorum of the local board is present in person.~~

(4) Virtual Meetings — Limited Exception.

(a) A local board may only meet virtually for a regularly scheduled business meeting ~~an open session~~ under exceptional circumstances or special meetings as defined in §.01B of this regulation.

(b) A local board shall meet the notice, access, and transparency requirements of Maryland's Open Meetings Act.

~~(c) The open session in-person meeting requirement does not apply to committees and task forces of the local board.~~

D. Closed Session. This regulation permits ~~does not preclude~~ a local board to meet ~~from meeting~~ virtually when convening in closed session, consistent ~~provided the closed session is conducted in compliance~~ with the ~~provisions~~ requirements of the Maryland Open Meetings Act, General Provisions Article, Title 3, Annotated Code of Maryland.

E. Public Comment.

(1) Opportunity for Public Comment. The local board shall permit a period during at least one of its [monthly] regularly scheduled business meetings each month ~~open session meetings~~ to hear comments from members of the public.

(2) Adoption of Policy. The local board shall adopt a written policy regarding the process, rules, and procedures for public comment, which shall include:

(a) The rules for registering to speak;

(b) Any reasonable limitations on the time allotted to each speaker; and

(c) The subject matter that may be addressed during the public comment period.

(3) The local board shall make its public comment policy readily available to the public on its official website.

F. Motions and Resolutions.

(1) A motion or resolution may not be declared adopted without the concurrence of a majority of the members of the local board.

(2) A majority of members of the local board consists of three members when the board consists of five, four members when the board consists of six or seven, and five members when the board consists of eight or nine.

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