

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: October 2, 2007

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 2361 –
ADMINISTRATION: ADMINISTRATIVE OPERATIONS-STUDENT
CARRIERS**

ORIGINATOR:

**RESOURCE
PERSON(S):**

RECOMMENDATION

That the Board of Education approve the changes to Policy 2361. This is the third reading of this Policy.

Attachment I – Policy Analysis
Attachment II – Proposed Policy 2361

BOARD OF EDUCATION OF BALTIMORE COUNTY
Policy Analysis for Proposed Revision of Policy 2361: Student Carriers

Statement of Issues Addressed By the Proposed Policy

The Board of Education’s policy regarding the distribution of materials was adopted on November 16, 1972 and was last revised on August 16, 1990.

Recent federal case law has addressed distribution of flyers in public schools, *Child Evangelism Fellowship of Maryland v. Montgomery County Public Schools*, 456 F.3d 376 (4th Cir. 2006); therefore the proposed policy revisions address issues raised by the litigation.

Currently, the approval process for the distribution of materials is centralized. The central office is currently expending a considerable amount of time and resources handling the distribution of materials process. As of September 12, 2007, over 100 requests for distribution of materials have been received and are being processed. The assigned staff member spends approximately three to four hours each day faxing, emailing, and handling matters related to the distribution of materials. A review of the current process determined that it would be more efficient for the approval process to be handled at the school level.

Policy 2361 references “school-sponsored established business partnerships,” such as ‘Kids Helping Hopkins.’ Note that this organization has also been approved for student service learning credit. Organizations approved for student service learning opportunities would also be defined as “school-sponsored established business partnerships.” However, not all “school-sponsored established business partnerships” would be approved for student service learning credit.

Cost Analysis

Not applicable

Relationship to Other Board of Education Policies

Policy 1210, Relationship with Parent-Teacher Associations
Rule 1210, Relationship with Parent-Teacher Associations
Policy 1310, Fund Raising

Legal Requirement

Child Evangelism Fellowship of Maryland v. Montgomery County Public Schools, 456 F.3d 376 (4th Cir. 2006)

Similar Policies Adopted by Other School Systems

Montgomery County Public Schools, Policy CNA
Montgomery County Public Schools, Regulation CAN-RA
Howard County Public Schools, No. 3131
Howard County Public Schools, No. PR-3131
Prince George’s County Public Schools, Policy No. 1113
Anne Arundel County Public Schools, Administrative Regulation: 500

Anne Arundel County Public Schools, Policy Code: 500
Fairfax County Public Schools, Policy 1365.3
Fairfax County Public Schools, Regulation 1367.1

Draft of Proposed Policy and Rule (see attached Policy)

Other Alternatives Considered by Staff

Alternative methods of communication and action considered by staff included:

Developing a Rule that corresponds to Policy 2361.

ADMINISTRATION: Administrative Operations

General: [Student Carriers] DISTRIBUTION OF MATERIALS IN SCHOOLS AND OFFICES

THE BOARD OF EDUCATION OF BALTIMORE COUNTY IS AWARE THAT COMMUNITY GROUPS, INCLUDING PARENT-TEACHER ASSOCIATIONS, OFTEN PROVIDE HELPFUL INFORMATION TO STUDENTS AND TO THEIR FAMILIES TO SUPPORT THE BUSINESS OF LEARNING. UNLESS THE MATERIALS CONCERN SCHOOL-SPONSORED ESTABLISHED BUSINESS PARTNERSHIPS, BALTIMORE COUNTY PUBLIC SCHOOLS LIMITS THE DISTRIBUTION OF MATERIALS TO MATERIALS PUBLISHED BY ENTITIES OF FEDERAL, STATE, AND LOCAL GOVERNMENT AND PARENT-TEACHER ASSOCIATIONS.

THE BOARD DIRECTS THE SUPERINTENDENT TO ESTABLISH PROCEDURES TO IMPLEMENT THIS POLICY.

[All requests from groups or individuals to distribute materials to people in the community by students will be referred to the head of the Division of Administration to determine whether the requests comply with overall school purpose and policy.

Exceptions, approved by the principal, providing distribution of such materials does not violate a Board policy or rule, are granted for:

1. Local school matters
2. PTA materials
3. Materials pertaining to activities of the Department of Recreation and Parks

Under no circumstances are materials pertaining to elections to be distributed through student carriers. However, official PTA newsletters containing legislative and referenda information may be distributed through student carriers.]

Policy
Adopted: 11/16/72
Revised: 12/8/88
Revised: 8/16/90
REVISED:

Board of Education of Baltimore County