

Handbook for Citizen Involvement

Board of Education of
Frederick County

Web Version

May 2002

Revised

October 2002

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Board of Education of Frederick County, Maryland Handbook for Citizen Involvement

Purpose of this Handbook

As in most states, the Constitution of the State of Maryland requires the legislature to establish a “thorough and efficient System of Free Public Schools,” and provides that the state “shall provide by taxation, or otherwise, for their maintenance.” (Md. Const. art. VIII, § 1 (2001).

While it is debatable whether the state has followed the second part of this directive and provided for the adequate maintenance of our schools, the state did establish a school system. As a result, in Maryland we have a separate school system in each county.

Some activities of the school system are controlled by the state. A Maryland State Board of Education, which consists of twelve members appointed by the Governor, creates policies and regulations that apply to all county school systems. The state also provides part of the funding for the local schools, based on a formula that takes into account local wealth.

Some federal laws also apply to all school systems. For example, the Individuals with Disabilities Education Act imposes specific requirements. The federal government also imposes some requirements in return for funding programs.

All other issues that are not mandated by state or federal law are ultimately determined by the local board of education. This handbook is intended to help explain how the Board of Education of Frederick County functions. (To simplify things, this book will refer to the Board of Education of Frederick County as the “BOE,” and Frederick County Public Schools as “FCPS”). The goal is to provide a common understanding of some of the basic processes of the BOE. It is a whole lot easier to get something done, whether you are a BOE member, or a citizen who wants to make a change, if you understand the process.

It is important to note that this handbook is an informal explanation of the BOE functions and processes, and these things are subject to change. As explained later in this book, the BOE has created official policies that take precedence over any inadvertent conflicting provisions in this handbook. Of course, if you find such a discrepancy, let us know and we will try to fix it. To see the official BOE policies, go to <http://www.fcps.org/dept/legal/fullpol.htm>.

Still have questions? Keep reading! Later on you will see how to contact the BOE if you want to complain, commend or just have a question or comment. In addition to the numbers and addresses listed, you can always find more information at <http://www.fcps.org>.

The Role of the Board of Education

Collective, Not Individual, Authority

According to a recent National School Boards Association publication, many candidates for the BOE promise to do all sorts of things when they are elected. They win a seat, and then quickly find out that an individual BOE member has no authority to do anything. This is because all power of any BOE is collective, not individual. Each member can bring different perspectives to the table, and can strongly advocate for specific actions, but only the BOE as a whole has the power to take any official action.

The BOE is a seven member Board. BOE policy specifies that four votes are required to take any action. This is different than some other boards that only require a majority of the members present.

What About BOE Officers?

Each year, the seven BOE members elect a President and a Vice President. Maryland law specifies that the President is selected at the first meeting after the first Tuesday in December. In election years, this is the first meeting with the newly elected members. The President and Vice President have some added responsibilities, but each only has one vote, just like the rest of the Members. The President conducts the meetings in accordance with *Robert's Rules of Order*, and serves as the spokesperson for the BOE, but has no other additional authority. The Vice President assists the President and handles these duties as needed.

What About the Superintendent?

Both Maryland law and BOE policy govern the role of the Superintendent. The Superintendent is the Executive Officer of the BOE, as well as the Secretary and Treasurer, and is required to attend all BOE meetings, except for those pertaining to his own salary, tenure or performance. Although he is part of the BOE, he does not have a vote.

One major duty of the BOE is to hire the Superintendent. Maryland law requires that a Superintendent be hired for a four-year term. The BOE has to notify the Superintendent of a decision to renew or not renew a contract in February prior to the expiration of the term. The term of a Superintendent starts in July. Although the BOE may elect to not renew a Superintendent's contract, the Maryland Attorney General has recently concluded that the BOE cannot unilaterally fire a Superintendent. The power to fire a Superintendent lies exclusively with the State BOE and State Superintendent.

The law also specifies that the Superintendent manages the system. Some decisions of the Superintendent are subject to appeal to the BOE.

Individual BOE members have no authority to direct the Superintendent, although each BOE member may ask the Superintendent for information. Only the BOE as a whole (i.e., at least four BOE Members acting collectively) can direct the Superintendent to do or not do something.

Neither individual BOE members nor the BOE as a whole may direct any other FCPS staff. The BOE as a whole instead may direct the Superintendent to take an action, and then the Superintendent can decide how to utilize staff for such requests. The BOE evaluates the Superintendent each year.

So What Does the BOE Do?

As noted above, the state and federal governments impose some specific guidelines on all public schools in Maryland. For example, the state mandates minimum graduation requirements, and requires specific testing of all students.

Anything that is not mandated by state or federal law may be determined by the BOE. The BOE also makes sure FCPS operates within the state and federal mandates. How does the BOE actually do this? By hiring and overseeing a Superintendent who administers the school system, by creating a vision for the system, setting standards, and creating policies, by making sure the Superintendent implements and follows those policies, and by establishing the budget that enables this to happen.

There is a common misconception that the BOE start with the budget. The reality is that the BOE creates the budget at the end of the process, after setting a vision and goals. The goal is not to spend money; the goal is to continuously improve public education in Frederick County, and the budget is a tool to help improve education. This section will explain the continuous improvement process, from the theory that drives the decision-making, to the actual expenditures designed to improve education.

The Mission of the Board of Education

Several years ago, the BOE worked hard to first create a statement of its own mission. The BOE decided to try to articulate its role in one brief sentence. The result was the following statement:

“We set the standards for public education.”

This is the official mission statement of the BOE. The goal was not to brag about any power of the BOE. The goal was to accept the responsibility for the public education of our children and be a model for continuous improvement.

A Vision to Guide the Decisions

The BOE believes that long-term improvement in education first requires a clear vision of what we want the school system to look like and the role we want the

school system to play in our community. Based on that vision, we can set specific goals, and spend money to achieve those goals. We continually measure whether we are achieving those goals, and progress or lack of progress then helps us decide where to continue to spend money on something. This book will explain more about the budget a bit later. For now, let's focus on the vision.

Everyone in the county plays a role in education, from the students, to the teachers and other staff, to the business community and the citizens. That is why the BOE created the following vision statement for FCPS:

Education is the foundation of our community. The Frederick County public school system educates its students to become caring, respectful, and responsible citizens and family members.

Students look forward to school each day. They take full advantage of the rigorous academic curricula and strive to develop their talents. They utilize the power of technology to explore a world of new ideas and information. They acquire the knowledge and skills to achieve and the confidence to succeed, and are rewarded with a wide choice of offers from higher education and employers.

Outstanding applicants compete to join our system. Employees enjoy the respect of students and the community, opportunities for professional growth, and recognition for their contributions to our system. They value each student and create a learning climate where students can reach for their dreams.

Parents, public officials, businesses and citizens actively support our commitment to challenge all students to achieve their potential. The Board of Education and school system staff embrace the community's contributions and are responsible stewards of its resources.

Parents choose to send their children to our schools. Businesses and families move to Frederick County because of our schools. Other school systems emulate us.

The Mission

From this comprehensive vision, the BOE adopted a mission for our schools:

“Educating each child and promoting success.”

Specific, Measurable Goals

The next question was how to translate the mission and vision into reality. The BOE has approved a set of specific goals based on the vision. Here are the goals:

- Goal I. All students will demonstrate the knowledge and skills necessary to meet graduation standards and achieve their potential.
- Goal II. All schools will be safe and inviting, with a climate that fosters learning and character development.
- Goal III. All employees will be highly qualified, motivated and effective.
- Goal IV. All sectors of the community will be engaged in the education of our children.
- Goal V. FCPS will advocate for adequate resources to achieve these goals and manage these resources in a publicly accountable and cost effective manner.

From these goals, the BOE has approved specific measures to determine whether or not we are achieving each goal. Each year FCPS publishes data showing how close it came to meeting these goals in the form of a comprehensive performance report. The system meets some goals, and has a long way to go on others. If you would like to see the performance report, contact FCPS at the number, address or email address listed later in this book and you can obtain a copy.

Later sections of this book will explain the mechanics of how the BOE makes decisions about the budget and sets policies consistent with this vision and these goals.

The Members of The Board of Education

As noted previously, the BOE consists of seven Frederick County citizens plus a non-voting student representative. The Superintendent serves as the Executive Officer, Secretary and Treasurer of the BOE, but has no vote. The BOE also asks the County Commissioners to send one Commissioner as a non-voting liaison to the BOE.

An Administrative Director assists the BOE and each member, and manages and coordinates all administrative issues such as schedules, budgets, and correspondence with the public. Because no BOE member is available full time at the BOE offices, the Administrative Director interacts directly with the public and responds to public requests made to the BOE. The Administrative Director is the only FCPS staff other than the Superintendent who reports directly to the BOE.

Until recently, the Governor appointed all seven voting members. In 2000, the BOE began to undergo a transition to become an elected board. Starting in November 2002, all seven BOE members will be elected. Because the terms of office is four years for each member, voters will select groups of three or four members every two years.

This section summarizes some of the major provisions of Maryland law regarding the BOE. For more complete information, refer to the Education Article of the Annotated Code of Maryland.

Legal Requirements to Be a Member of the BOE

There are not many legal requirements to hold office as a BOE member. Except for the student member, you just have to be a resident and registered voter in Frederick County. You also have to win a countywide election. There is one prohibition in state law that only applies to Frederick County: A BOE member may not be married to an administrator or teacher who works for the school system.

Student Member of the BOE

For many years, the BOE has included a student member. This student does not vote, and is not present at closed meetings of the BOE, but otherwise sits with the BOE and participates in all regularly scheduled public meetings. BOE policy provides that the Frederick County Association of Student Councils selects the student representative. Interested students should contact their guidance counselor for more information.

Elections and Appointment of Replacements

Elections are held every two years for a group of three or four members. Unlike other local elections, the BOE election is non-partisan. A candidate's political affiliation is not disclosed on the ballot. Because the election is non-partisan, the primary and general elections are conducted differently than other county elections. For BOE elections, all candidates appear on both the Democrat and Republican ballots. For the primary election, twice the number of openings that year will move on to the general election. For example, if it is a year to elect three members, the top six candidates will advance to the general election. The general election will determine which three candidates are elected. Unlike non-partisan judge races, this is true regardless of the number of votes the top three receive in the primary. For years in which four members are elected, the numbers are eight and then four, respectively. Candidates are subject to all the regular laws regarding registration, finances and reporting. For more information see <http://www.elections.state.md.us>.

The law provides that if a member of the BOE is unable to complete a term of office, the County Commissioners appoint a replacement for the balance of the term.

Orientation Process for Candidates and New Members

The work of the BOE does not stop during the biannual elections of new members. The BOE has determined it is in the best interest of FCPS to make sure all candidates understand the job. It is also important that the FCPS staff

have enough time to do their jobs without constant requests for information from candidates or potential candidates. Most of the information handled by the BOE and FCPS staff is public information, but the BOE and staff need to provide fair procedures that balance the public need for information with the time required to do their jobs. For this reason, the BOE has developed procedures to make sure all candidates and new members have timely access to needed information.

Once the filing deadline for the BOE election has passed, the Superintendent will notify all candidates in writing at the address specified in the election filing of the orientation process. This process will include one or more meetings, as determined by the Superintendent, during which appropriate staff will present information about FCPS, such as information about finances, policies, the functioning of the BOE, and other relevant issues.

All candidates will be invited to participate in these meetings. The meetings will include presentations from staff and existing BOE members who are not current candidates, and will provide time for candidates to ask questions. After the election is completed, the Superintendent and BOE President will meet with the members-elect to respond to questions and provide additional information.

Compensation of BOE Members

Maryland law specifies the compensation for BOE members. The current compensation is \$3,000 per year, plus health insurance if the member elects to take the insurance coverage. Members also receive an expense reimbursement of \$1,000 (or \$1,500 for the President of the BOE).

Responsibilities of the BOE

The Annotated Code of Maryland imposes the following duties for the BOE (see Section 4-108 of the Annotated Code of Maryland):

- (1) To the best of its ability carry out the applicable provisions of this article and the bylaws, rules, regulations, and policies of the State Board;
- (2) Maintain throughout its county a reasonably uniform system of public schools that is designed to provide quality education and equal educational opportunity for all children;
- (3) Subject to this article and to the applicable bylaws, rules, and regulations superintendent, the educational policies of the county school of the State Board, determine, with the advice of the county system; and
- (4) Adopt, codify, and make available to the public bylaws, rules, and regulations not inconsistent with State law, for the conduct and management of the county public schools.

As you can see, this list is open to broad interpretation. The BOE has adopted policies to provide more specificity. BOE Policy 100.1 says the BOE sets the

mission, goals and policies for the school system, while the Superintendent advises the BOE on these issues, administers these policies, and manages the system. As noted above, you can read all of the BOE policies at:

<http://www.fcps.org/dept/legal/fullpol.htm>

and the regulations issued by the Superintendent to administer these policies at:

<http://www.fcps.org/dept/legal/fullreg.htm>

NSBA Code of Ethics

The BOE is an affiliate of the National School Boards Association (NSBA). The NSBA provides various resources for the BOE, including a model code of ethics. The BOE has adopted this code of ethics, and each member is expected to abide by it at all times:

As a Member of my local Board of Education, I will strive to improve public education, and to that end I will:

Attend all regularly scheduled board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings;

Recognize that I should endeavor to make policy decisions only after full discussion at publicly held board meetings;

Render all decisions based on the available facts and my independent judgment, and refuse to surrender that judgment to individuals or special interest groups;

Encourage the free expression of opinion by all board members, and seek systematic communications between the board and students, staff, and all elements of the community;

Work with other board members to establish effective board policies and to delegate authority for the administration of the schools to the superintendent;

Communicate to other board members and the superintendent expressions of public reaction to board policies and school programs;

Inform myself about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by my state and national school boards associations;

Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff;

Avoid being placed in a position of conflict of interest;

Take no private action that will compromise the board or administration, and respect the confidentiality of information that is privileged under applicable law; and

Remember always that my first and greatest concern must be the educational welfare of the students attending the public schools.

Time Commitments

Serving on the BOE requires a serious commitment of time. As more fully described below, the BOE holds public meetings an average of two times a month. These meetings can last from early afternoon until late evening. Each BOE member also serves on an official BOE committee that meets once or twice a month for several hours, and serves as a liaison to one or more other FCPS committees or community organizations that meets at least once a month. The BOE also meets formally with the County Commissioners every month. Aside from the meetings, a BOE member is expected to spend time in the community and in our schools working on school-related matters, and must spend time staying current on educational issues. BOE members may attend various conferences and meetings sponsored by state and national board of education associations, and work on issues such as current legislation. The overall time commitment varies from individual to individual, but typically requires fifteen to thirty hours per week.

Policies and Budgets - They Go Together

Money, Money, Money

We all know that money is always an issue of contention. To put things in perspective, the FCPS budget is larger than the county budget, when you add up the federal, state and local resources. FCPS consumes about half of the Frederick County budget, and more than the county obtains from property taxes. The money that is not provided by the county is provided by the state and federal sources.

Not everyone agrees on how the BOE spends this money. While we can't make sure everyone agrees with all expenses, we can make sure that the spending is determined by means of an open process and a consistent theory.

Two Different Budgets

The BOE operates with two separate budgets. The annual operating budget includes the money used to run the schools. This money pays teachers, administrators and other staff, utility bills and other items to operate and maintain buildings, the costs of transporting students, and books and other supplies. Most of the money is spent on teacher salaries. Another way of looking at it is that for the current year, 80.05% of the operating budget is spent on services in the schools themselves, 12.34% covers physical plant, 5% covers transportation,

and the remaining 2.61% for central office administration. Some people mistakenly believe FCPS spends a lot of money on administration, but recent figures show FCPS spends close to the lowest amount per pupil on administration in the state. The BOE reviews these statistics every year to make sure expenses do not exceed peer counties.

The second budget is the capital budget. This money pays for building and renovating schools, major school maintenance items, and other major costs such as the recent five-year technology program.

The Operating Budget Process

Like it or not, it takes money to run the school system. The BOE knows this money, whether it comes from the state, federal, or local government, really comes out of the pocket of every taxpayer. The goal is to spend this money carefully, by constantly evaluating results and directing the money to the best uses. Earlier in this handbook we discussed the vision, goals, and indicators for FCPS. The ongoing results of the continuous improvement process drive the budget. Every year, staff members propose how to prioritize spending to better achieve the system goals. Early in the fall, the staff members and Superintendent meet and draft a list of proposals. By late fall, the list is refined and presented to the BOE. The BOE then meets with the Superintendent and staff several times to further refine the list. Sometime in December or January, the BOE presents a list of possible budget items to the public. The BOE invites the public to respond to the proposal. In recent years, such feedback has included a voice poll conducted by telephone, listening to the public at BOE meetings, discussing the items at PTA events and other meetings, and reading letters and email directed to the BOE.

At the same time the BOE is evaluating budget needs, the County Commissioners are preparing county budget proposals, including allocations for FCPS. In December or January, the Commissioners usually present a suggested budget target based on current revenue estimates. The BOE examines this proposal as one source of revenue. The BOE also reviews projections about anticipated state and federal allocations, including grants and money that is restricted for specific uses by the state or federal government.

An important part of the Board's responsibilities is evaluating available cost savings to spend as efficiently as possible. During the year we monitor expenses for running the schools. For example, the BOE has worked with private vendors to determine whether custodial and cafeteria services are being run properly, and whether there are benefits from outsourcing. These studies led to some new efficiencies. Of course, not everyone agrees we are efficient. For every dollar that is spent, there are usually citizens who think the money is going to the right places, and other citizens who would rather spend the money someplace else. In the end, it comes down to prioritizing based on a determination of which expenses will best help the system achieve the nine goals and the vision.

Putting this all together, in January and February the BOE must develop a budget proposal, taking into account that we only have preliminary estimates of revenue and are in the process of negotiating salaries (salaries account for over 80% of the operating budget, see below for more on the topic of salaries). The BOE holds a town meeting so that citizens can weigh in on the proposal. The BOE also listens to public comment at other meetings and reviews letters and email about the proposal. The BOE then finalizes a proposed budget and submits it to the County Commissioners by March 1.

It is important to note that the current policy is not to base the initial budget request on revenues. The BOE knows we have to live within our means, but quite often government agencies appear to grow to fit the budget, rather than for a clearly defined need. For this reason, the BOE proposed budget is based on the needs of the system, which is based on the measurable goals and indicators discussed above.

The BOE meets with the Commissioners throughout this process to respond to any questions and to try to avoid any surprises on either side. The BOE has also worked with the Commissioners to develop multi-year projections of budgets. This is particularly important because the number of students and hence the budget continues to grow.

The Commissioners usually hold a separate public hearing focused just on the BOE budget. This hearing is a chance for the public to speak for or against the requested allocation. The Commissioners then adopt an allocation for FCPS, and the BOE then adopts a final budget based on this allocation.

Salaries

To further complicate matters, at the same time the BOE is considering needs, and weighing expected revenue, the BOE enters into annual negotiations with the professional associations that represent a majority of FCPS employees - the Frederick County Teacher's Association (FCTA) and the Frederick Association of School Support Employees (FASSE). FCPS has contracts with these organizations that specify working conditions such as salaries, benefits, and work duties. Right now these contracts extend for three years, but the salary items are open to negotiation each year, though it is possible that the BOE could negotiate a multiple-year salary package.

The BOE has adopted a policy of paying competitive salaries for all employees. The goal is not to be the highest or lowest, the goal is to be competitive with counties of similar wealth. Based on Frederick County's wealth, the current stated goal is for salaries to be in the top one-third in the state. The BOE adopted this policy because a crisis was developing. Research shows some of the most important factors in educational achievement are the quality and stability of the teachers and principal in each school. FCPS was losing teachers at an alarming rate, and was facing increasing difficulty recruiting the most qualified teachers. Pay is only one part of solving this problem, but it was the number one reason cited by teachers for leaving or not accepting jobs in FCPS.

The BOE recognizes we have to do many other things to help FCPS recruit and retain employees (remember the Vision statement discussed earlier?), but without competitive pay, we lose before we even get out of the gate.

The Capital Budget

FCPS must also compete annually for funding to construct and renovate schools as well as for major maintenance projects and special large purchases such as some technology items. This money flows through a capital budget. Although this budget is adopted annually, it is based on a five-year capital improvement plan (CIP), and a longer-term construction plan.

Growing, Growing, Gone

The long-term plans are revised each year based on a current projection of need. Needs include estimates of growth in school population, as well as a survey of renovation and maintenance needs. The population increase varies from year to year, but has varied from 800 to over 1200 students in recent years. To put this growth in perspective, an average elementary school will hold approximately 700 students, so the growth each year has exceeded the need for a new school every year. The growth is actually spread out over elementary, middle, and high schools. At the present time, over half of the schools are over 100% capacity. In response, the BOE and the County Commissioners have agreed on a long-term plan that reduces overall enrollment to 90% of capacity system-wide.

The County Commissioners have adopted rules that restrict, but do not always eliminate, growth in areas of school overcrowding. New approvals for lots and subdivisions must pass an adequate public facilities test that considers the availability of schools and other services. A few of the municipalities in the county have also adopted such rules, although Frederick City has not. The BOE advises the county and all municipalities of the potential impact on schools from all major subdivisions and development projects.

What About the Old Timers?

While we need to build the new seats for the growing population, we also need to make sure all students, whether in old or new schools, have the same educational opportunities. For this reason FCPS maintains an inventory listing the renovation and maintenance needs of every school and administrative building in the system. The buildings are evaluated on how well they can deliver an environment that meets the education mission. Sometimes an old school is fine. The goal is not to renovate simply because something is old, it is to renovate where needed to improve education.

The Capital Budget Process

Of course, the main limitation on fixing this problem is money. We have taken steps to minimize the cost of constructing and renovating schools. For example, FCPS uses standardized designs for all new schools, resulting in more

predictable and manageable construction costs. There is also a focus on the long-term cost of the building. Sometimes the cheapest initial cost can lead to higher costs down the road, so every project is reviewed for long-term maintenance requirements. A good example of this is the choice of floor coverings. Some less expensive materials cost more in the long run because they wear out sooner or require more maintenance.

As a result of the cost control practices, school construction costs for FCPS are among the lowest in the state of Maryland and the region. The BOE continues to evaluate alternatives to further reduce costs, such as long-term leases or using commercial or other non-traditional space. In the meantime, we keep building schools trying to catch up with growth.

We know we cannot meet all the construction and renovation needs at once, which is why we maintain a long-term plan and budget. As noted above, the BOE regularly meets with the County Commissioners to build a shared vision for this long-term budget. There is general agreement between the BOE and County Commissioners over the capital budget needs.

The State of Maryland theoretically pays 65% of school construction costs. After you factor in the costs of land or items not approved by the state, such as expanded facilities to be used as county or city recreational centers, the state actually pays about 50% of the total. Contrary to popular opinion, the federal government does not pay any school construction costs.

The quest for state and county money follows an annual cycle similar to the development of the operating budget. Each year the BOE submits its long-term plan as well as a request for funding for the following year to the Maryland State Department of Education (MSDE). MSDE staff review the proposal to determine whether the project is justified by need. This review would include a consideration of the current and projected student population, and the age and functionality of the facility.

Based on this review, MSDE recommends funding of certain projects. FCPS then is able to appeal the initial recommendation, and sometimes the state recommends more funding. The State Board of Public Works makes the final decision on state funding. This board consists of the Governor, the Comptroller, and the State Treasurer. The Board of Public Works can only allocate money from the state budget. In Maryland, the Governor proposes the budget. The legislature can take items out of the budget, but cannot add items. This essentially means the Governor largely determines school construction funding. Recent Governors have used this power to gain leverage over the legislature on a variety of issues. Final funding is not determined until after the annual legislative session. The current perception is that a county that supports the Governor will be rewarded; a county that displeases the Governor will be punished, though some people will argue that most of the funding roughly follows the county size and needs.

School Construction Philosophy

People often ask why we wait until a school is severely overcrowded before building a new school, and how a school can open and be overcrowded from the first day. In some cases a school opens and plans begin immediately for an addition. The answer is that the current philosophy from MSDE is that school construction lags after the need. Rather than build a school ahead of the growth, funding is only provided once the overcrowding happens.

The county could choose to build schools ahead of the curve. Assuming the state approves a project, the county could choose to go ahead and construct a school and hope for eventual state funding. The County Commissioners have done this to small extent by agreeing to fund construction a year or two in advance once state approval is given. State money usually flows for a project if the project obtains planning approval, but funding is not assured.

The BOE does consider expected population growth in locating and building schools. Many schools are built with additions expected. The core facilities are oversized to accommodate future expansion, even if the addition cannot be built at the present time because of lack of money or student population in that area.

Construction Timing

The first step for funding is planning approval by the state. This enables the school system to proceed with design of the schools. Construction cannot begin until funding is assured. Money for actual construction then flows in subsequent years as the project is built. If the state approves construction funding, the money is available for construction at the start of a fiscal year (July 1). If construction starts at that time, an elementary school can open the following year, since it takes over a year to construct an elementary school. A middle school might take three to six months longer, and a high school another year.

One dilemma is that the weather permits construction starting in early spring, but funding is not available until the start of the fiscal year. To help resolve this issue, the County Commissioners have worked to make funding for site preparation available prior to the fiscal year in which school construction will start. This advance funding helps assure a school is ready to open on time. Weather and labor shortages can also lead to construction delays, as can unexpected site conditions.

Renovations

As we discussed earlier, Frederick County does not just need new seats. We also have many older buildings that require renovation. FCPS maintains an inventory of all buildings and rates each building on how well it suits the educational needs. Safety issues are always fixed right away, but many other needs have to wait for the money. The BOE goal is to weave the renovation projects into the long-term capital plan, though this is easier said than done. We have no choice but to build new seats, but we cannot neglect the existing schools, either.

Renovations are more complicated than new construction. Current building codes differ from the codes in effect when many older buildings were constructed. Before building the new parts, substantial demolition is often required. It is also necessary to put the students somewhere during the renovation. Because of the widespread overcrowding, there is no space to move the students to other schools. Renovations are therefore slowed down by a need to work around students as they are moved to other parts of the building or portables.

Small Schools

Some people have asked why schools are so large in Frederick County. It is true that Maryland schools are built for more students compared to the national averages. BOE policy says that an elementary school will be built to hold the full-time equivalent of 709 students. The program-rated numbers are 900 for a middle school, and 1500 for a high school. ("Full-time equivalent" means you actually have more students, because kindergartners attend only one-half day, so two kindergartners equal one full-time equivalent student). There are many schools smaller and many schools larger than the policy targets. These schools were built under different policies, and often grew over time by means of additions.

A lot of data supports the idea that smaller schools are better learning environments. The problem is that at the present time we cannot afford to build smaller schools given the ever increasing need for new seats due to the continuing population growth in Frederick County. The larger schools are a tradeoff between optimum educational environment and affordability. Some people disagree about this policy, but these are the guidelines in the State of Maryland and the only way to change would be to either convince the state to change the policy or convince the county to fund construction without the state dollars.

Operations of the Board of Education - The Mechanics

How does the BOE actually go about doing its work? The preceding sections explained some of the major policy considerations and resource issues. This section will explain how the BOE actually conducts business.

Meetings, Meeting, Meetings

By law, the BOE can only take action in official meetings. Meetings of the BOE must follow strict legal requirements for advance notice whenever a quorum (four members) is present. The idea is to make sure the BOE (or any other public body in Maryland) does not take action behind closed doors. Advance notice of meetings is posted by the BOE and sent to the local media. The BOE has created a web site that includes a calendar of meetings and other events. To view the calendar, go to <http://groups.yahoo.com/group/boefrederick/>. This site also includes agendas for the meetings. Information about meetings, including minutes of past meetings, is also available at <http://www.fcps.org>.

Meetings are open to the public and media, except for certain specified matters that may be discussed in a closed session because they involve confidential information. Examples of items that may be discussed in closed session include personnel matters, consultation with counsel, and the acquisition of land or facilities. The BOE must vote to go into a closed session, and must announce the reason for the closed meeting.

Regular meetings of the BOE occur on the second and fourth Wednesday of each month, although some months only have one meeting. Since meetings may last for over 8 hours, the meetings consist of several parts. During the day, the BOE and staff may meet in a planning session. These meetings are open to the public, but public comment is not taken during these work sessions. The goal at these meetings is to provide time for the BOE to work with staff to obtain information or debate issues. These sessions typically begin in the early afternoon on the meeting day, but can start as early as first thing in the morning, depending on the amount of work to be done. These meetings are often held in a conference room and are relatively informal, although they are public meetings during which the BOE may take action.

In addition to the planning session, the BOE may meet in a closed session during the day for the purposes listed above. These meetings are not open to the public. All such meetings are conducted in accordance with Section 10-508 of the Maryland Open Meetings Act.

At 6:00 p.m. on meeting day, the Board begins its regular meeting. The regular meetings are more formal and usually conducted in the official BOE Board Room at the Church Street offices. The BOE Members sit in assigned seats on a raised platform behind microphones and nametags. The staff and public address the BOE from a lectern. These meetings are televised on the local cable television system on the FCPS public access channel (currently Channel 18).

Code of Conduct

The Committee for Frederick County presented a Code of Conduct to various governmental agencies and organizations throughout the county. In April 2001, the BOE unanimously adopted this Code of Conduct as a standard to guide the members in interactions with each other and with the community:

Be Respectful—

- Through words and actions, demonstrate respect for the diverse views of all citizens in our increasingly multicultural society.
- When advocating for a belief or position, ensure that criticism of opposing viewpoints is expressed as criticism of a position, not a person.
- Be a positive role model for public discourse – practice courtesy, politeness, and consideration.
- Engage in respectful, non-judgmental listening.

Be Responsible—

- Demonstrate Fairness. Ensure that all sides have a fair opportunity to present their respective positions.
- Exercise your rights and responsibilities as a citizen. Encourage others to become informed and involved.
- While working toward the will of the majority, respect the rights of the minority.
- Clearly distinguish opinions from facts. Ensure all statements of fact are accurate and verifiable.
- Recognize the importance of achieving consensus as an important tool in community-building.

An Agenda for Every Meeting

The agenda for these meetings follows a prescribed pattern. First, the President calls the meeting to order and asks the BOE and audience to rise and recite the Pledge of Allegiance. After the agenda is approved, and an announcement is made about any closed session held prior to the meeting (such an announcement is required by Maryland law), the BOE listens to public comment. The public can speak about anything related to FCPS, except for comments about specific personnel, or anything else slanderous or unlawful. Each person may speak for three minutes. People may also submit written comments to be reviewed later by the BOE. If time permits, one representative from an organization may speak for five minutes. To make sure the BOE is able to get through the agenda items, if public comments take too much time (generally over one half hour), additional speakers may have to wait until the end of the agenda for time to address the BOE.

After public comment, the BOE reviews and approves the minutes from the prior meeting.

The rest of the agenda consists of various action items and reports. Some items are not controversial, and do not require much, if any, discussion. Some recommendations from the standing BOE Curriculum and Instruction Committee or the Facilities and Finance Committee will thus be presented on a “consent agenda.” A BOE committee has discussed consent agenda items, and all BOE members receive both the recommendation from the committee and the backup material. If there are no objections, the consent agenda items are passed without discussion. If any BOE member objects to an item, it will be pulled from the consent agenda and scheduled for discussion and a vote. BOE members need to let the Administrative Director of the BOE or the President know about any objections as soon as possible, because any discussion may require the presence of staff to explain the item.

The agenda for each upcoming meeting is determined after the regular meeting. The BOE President and Vice-President meet with the Superintendent and determine the items to be discussed at the next meeting, and the required time. The agenda items are based on recommendations from the Superintendent as well as a longer-term list of issues developed by the BOE. An issue will be

added to the list for discussion if at least three BOE Members would like to schedule meeting time to discuss the matter.

Open Discussion

An agenda is important to make sure all the required business is completed, but there is a danger of over orchestrating meetings and not leaving enough time for creative discussion. For this reason the BOE has set aside time for unstructured discussion during both the planning sessions and the regular meetings in front of the cameras.

First, to facilitate more discussion of issues of importance to the community, the BOE has agreed to try to complete the other agenda items by 5:00 p.m. on each meeting day and to spend an hour during which any BOE member can raise any issue. Sometimes these issues involve concerns received from parents or other community members, or they may relate to recent research a member has read and wants to share, or perhaps relate to developments with the legislature. The goal is to make sure that each BOE member has a chance to raise any issues. If there is enough interest in an issue that is raised, it would then be scheduled on the agenda for a more complete discussion.

Second, at the end of each BOE meeting, after the various action items, reports and information, any BOE member may raise any issue for discussion or may simply make any public statement he or she wants to raise.

As noted above, if at least three BOE members agree, an item raised in open discussion will then be added to a future agenda for additional consideration.

A Master Calendar

The BOE has many issues to deal with. Some issues recur every year. For example, the budget process, described later in this handbook, must follow a specific calendar sequence every year. Other items are raised by staff or BOE members, as discussed above. To help provide perspective and facilitate long-term planning, the BOE maintains a master calendar of these events. The calendar will be posted on the BOE website for easy access and periodically updated.

Other Meetings - Committees

To operate more efficiently, the BOE has divided some work between two standing committees. One committee deals with Curriculum and Instruction issues, and another committee deals with Facilities and Finance issues. Each committee consists of three BOE members. Because this group would not constitute a quorum of the BOE, a committee cannot take action, but can only recommend action to the full BOE. The BOE President appoints each member to one of these committees.

The committees serve two general functions. Some of the issues the BOE must approve are non-controversial but still require adequate examination by the BOE. The committee can take the time to perform such examination, and then make a recommendation to the full BOE. An example of such an issue may be a contract for the delivery of frozen pizza to school cafeterias. These types of issues would then appear on the consent agenda, as discussed above.

A second type of issue might be something controversial for which it is useful to have a committee perform some in-depth background discussion and research, so that the matter might then be more fully discussed by the whole BOE.

Meetings with the County Commissioners

As discussed in more detail later in this handbook, a large portion of the funding for FCPS comes from the taxpayers via an annual allocation from the County Commissioners. The BOE believes it is vital to maintain ongoing open communications with the County Commissioners. For this reason, the BOE and the County Commissioners meet every month to discuss issues raised by either body of joint concern. These meetings are currently scheduled for the second Tuesday of each month at 1:00 p.m., although the date and/or time sometime change.

Meetings with Frederick Community College

The BOE has also focused on coordinating educational programs with the local community college. The BOE meets regularly with the Board of Trustees of Frederick Community College to discuss such issues.

BOE Liaisons

Each BOE member also serves as a liaison for one or more other advisory committees or organizations. Current relationships include the following groups: the PTA Council of Frederick County, the Career and Technology Advisory Council, the Technology Advisory Committee, the Interagency Internal Audit Authority, the Advisory Committee on Multicultural Education, the Endowment Fund Committee, and the Family Life Advisory Committee. BOE members are also active and hold leadership positions in the Maryland Association of Boards of Education and the National School Boards Association, and a BOE member serves as legislative liaison. The President appoints BOE members to these roles after his or her election in December, after soliciting interest from the BOE members.

Public Involvement – Who Sets the Standards?

The BOE always faces conflicts. Remember the vision statement for FCPS we discussed earlier? It begins: “Education is the foundation of the community.” The vision comes from the concept that effective schools need the involvement of parents, students, staff, businesses, and other citizens. Each of those groups of people has a vital interest in what goes on in our schools. The parents care

about how well their children are taught and what they learn. They want safe schools. The students need to learn, and have individual learning styles and many differing interests and needs. FCPS is one of the largest employers in the community. Staff members deserve competitive pay and benefits, and the system wants to employ the most qualified people. Businesses rely on both interactions with the schools and the quality of the graduates who go on to work here. The rest of the community also depends on how well we teach our students, who may grow up and become citizens, parents, local business people or staff for our schools. Finally, public education requires a large chunk of community resources, so we should all be concerned about how the BOE spends our money.

This is where the conflict comes in. Sometimes each of those groups has needs or desires that conflict with the other groups. Even within each group we can discern some broad differences of opinion about the best way to do things. Sometimes there are disagreements over the goals, sometimes there are disagreements over the methods, and sometimes there are disagreements over the underlying facts.

That is why we have a board of education. Remember earlier when we talked about the mission statement of the BOE, which is "We set the standards for public education." Setting the standards often involves making choices among the competing priorities. In the United States, we do not rely on the professional educators to set these standards. The educators advise how to get there, and carry out the mission, but the BOE sets the policies that drive it all by articulating the standards of the community, and the BOE allocates the resources and oversees implementation and results.

And who sets the standards for the BOE? Since the citizens elect the BOE, ultimately the standards are set by the citizens. Of course, our citizens espouse a very broad variety of opinions. It is impossible for the BOE to simply "do what the people want." The BOE cannot possibly know what everyone wants, much less serve all the conflicting opinions. In the end, the BOE has to make an informed decision that is in the best interest of the kids and the community at large. Some people will approve of the decisions, and some people will disagree, but everyone has a say in the process.

It is easy to say that the job of the BOE is to set these standards. The tougher question is how the public fits into this equation. The question then becomes what is the BOE's role vis-à-vis the public? At a most basic level, the public chooses the BOE. As we discussed earlier, in Frederick County, this is now done by means of an election. In other places, and previously in Frederick, it was done indirectly when the elected officials appointed the BOE members. Either way, the BOE members serve the public. No one disagrees with that concept. There are often disagreements, however, over how the BOE members are expected to respond to "public opinion."

Everyone seems to agree that BOE members should be "accountable" to the public. There are many differing interpretations of what "accountable" means.

To some, it means the BOE and each member does what the citizen asking for “accountability” wants. Given the disagreements among the citizenry over the goals and methods in the educational system, any BOE member who attempts to adhere to this definition of accountability will fail. Quite often the BOE faces angry citizens who say, “You didn’t listen to me.” They may honestly believe that, but more often a more appropriate statement would be “You didn’t agree with me.” This sentiment is especially true when there are disagreements over underlying facts.

What is a better model of accountability? No BOE can please everyone all the time, nor can any BOE member. The BOE can, however, make sure information about the system is open and available to all citizens. The BOE can listen to all sides. The BOE can make sure all issues are discussed openly and fairly, and that all points of view are considered. Each BOE member can listen, and become informed. There is nothing wrong with a BOE member strongly advocating a position. Quite often there are no easy or singularly correct answers. But at the end of the day, when the BOE counts the votes and makes a decision, the BOE members must put aside the differences and support the collective decision of the BOE.

So What Can YOU Do?

This section will wrap up the handbook by explaining how the system is open to every citizen. Every citizen can become involved, and make his or her choices known. The end result may not be something every individual likes, but it is not because there is “no accountability.”

There are many ways every person can become involved, and can make sure his or her ideas are represented and considered. The key is knowing how to access the system and be heard. Anyone who follows these simple steps outlined here will be heard. Ideas will be considered.

First, if you want to change something, you need to know what is actually happening in the system right now. There are many misconceptions about what is going on in the schools. The first step, then, is to get the facts. Citizens can do this two ways. Firsthand knowledge is always reliable. If you have a child in the school, attend school events, talk to teachers and staff, and know what is happening. FCPS recently installed email and voice mail systems to make it easier to communicate with teachers and other staff.

To stay informed you can also review data collected and disseminated by the system. Remember the Goals and Indicators? Every year FCPS publishes the results of the measurement of the indicators. This information is available to any citizen who requests it. We are also working on making the data available online, for easier access. The data is not always positive, but it is available, and the BOE tries to present an accurate picture of successes and failures. As we discussed earlier, the BOE only takes actions at meetings, and in most cases the meetings are open to all comers. In addition to the data, you are welcome to

attend a meeting and see what is happening. Some of the meetings are televised on local cable television, as well.

After you know what is really going on, you can advocate for change, or voice your support of current decisions. All you have to do is attend a meeting, as discussed above, and comment. If you don't want to comment in person, or cannot attend a meeting, you can write a letter or send an email to the BOE. You can also contact any member of the BOE. Most of us are in the phone book. If you simply want to know a BOE position on a matter, contact the Administrative Director of the BOE, or the BOE President to find out whether the BOE has taken an official position on a matter.

What happens after you contact the BOE or BOE members? It depends on the issue. If you just have an issue about how something is being done in a school or the system, or if you need information, it is always best to try to talk to someone at the school. The BOE can help you get in touch with the right person, and in many cases that resolves the matter.

If you just need information about the system, or about a BOE policy, you can also contact the BOE and we will get you the information. The Administrative Director of the BOE is a good place to start for such requests.

It is important to note that individual BOE members cannot direct staff members to do something or not do something, but can help you get in touch with the right person in the system. Individual BOE members cannot even tell the Superintendent what to do - that can only be done by a majority of the BOE. The BOE also cannot tell the Superintendent to do something about an individual staff member, or direct a staff member to do something. The BOE instead relies on the professional judgment of the Superintendent to administer the BOE policies. Problems with the actions or inactions of the Superintendent are handled through an ongoing review process and a more formal annual review.

Suppose you instead have an issue about a BOE policy, rather than something specific happening in a school. In that case, you need to let the BOE know of your concerns through the means mentioned above. The BOE can only take actions to change a policy at a meeting. If you want something changed, you need to get it on the BOE agenda. As we discussed above, any BOE member has the ability to suggest an item for an agenda. The BOE has agreed that if three BOE members are interested, an item will be placed on the agenda and discussed. Any actual policy change, however, requires four affirmative votes out of the seven BOE members, regardless of how many members are present at a meeting.

The bottom line is: if you don't like something, get four BOE members to agree to change it. Can't get four BOE members to change it? Work on getting four BOE members who agree with your point of view. That is the political marketplace. BOE elections may be non-partisan, but because the BOE job ultimately consists of setting standards and allocating scarce resources, it is all politics. (Please note that this does not mean "partisan politics." While the

various BOE members may belong to one political party or another, party politics has so far not affected BOE operations or decision-making; all BOE members generally try to do what is best for the kids).

Still have questions? Call the BOE or BOE members and discuss them.

The official FCPS web site can be found at www.fcps.org. At this site, you can find a complete listing of BOE policies, regulations administered by the Superintendent, and information on how to contact the BOE, other staff, and individual BOE members. If you do not have internet access and want more information, call the BOE at 301-696-6850.