

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: October 25, 2011

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **REPORT ON THE PROPOSED CHANGES TO BOARD OF
EDUCATION POLICY 3130 – PRODUCTS AND SERVICES FOR
PURCHASE WITH STUDENT FUNDS**

ORIGINATOR: Dr. Renee A. Foose, Deputy Superintendent

**RESOURCE
PERSON(S):** Barbara Burnopp, Chief Financial Officer

RECOMMENDATION

That the Board of Education reviews the proposed changes of Policy 3130. This is the first reading.

Attachment I – Policy Analysis
Attachment II – Policy 3130

**POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 3130**
**SCHOOL ACTIVITY FUNDS – RELATIONSHIPS WITH PRIVATE BUSINESS FOR PURPOSE OF
PROVIDING PRODUCTS OR SERVICES FOR PURCHASE WITH STUDENT FUNDS**

**RENAMED AS,
“PRODUCTS AND SERVICES FOR PURCHASE WITH STUDENT FUNDS”**

Statement of Issues or Questions Addressed

In accordance with Board of Education Policy and Superintendent’s Rule 8130, Board of Education Policy 3130 is scheduled for review in school year 2011-2012. Policy 3130 addresses using businesses to provide/market/sell to students certain products and services. Staff is recommending that the policy be revised to: (1) add a policy statement; (2) specify that principals are the only administrators who may enter into contractual relationships; (3) delete language concerning the specifics of permissible purchases (which will be incorporated in a new Superintendent’s Rule); (4) conform with the Policy Review Committee’s editing conventions.

Cost Analysis and Fiscal Impact on School System

No fiscal impact is anticipated by the revision of this policy.

Relationship to Other Board of Education Policies

1. Board of Education Policy 1300, *Use of School Facilities*
2. Board of Education Policy 3000, *Non-Instructional Services*
3. Board of Education Policy 3209, *Purchasing Principles*
4. Board of Education Policy 3215, *Contracts*
5. Board of Education Policies, Sub Series 8360, *Ethics Code*

Legal Requirements

1. None

Similar Policies Adopted by Other Local School Systems

1. Harford County Board of Education, Policy 06-0016-000, *School Pictures*
2. Harford County Board of Education, Policy 06-0019-000, *Handling the Sale of Merchandise to Students*
3. Howard County Board of Education, Policy 4020, *Fund Raising*
4. Howard County Board of Education, Policy 4030, *Accountability of School Activity Funds*
5. Howard County Board of Education, Policy 4050, *Procurement of Materials, Equipment, and Services*

Draft of Proposed Policy

Attached

Other Alternatives Considered by Staff

No other alternatives were considered.

Timeline

First reading – October 25, 2011

Public comment – November 8, 2011

Third reading/vote – December 6, 2011

NON-INSTRUCTIONAL SERVICES: NON-INSTRUCTIONAL SERVICES
[Fiscal Services]

PRODUCTS AND SERVICES FOR PURCHASE WITH STUDENT FUNDS

[ACCOUNTING AND CASH MANAGEMENT: School Activity Funds - Relationships with Private Business for Purpose of Providing Products or Services to Students]

I. POLICY STATEMENT

- A. The Board of Education OF BALTIMORE COUNTY (BOARD) UNDERSTANDS THAT MERCHANDISE PURCHASED FOR ULTIMATE SALE TO STUDENTS PRESERVES AND ENHANCES SCHOOL SPIRIT AND MORALE IN THE BALTIMORE COUNTY PUBLIC SCHOOLS.
- B. THE BOARD AUTHORIZES THE SUPERINTENDENT TO DESIGNATE THOSE SCHOOL OFFICIALS WHO [, or an individual school,] may enter into a relationship with a private business [firm] for the purpose of MAKING SELECT [providing desirable] products or services AVAILABLE for PURCHASE WITH STUDENT FUNDS [students], AS LONG AS THE HIGHEST STANDARDS OF ETHICAL BEHAVIOR ARE INCORPORATED. THE COMPETITIVE NATURE OF PUBLIC PURCHASING AND THE EFFICIENT USE OF PUBLIC FUNDING REQUIRES THAT ETHICAL STANDARDS BE INCORPORATED INTO ALL PURCHASING FUNCTIONS. ACCORDINGLY, ALL EMPLOYEES, CONSULTANTS, AND VOLUNTEERS SEEKING RELATIONSHIPS WITH PRIVATE BUSINESSES, ARE SUBJECT TO THE BOARD OF EDUCATION’S ETHICS CODE POLICIES.

[Any profit accruing to a school in the course of such business shall be secondary to the prime purpose of providing only those products or services which are deemed to be desirable in relation to the school program. All such profit shall be applied to school activities which directly benefit students. All such business arrangements in an individual school shall be approved by the principal.

The competitive nature of public purchasing and the efficient use of public funding requires that ethical standards be incorporated into all purchasing functions. Accordingly, all employees and volunteers, seeking relationships with private businesses, are subject to the Board of Education’s ethics code policies.

Specific Examples of permissible sales of products or services purchased from selected suppliers would be the following:

1. School jewelry, pennants, spirit apparel, yearbooks, caps and gowns, invitations, name cards, and other class accessories
2. School supplies which support the curricular program as sold in school stores
3. Pictures taken of students, individually or in groups.]

II. IMPLEMENTATION

THE BOARD DIRECTS THE SUPERINTENDENT TO DEVELOP GUIDELINES FOR THE IMPLEMENTATION OF THIS POLICY.

Related Policies: BOARD OF EDUCATION Policy 1300, *Use of School Facilities*
BOARD OF EDUCATION POLICY 3000, *NON-INSTRUCTIONAL SERVICES*
BOARD OF EDUCATION POLICY 3209, *PURCHASING PRINCIPLES*
BOARD OF EDUCATION POLICY 3215, *CONTRACTS*
BOARD OF EDUCATION POLICIES, SUB SERIES 8360, *Ethics Code* [Policy 8360 (and all policies within this sub-series) – Ethics Code]

Policy
Adopted: 10/09/69
Revised: 06/12/79
Revised: 09/06/06
REVISED: _____

Board of Education of Baltimore County