

EDUCATION MATTERS

by Mark R. Adelman, Chair, MCCF Education Committee

Members of the Board of Education (BoE) are elected to oversee the operation of Montgomery County Public Schools (by the Superintendent and his/her staff). The Civic Federation Education Committee is attempting to understand whether BoE staffing is adequate to assure the BoE mandate can be met. By way of background, we have defined the following facts. They may not be exciting or "news" to many of you, so think of this as the first of what may be a series of reports on how, in our view, the BoE can do a better job.

1. The County Council does not regulate MCPS or the BoE in any "legislative" fashion, except as occurs indirectly via budgetary and fiscal decisions.
2. The County Charter has no sections bearing directly on MCPS or the Board of Education, although those sections pertaining to the operating and capital budgets do apply to the school system, as further circumscribed by state law.
3. State control of MCPS and the BoE is via two paths:
 - a. COMAR (Code of Maryland Regulations - available on the internet at <http://www.dsd.state.md.us/comar/> - has a title (13A) that describes the State Department of Education and includes some extremely brief guidelines (largely devoid of detail) as to how local Boards of Education are to operate.
 - b. The Education Article of the Annotated Code of Maryland (http://www.dsd.state.md.us/comar/Annot_Code_idx/EduIndex.htm) is a compilation of all existing laws enacted by the General Assembly regarding education at both the state and local level. It reflects laws enacted subsequent to proposals made by state legislators and as influenced by public testimony, including, but not limited to, testimony by local BoE representatives.
4. Until the mid-1950s Montgomery County did not have an elected BoE. The existing format of the BoE is the result of modified legislation passed in the 1980s. Adjustments to salaries of Board members (currently \$22,500/year for the president and \$18,500 for others) was last made in 2002 by action of the General Assembly.
5. There is historic precedent for having local boards of education either appointed or elected to part time positions and for vesting most operational oversight of the local school districts in the hands of the superintendent of schools: the logic is apparently based on the idea that the running of public schools should be entrusted to educational experts and not left to politicians.
6. It should be made clear that the BoE has its own staff, distinct from that of the Superintendent/MCPS. There is NO existing law regarding BoE staffing. Until the

1970s the BoE had NO staff. It chose to shift the position of ombudsman from MCPS to the BoE and a lawsuit was filed by MCEA questioning Board authority to do so. This suit was dismissed. Since then, the BoE staff has been increased, by action of the BoE, but there appears to be no official document, other than BoE policy and handbook (undergoing revision) authorizing or addressing the issues of numbers of Board staff, etc.

7. In the early 2000s there was a task force created by the General Assembly to consider a number of issues related to BoE composition and BoE staffing. The task force completed its work some time ago and made recommendations that led to the currently-operative legislation as to Board compensation and a scholarship for the student Board Member. Interestingly, although the charging document establishing the task force clearly stated that counties the size of ours are expected to have 9 or 10 members on the BoE, the task force did NOT recommend a change in the current composition (7 elected "full" members and one student).

8. The current staff of the BoE consists of seven people (<http://www.mcps.k12.md.us/boe/contact/staff.shtm>). There are two BoE policy documents regarding BoE staff (BNA and BNB); both are quite sketchy and out of date. The Board, recognizing this, is working on revising both, and has assigned this task to both its Policy Committee and its Communications and Public Engagement Committee; the latter has been especially involved in this work.

I have been attending (as an observer), the meetings of the Communications Committee as it works on revising Policies BNA and BNB and have found the process quite informative. In particular, I am encouraged by the dialogue that is taking place amongst the Board members; it seems they have heard community concerns and are seriously discussing the multiple "jobs" of the BoE and the role that staff must play in accomplishing the tasks at hand. One point in the discussion seems, to me, especially important. BoE process routinely involves creating a policy document and then tasking the Superintendent to create a regulatory document, to "make it happen" (recall our participation in the dialogue about Policy FAA and Interim Regulation FAA-RA). It appears likely that, when BNA and BNB are revised, the regulatory piece that accompanies them will be part of the BoE Operations Handbook (<http://www.mcps.k12.md.us/boe/about/operations.shtm>), and will therefore be written by the BoE, with the help of its staff.

Our Committee continues to research the structure of other boards of education (and their staffing), searching for a set of "best practices". This process is proving to be even more difficult than we originally expected, so I repeat my request (from last month's newsletter): If you know of a school district that you believe does a really good job, we'd appreciate knowing about it. Just Email me the name of the school district or the URL of its website. And thanks in advance. If we, as citizens, feel that our Board of Education is not doing what we elected them to do, we have an obligation to provide them with feedback and advice; we cannot afford to simply protest, grumble, and then wait for the next election to choose candidates we hope

will do a better job.

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