DATE: March 20, 2012
TO: BOARD OF EDUCATION
FROM: Dr. Joe A. Hairston, Superintendent
SUBJECT: REPORT ON THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 3532, OBTAINING RESTITUTION FOR VANDALISM, RENAMED RESTITUTION FOR VANDALISM

ORIGINATOR: Renee A. Foose, Deputy Superintendent
RESOURCE PERSON(S): Barbara Burnopp, Chief Financial Officer

RECOMMENDATION

That the Board of Education reviews the proposed changes to Policy 3532. This is the first reading.

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Attachment I: Policy Analysis
Attachment II: Policy 3532
Statement of Issues or Questions Addressed
In accordance with Board of Education Policy and Superintendent’s Rule 8130, Policy 3532 is scheduled for review in school year 2011-2012. Policy 3532 provides that the school system will prosecute and seek restitution for acts of vandalism to school property. Staff is recommending that the policy be revised to: (1) rename the policy to “Restitution for Vandalism”; (2) include a policy statement that sets the Board’s intent to prosecute and obtain restitution for the vandalism of school property; (3) include an implementation section; (4) conform to the Policy Review Committee’s policy 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 3150, Board Insurance Program
2. Board of Education Policy 5550, Behavior

Legal Requirements
1. Annotated Code of Maryland, Education Article §7-305, Suspension and expulsion.

Similar Policies Adopted by Other Local School Systems
1. Baltimore City Board of School Commissioners, Policy NSF, Restitution
2. Somerset County Board of Education, Policy 400-31, Vandalism/Theft to School Property

Draft of Proposed Policy
Attached

Other Alternatives Considered by Staff
No other alternatives were considered by staff.

Timeline
First reading – March 20, 2012
Public comment – April 17, 2012
Third reading/vote – May 8, 2012
NON-INSTRUCTIONAL SERVICES: PHYSICAL PLANT SERVICES

[Obtaining] Restitution for Vandalism

I. POLICY STATEMENT

A. The BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD) HAS A DUTY TO PROVIDE FOR THE CARE, CONTROL AND MANAGEMENT OF SCHOOL PROPERTY. THE BOARD WILL INITIATE THE PROSECUTION OF, AND SEEK RESTITUTION FROM, ANY INDIVIDUAL(S) WHO VANDALIZES, DAMAGES, DESTROYS, OR SUBSTANTIALLY DECREASES THE VALUE OF SCHOOL SYSTEM PROPERTY.

B. A BALTIMORE COUNTY PUBLIC SCHOOLS (BCPS) STUDENT WHO COMMITS AN ACT OF VANDALISM WILL BE DISCIPLINED IN ACCORDANCE WITH THE STUDENT BEHAVIOR CODE; THE STUDENT AND/OR HIS/HER PARENT OR LEGAL GUARDIAN WILL BE REQUIRED TO MAKE RESTITUTION TO THE SCHOOL SYSTEM.

II. IMPLEMENTATION

A. THE BOARD DIRECTS THE SUPERINTENDENT TO IMPLEMENT THIS POLICY.

LEGAL REFERENCES: ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §7-305, SUSPENSION AND EXPULSION

RELATED POLICIES: BOARD OF EDUCATION POLICY 3150, BOARD INSURANCE PROGRAM
BOARD OF EDUCATION POLICY 5550, BEHAVIOR