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: November 19, 2026

SUBJECT: COMAR 13A.02.01.06 *Social Media and Code of Conduct Policies* (Permission to Publish)

Purpose

Staff will present regulations for the committee's consideration that require local boards of education to adopt social media and code of conduct policies for its members.

Executive Summary

The proposed regulation requires each local board of education to adopt and implement social media and codes of conduct policies governing the conduct of local board members. The regulation establishes expectations for the appropriate use of social media in connection with official school system business, including requirements that members identify accounts as personal reflections rather than official board statements. The regulation also lays out parameters to protect confidential information, avoid deliberations that could constitute an improper quorum, and refrain from viewpoint discrimination in violation of the First Amendment.

The regulation also requires local boards to adopt codes of conduct that address compliance with applicable laws and ethics requirements and appropriate boundaries between board oversight responsibilities and the day-to-day administrative and operational duties of the local superintendent and school system personnel. Policies must include progressive sanctions for violations. Local boards retain the authority to establish additional policy restrictions consistent with applicable law.

Action

For the State Board to grant permission to publish COMAR 13A.02.01.06 *Social Media and Code of Conduct Policies* for public comment.

Attachments

COMAR 13A.02.01.06 Draft Regulation

Title 13A STATE BOARD OF EDUCATION

Subtitle 02 LOCAL SCHOOL ADMINISTRATION

Chapter 01 Local Boards of Education

Authority: Education Article, §2-205, Annotated Code of Maryland

.06 Social Media and Code of Conduct Policies.

A. Each local board of education shall adopt and implement social media and code of conduct policies to govern local board members consistent with the requirements of this regulation.

B. This regulation does not govern official school system or local board institutional accounts managed by the school system or election accounts governed by State election laws.

C. Local board members may not post on any social media account any information prohibited from disclosure under applicable laws, regulations, policies, or procedures.

D. Any social media account that refers to a local board member's status as a public figure shall include a statement that all opinions shared reflect those of the individual member and are not an official statement of the local board.

E. If local board members choose to set up a social media account that reflects their status as a public figure, they shall:
(1) Designate the account as the local member's official account;
(2) Inform the local board's presiding officer of the official account;
(3) Limit the use of their account to matters of official school system business;
(4) Not deliberate with other local board members in a manner which creates a quorum of the local board or any local board committee;
(5) Not discriminate based upon viewpoint in violation of the First Amendment; and
(6) Comply with the local board's code of conduct policy.

F. The local board's code of conduct policy shall require local board members to:
(1) Comply with all applicable laws, regulations, policies, and procedures;
(2) Comply with the ethics requirements set forth in Title 5, Subtitle 8 of the General Provisions Article, Annotated Code of Maryland, and COMAR 19A.05;
(3) Conduct themselves professionally in connection with the transaction of public business; and
(4) Refrain from interfering in the day-to-day administrative or operational duties of the local superintendent and school system personnel.

G. Each policy adopted under this regulation shall set forth sanctions that are progressive in nature to be imposed by the local board for violations of the policy.

H. A violation of the policies adopted under this regulation may serve as grounds for removal from the local board as permitted by State law.

I. Nothing in this regulation prevents a local board from establishing additional restrictions in these policies as permitted by law.