



NON-INSTRUCTIONAL SERVICES: Non-Instructional Services

Products and Services for Purchase by Students

I. Purpose

To implement Board of Education of Baltimore County (Board) Policy 3130 by establishing guidelines for executing contracts with businesses that sell products and services to students.

II. Guidelines

A. The Department of Fiscal Services shall establish procedures for negotiating and executing agreements with businesses that sell products and services to students.

B. The procedures of the Department of Fiscal Services may include development of contract templates. Where templates are used, the following elements shall be included:

1. Contract term not to exceed one (1) school year with one year renewal options up to a total of five years;
2. Terms of Delivery;
3. The collection of all funds and the payment of all applicable taxes is the responsibility of the business;
4. The commission to be paid to the school; and
5. A requirement that the business provide a summary of sales to the school with the commissions paid on the gross sales and the timely payment of the school's commission.

C. The school principal shall assume final authority, control and responsibility for:

1. Ensuring that the purchase of products or services is in the best interest of students with regard to price and quality;
2. Negotiating the commission or fee to be paid to the school as a result of the sales; and
3. Determining the time and place for advertising the product or service in the school.

D. All contracts and agreements entered into in accordance with this rule shall be executed on behalf of the school by the principal or the Superintendent's designee.

- E. Sales at the school site may begin only after the contract is executed by all authorized signers.
- F. Any commissions or funds generated for the school from products or services sold under this rule shall be deposited in the school's school activity fund account to support activities, programs and events which directly benefit students.

III. Permissible Products and Services

- A. For the purpose of this Rule, the guidelines outlined herein shall be applicable, but not limited to, the purchase of the following:
 - 1. School jewelry, school pennants, school spirit apparel, yearbooks, graduation invitations and name cards and vending machine items
 - a. All vending machines accessible to students, except those operated by the Office of Food and Nutrition Services, are prohibited from 12:01 a.m. through thirty minutes after the end of the school day.
 - b. All vending machines shall operate in accordance with the objectives, policies, and procedures of the United States Department of Agriculture and the Maryland State Department of Education.
 - 2. Student photographs, individual or group (including senior pictures).
- B. Book fairs and other school-sponsored fundraisers where students purchase products/services directly from a business and not under a school system contract.
- C. The contract authority for purchases of caps and gowns will be administered by the Department of Fiscal Services.

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 3125, *School Activity Funds*
Board of Education Policy 3215, *Contract Execution*
Board of Education Policy 3310, *Food and Nutrition Services*
Board of Education Policies, Sub Series 8360, *Ethics Code*

Rule

Approved: 12/06/11

Revised: 12/19/17

Superintendent of Schools