

POLICY	BOARD OF EDUCATION OF FREDERICK COUNTY, MARYLAND
GENERAL POWERS AND DUTIES¹	SECTION 106
106.1 Body Politic 106.2 Succession 106.3 General Powers 106.4 Maintenance of School System 106.5 Legal Counsel	Adopted: 4/5/03

106.1 Body Politic

The board is hereby declared to be a body politic and corporate.

106.2 Succession

The board has perpetual succession.

106.3 General Powers

The board may sue and be sued and have a common seal and exercise all the powers and privileges granted to or vested in them by law.

106.4 Maintenance of School System ²

A. The board is authorized and required to maintain a reasonably uniform system of public schools designed to provide quality education and equal educational opportunity for all youth.

B. Administrative and Supervisory Central Office Personnel

The board is dedicated to providing adequate central office support to the school system. It expects the superintendent to supply each year during the budget hearings, organizational plans to keep the central staff sufficient to provide the assistance that the schools need. The board recognizes its responsibility in this area and will exercise its lawful budget authority with discretion, based upon its perception of the needs of the system and the superintendent's recommendations.

106.5 Legal Counsel ³

A. The board is authorized and empowered to secure the services of attorneys at law to represent it in legal matters affecting the board and to contract for the payment of a reasonable fee to such attorneys. Funds for such fees shall be placed in the annual budget.

BOARD OF EDUCATION OF FREDERICK COUNTY
POLICY

- B. The board shall provide counsel for an employee charged with a criminal act in the course of employment if:
1. After an administrative investigation, the superintendent determines that the employee was acting within an authorized official capacity and that the action was taken in the performance of duties, within the scope of employment, and without malice; and
 2. Within twenty (20) calendar days of being charged, the superintendent receives a written request to provide counsel, signed by the employee. The superintendent's decision under B. 1. above is final.

¹ Section 3-104, Education Article

² Section 4-107, Education Article

³ Section 4-104, Education Article