

## **BELIEFS AND POLICIES**

### **PREAMBLE**

(Amended 2003)

The Maryland Association of Boards of Education accepts the mandate of the Maryland Education Article requiring county boards of education to "maintain...a reasonably uniform system of public schools that is designed to provide quality education and equal educational opportunity for all children."

The Association recognizes that lay leadership and decentralization of control of public education are principles that are traditional in our educational system. The basic responsibility for education is placed with the individual counties, and the Association reaffirms its conviction that control of educational functions is rightly vested with local boards of education. The Association is cognizant of its obligations under state and federal law and is committed to establishing goals and priorities for the deliverance of quality instructional services which reflect established governance patterns within the constraints of legislative intent and controls.

In recent years public education has had many requirements and expectations added to its responsibilities. Since our schools try to be responsive to the concerns and needs of our society, it is imperative that appropriate funding be provided for all programs. All public school children must be equitably served within the limits of sound fiscal management without damaging the present level of support for education.

The quantity and the quality of instructional services which can be provided depend upon financial support. Adequate foundation funding must be established, significant financial support must be provided, and an equitable fiscal relationship between State and local authorities must be established and maintained.

The Maryland Association of Boards of Education, in conjunction with other public school boards of America, believes that education is necessary to the dignity and freedom of the American people and that all students should have equal access to an education that develops individual potential to the maximum.

The Association believes that public education is provided best in an atmosphere where differences are understood and appreciated, and where all persons are treated fairly, with respect and without discrimination or threats of violence or abuse. The educational system of Maryland has an affirmative responsibility to help create within itself and within the communities of the state an atmosphere of respect, understanding, fairmindedness and tolerance among all students, staff, and parents consistent with the democratic principles on which this nation is built.

The Association recognizes the public schools' responsibilities for all Maryland students. Education agencies, state and local, should have sole responsibility for the education of institutionalized students, assuming that satisfactory funding accompanies the program.

In pursuit of its beliefs, the Association has passed substantive Beliefs and Policies at its conferences which fall into these major classifications: Local/State Relations; Labor Relations; Student Relations; School Board Issues; and Federal Issues. A resume of these resolutions with a general statement of principles follows.

# **Beliefs and Policies**

## **Article I - Local/State Relations**

### **Section 1 - Local Control**

We believe the principle of local control is fundamental to a sound system of public education and will advocate and work toward the maintenance of local control of education.

### **Section 2 - Funding**

The Constitution of the State of Maryland states in Article 43 "That the Legislature ought to encourage the diffusion of knowledge and virtue" and "the extension of a judicious system of general education."

Historically, the Governors and General Assemblies have appropriated funds to encourage and assist the counties and Baltimore City in the implementation of quality general education programs.

#### **2.1 - Increased State Foundation Funding (Amended 2003)**

We support a state education funding formula and annual appropriations at a level which will keep pace with the legitimate increases in the costs of education.

#### **2.2 - Equitable Funding**

There is a need for establishment and maintenance of a more equitable relationship between the State and local fiscal effort in support of general education.

#### **2.3 - Adequate Funding**

We urge the Governor and the General Assembly to recognize their responsibility to provide adequate and equitable funding for state mandated programs and state priorities, provided that local control of, and accountability for, the public schools are not usurped.

#### **2.4 - Budget Involvement - Direction**

We encourage the State Board of Education to evolve definitive plans for seeking input from the Maryland Association of Boards of Education and local education agencies relative to the state education budget prior to final budget action by the Maryland State Board of Education.

#### **2.5 - Education Budget Categories (Adopted 1990)**

We support current law which provides that all boards report in one budget category reporting system throughout the state.

#### **2.6 - Local Board of Education Control and Accountability (Adopted 1995)**

We support local board of education control and accountability for appropriations within budget categories.

### **Section 3 - Transportation of Students**

The safe transportation of children to and from school is a vital concern to parents, board members, administrators and citizens in general.

#### **3.1 - Adequate Support (Amended 1994)**

We support adequate and equitable transportation funding from the State with notification of final funding to be received by local boards of education in sufficient time for meaningful budget preparation.

### **Section 4 - State Aid for School Construction**

We support the State's expanded participation in the funding of public school construction and capital improvement costs and the accommodation of limited local funding capacity.

#### **4.1 - State and Local Control of Projects (Amended 2003)**

The Interagency Committee should support local board of education efforts to improve the effectiveness and efficiency of the management and execution of approved projects.

### **Section 5 - State Board of Education**

#### **5.1 - Appointment**

We urge the Governor of Maryland to give considerable weight to prior service on a local school board when making appointments to the State Board of Education. Such prior service endows the appointee with desirable knowledge, experience and understanding that are advantageous to the citizens of Maryland.

## 5.2 - State Board Hearings

We believe that the State Board should review teacher disciplinary cases as it does other cases, from the written record created at the local level.

## 5.3 - State Student Assessment Program (Amended 2003)

We ask that the State Board and Department, in concert with local boards of education, continue to monitor the time, expense, reliability, and validity of the state student assessment program.

## **Section 6 - Legislation**

### 6.1 - Local Courtesy

We believe that, since local legislation often has statewide implications, the Association should monitor local bills. In such cases, the Association expects local boards to help provide data to support its position.

### 6.2 - School Calendar (Amended 2003)

We oppose legislation mandating additional school holidays, and support maximum flexibility for local systems to determine the adequacy of educational services within the state's minimum requirements.

## **Article II - Labor Relations**

### **Section 1 - Agency Shop (Amended 2003)**

We believe that public school employees should have the right to join or participate in the activities of employee organizations as provided in Titles 6-402, 6-403, 6-503, and 6-504 of the Education Article. It should be an individual's right to determine whether an association is deserving of financial support. It should not be the obligation of a local board to mandate that an employee give financial support to an association or union as a condition of employment. This Association therefore advises against agency shop agreements and opposes agency shop legislation.

### **Section 2 - Binding Interest Arbitration (Amended 2003)**

The intent of negotiations is to provide an incentive for mutual agreement in the areas of salary, wages, hours and other working conditions. Policy decisions should be the responsibility of the local board of education. Binding interest arbitration by a third party could defeat the intent of negotiations and thereby erode the authority of the local board. This Association therefore advises against binding interest arbitration agreements and opposes binding interest arbitration legislation.

### **Section 3 - Collective Bargaining-Substitutes (Amended 2003)**

We advise against agreements to negotiate with substitute teachers and oppose legislation authorizing negotiations with substitute teachers.

## **Article III - Student Relations**

### **Section 1 - Student Responsibilities and Rights**

Local "Student Responsibilities and Rights" documents are mandated by COMAR 13A.08.01.10. These documents should be designed with concern for the following:

1. Students are individuals with rights guaranteed by the Bill of Rights and the due process amendment of the United States Constitution.
2. The school is not a shelter from the law; students must obey local, state, and federal laws within the school.
3. For every right, students should accept a related responsibility.
4. Constitutional rights do not allow behavior which will create unhealthy, unsafe, or disruptive conditions within the school.
5. Authority must exist for rights to be guaranteed: the control and supervision of the classroom rests with the teacher; the control and supervision of the building rests with the principal.
6. Assuring students their citizenship rights within schools should result in their understanding the process as well as the content of our democratic society.
7. A "Student's Responsibility and Rights" document is not intended to reduce the recognized legal responsibility and rights of parents.
8. Responsibility is necessary to assure rights.

## **Section 2 - Truancy and Suspension**

Title 7-301(c) of the Education Article requires that "Each person who has legal custody or care and control of a child who is 5 years old or older and under 16 shall see that the child attends school or receives instruction as required by this section." MABE supports the Maryland Compulsory Attendance Law which stipulates that parents have a responsibility to assure that their child/children attend school. MABE encourages improved coordination among the various enforcement agencies (Social Services, Juvenile Services, State's Attorney's Office, and LEAs) so that the law is implemented effectively.

### **2.1 - Alternate Programs**

We urge the General Assembly to provide financial support to local educational agencies to establish positive alternate educational programs for those students under 16 years of age who constitute the bulk of the truancy/discipline/suspension policy offenders.

## **Section 3 - Substance Abuse (Adopted 1985; amended 2003)**

We support the vigorous enforcement of drug and alcohol laws and policies and the provision of effective drug and alcohol abuse education, prevention, and treatment programs.

## **Article IV - School Board Issues**

### **Section 1 - Liability Immunity**

We support legislation at the state and national levels extending immunity to school board members in suits arising out of the performance of their official duties.

## **Article V - Federal Issues**

### **Section 1 - Adequate Funding**

#### **1.1 - Forward Funding**

We support, for ease in planning, adequate forward funding for all federal education programs and, to the extent practicable, the direct payment of federal monies to the local board of education.

### **Section 2 - Tuition Tax Credits or Vouchers**

We oppose any proposal to provide federal or state tuition tax credits, tax deductions or vouchers to parents or guardians of children enrolled in non-public elementary or secondary schools.

### **Section 3 - Education Mandates (Amended 2003)**

We urge the President and Congress to reevaluate and respond to the fiscal burden placed on local education agencies by unfunded or underfunded federal mandates e.g., the Individuals with Disabilities Education Act and the No Child Left Behind Act. All current education mandates should be funded. We oppose any additional requirements without corresponding and appropriate federal funding.

### **Section 4 - School Construction**

We urge the President and Congress to support federally funded initiatives that will assist local school systems in meeting their needs for new school construction, additions and systemic renovations, infrastructure improvements, and technology enhancements. Such funding could provide additional space, ensure safe and healthy environments, and create climates for higher student achievement.