

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: April 17, 2012

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **CONSIDERATION OF THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 3209, PURCHASING PRINCIPLES**

ORIGINATOR: Renee A. Foose, Deputy Superintendent

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

RECOMMENDATION

That the Board of Education approves the proposed changes to Policy 3209 – *Purchasing Principles*. This is the third reading.

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Attachment I – Policy Analysis
Attachment II – Policy 3209

**POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 3209
PURCHASING PRINCIPLES**

Statement of Issues or Questions Addressed

In accordance with Board of Education Policy and Superintendent's Rule 8130, Policy 3209 is scheduled for review in school year 2011-2012. Policy 3209 outlines the Board's expectations for the procurement activities of the school system. Staff is recommending that the policy be revised to: (1) include a policy statement that clearly sets forth the principles of procuring services and goods in accordance with applicable laws and in accordance with the Ethics Code; (2) include an implementation section that empowers the Superintendent to establish purchasing procedures; and (3) 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 3000, Non-Instructional Services
2. Board of Education Policy 3200, Purchases from Minority and Small Business Enterprises
3. Board of Education Policy 3210, *Purchasing Guides*
4. Board of Education Policy 3215, *Contracts*
5. Board of Education Policy, 8360 Sub Series, Ethics Code

Legal Requirements

1. *Annotated Code of Maryland, Education Article §5-112, Bids*
2. *Annotated Code of Maryland, State Finance and Procurement Article, §14-302, Procurement from Minority Business*
3. COMAR 21.11.03.04, *Minority Business Enterprise Policies*

Similar Policies Adopted by Other Local School Systems

1. Harford County Board of Education, Policy 16-0002-000, *Contracts*
2. Howard County Board of Education, Policy 4050, *Procurement of Goods and/or Services*
3. Montgomery County Board of Education, Policy DJA-RA, *Procurement of Equipment, Supplies, and Contractual Services*

Draft of Proposed Policy

Attached

Other Alternatives Considered by Staff

No other alternatives were considered.

Timeline

First reading – February 21, 2012

Public comment – March 6, 2012

Third reading/vote – April 17, 2012

NON-INSTRUCTIONAL SERVICES: Purchasing [Principles]

PURCHASING PRINCIPLES

I. POLICY STATEMENT

- A. THE BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD) ACKNOWLEDGES ITS RESPONSIBILITY [Each school within the Baltimore County Public Schools, as well as each Board member, employee, or volunteer, has a right and a responsibility to attempt] to secure high-quality instructional and support materials and services for students. [In doing so, those involved will be dealing with suppliers, manufacturers, contractors, and others doing business with the school system.] THE BOARD EXPECTS THAT SCHOOL SYSTEM FUNDS WILL BE EXPENDED AND HANDLED IN THE MOST EFFECTIVE, EFFICIENT, AND ETHICAL MANNER POSSIBLE, AND THAT PROCUREMENT ACTIVITIES WILL BE CARRIED OUT IN ACCORDANCE WITH APPLICABLE LAWS.
- B. The competitive nature of public purchasing and the efficient use of public funding require[s] that ethical standards be incorporated into all purchasing functions. Accordingly, ALL PURCHASING ACTIVITIES ON BEHALF OF THE BALTIMORE COUNTY PUBLIC SCHOOLS (BCPS) SHALL BE [all Board members, employees, and volunteers of the school system are] subject to the Board’S [of Education’s] Ethics Code.

II. IMPLEMENTATION

THE BOARD DELEGATES TO THE SUPERINTENDENT THE AUTHORITY [It is the responsibility of the Office of Purchasing] to establish PURCHASING procedures THAT [to] ensure the ethical integrity of the procurement process.

LEGAL REFERENCES: *ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §5-112, BIDS*
ANNOTATED CODE OF MARYLAND, STATE FINANCE AND PROCUREMENT ARTICLE, §14-302, PROCUREMENT FROM MINORITY BUSINESS
COMAR 21.11.03.04, MINORITY BUSINESS ENTERPRISE POLICIES

Related Policies: BOARD OF EDUCATION POLICY 3000, NON-
INSTRUCTIONAL SERVICES
Board of Education Policy 3200, *Purchases from Minority and
Small Business Enterprises* [;]
BOARD OF EDUCATION POLICY 3520, MAINTENANCE
BOARD OF EDUCATION POLICY 3210, PURCHASING
GUIDES
BOARD OF EDUCATION POLICY 3215, CONTRACTS
BOARD OF EDUCATION POLICY 6002, *SELECTION OF
INSTRUCTIONAL MATERIALS*
[Board of Education Policy 7460, Purchases from Minority
Businesses]
Board of Education Policy [Series 8000, Internal Board Operations,]
8360 Sub Series, *Ethics Code*

Policy
Adopted: 10/08/96
Revised: 09/06/06
REVISED: _____

Board of Education of Baltimore County