

BOARD OF EDUCATION OF HARFORD COUNTY

INFORMATIONAL REPORT

DECISION ON "CLUBS" POLICY

(POLICY NO. 06-0010-000)

JULY 29, 2013

SEPTEMBER 23, 2013

OCTOBER 28, 2013

APRIL 14, 2014

SEPTEMBER 8, 2014

Background Information:

The Board maintains a manual which sets forth the various policies of the Harford County Public Schools. The manual contains policies which are either required by federal and state law and regulation or which are, in the Board's judgment, necessary and appropriate in order for the school system to operate in a lawful, appropriate and effective manner. Included among such policies is that entitled Clubs.

Discussion:

In accordance with Board policy and direction, the School Management section of the Board Policy Manual is under revision. Included within the School Management section is the policy entitled Clubs. On January 4, 2013, an in-house work group consisting of Mr. James M. Jewell, Mr. Drew Moore, Mr. Joseph Schmitz, Ms. Barbara Canavan, Ms. Angela Morton and Patrick P. Spicer, Esquire met and reviewed the Clubs policy. It was recommended that additional study with additional staff be conducted. An in-house work group consisting of Mr. James M. Jewell, Mr. Joseph Schmitz, Ms. Barbara Canavan, Ms. Angela Morton, Ms. Melanie J. Wernig and Patrick P. Spicer, Esquire reviewed the policy on March 1, 2013. As a result of this meeting, revisions were made to the policy which addressed scheduling, locations of activities and a definition of sponsors. In particular, the definitions of "club" and "staff sponsor" were added to the policy. The Board Policy Review Committee met and reviewed the proposed revised policy at its meeting of April 8, 2013 and recommended the proposed revised policy be forwarded to the Board for presentation.

The above policy was presented to the Board on July 29, 2013 and discussion followed by Board members. Following the July 29, 2013 meeting, the proposed revised policy was posted on the Board's public website in excess of thirty days for public comment. Ten public comments were received regarding this policy. The Board received copies of these comments. On August 16, 2013, Patrick P. Spicer, Esquire forwarded a memorandum to the Board Members and the

Interim Superintendent which addressed public comments and Board Member concerns regarding restrictions on club activities occurring at private residences. This memorandum also suggested alternative language to address the latter issue.

As a result of the memorandum to the Board, the suggested alternative language has replaced the language presented to the Board on July 29, 2013 regarding restrictions on club activities at private residences or property.

On September 23, 2013, proposed revised policy including the suggested alternative language was presented to the Board. Because the suggested alternative language was new and materially different from that previously presented, the Board voted to allow an additional 30 days for public review and comment regarding the proposed revised policy as amended by the suggested alternative language. Additional public comments were received by the Board after the September 23, 2013 presentation.

The proposed revisions to the policy were presented to the Board at the meeting of October 28, 2013. At that time, questions were raised by Board members regarding how the revisions may impact certain types of club activities. Questions also arose regarding the use of power tools by students involved in club activities. The Board voted at the October 28, 2013, meeting to send this policy and related revisions to the Board Policy Review Committee. The latter group met on November 25, 2013, and received a briefing from staff regarding the issues raised at the Board meeting of October 28, 2013. As a result of this Board Policy Review Committee meeting, staff was directed to bring the revisions to this policy back to the Board along with the procedures developed by the Superintendent and staff to address safety precautions regarding use of power tools by members of club groups. A copy of the procedure is attached.

At the April 14, 2014, business meeting of the Board, questions were raised by Board members about the *Safety Precautions for Extracurricular Activities and Clubs Procedure* as presented. The Board requested that additional information regarding safety policies and procedures be reviewed.

At the July 28, 2014, meeting of the Board Policy Review Committee, information was shared from the Fair Labor Standards Act by Patrick P. Spicer, Esquire, regarding child labor laws related to age and the operation of power-driven machinery. Mr. Spicer also shared the extracurricular activities policy and safety programs for certain other Maryland Public School systems. Ms. Melanie Wernig, Risk Manager for HCPS, shared a Risk Management Brief from the MABE Group Insurance Pool regarding the use of hand power tools in public schools. She conducted and shared a survey of 24 Maryland counties regarding power tool use. Copies of the exhibits shared are attached.

With the information shared at the July 28, 2014, meeting, the Board Policy Review Committee made the decision to present the Clubs policy to the Board for decision at the next available business meeting of the Board.

Attachments:

1. Current *Clubs Policy* 06-0010-000.
2. Proposed revised *Clubs Policy* 06-0010-000.
3. Procedure *Safety Precautions for Extracurricular Activities and Clubs*.
4. Exhibits:
 - Fair Labor Standards Act Advisor: Prohibited Occupations for Non-Agricultural Employees
 - Maryland Association of Boards of Education Risk Management Brief Group Insurance Pool: The Use of Hand Power Tools in Public Schools
 - Risk Management Survey: Power Tools
 - Baltimore County Public Schools Extracurricular Activities Policy
 - Cecil County Public Schools Safety Program
 - Frederick County Public Schools Safety Policy
 - Frederick County Public Schools Extracurricular Activities Policy

Superintendent's Recommendation:

For the foregoing reasons, it is recommended that the Board approve the attached proposed revised policy entitled Clubs discussed above.

POLICY TITLE: Clubs		
ADOPTION/EFFECTIVE DATE: Statutory	MOST RECENTLY AMENDED: 4/14/1997	MOST RECENTLY REAFFIRMED: 4/22/2002
POLICY/PROCEDURE MANUAL SUMMARY CATEGORY: School Management		

All student organizations desiring to conduct activities in public school buildings or on public school grounds shall be permitted to conduct such activities only if authorized to do so and shall thereafter be subject to the supervision of the administration and faculty of such school.

Any secret, exclusive, or self-perpetuating organization which seeks to organize and perpetuate itself by taking in members from among the pupils enrolled in such public schools in which they are pupils, upon the basis of decision of the membership of such organization, rather than from the free choice of any student in such school who are qualified to fill the special aims of such an organization, shall be prohibited from conducting its activities in public school buildings or on public school grounds.

Board Approval Acknowledged By:

Patricia L. Skebeck, Secretary and Treasurer
Board of Education of Harford County

Policy Action Dates		
ACTION DATE	ACTION DATE	ACTION DATE
Adopted Statutory		
Amended 4/14/1997		
Reaffirmed 4/22/2002		

Responsibility for Policy Maintenance & References		
LAST EDITOR/DRAFTER NAME: Unknown		JOB POSITION OF LAST EDITOR/DRAFTER: Unknown
PERSON RESPONSIBLE:		JOB POSITION OF PERSON RESPONSIBLE:
DESIGNEE NAME: N/A		JOB POSITION OF DESIGNEE: N/A
REFERENCE 1 TYPE: Legal	REFERENCE 1 NO. 13.07.03.01 (c)	REFERENCE 1 DESCRIPTION: State Board of Education Bylaw
REFERENCE 2 TYPE:	REFERENCE 2 NO.	REFERENCE 2 DESCRIPTION:
REFERENCE 3 TYPE:	REFERENCE 3 NO.	REFERENCE 3 DESCRIPTION:
REFERENCE 4 TYPE:	REFERENCE 4 NO.	REFERENCE 4 DESCRIPTION:
REFERENCE 5 TYPE:	REFERENCE 5 NO.	REFERENCE 5 DESCRIPTION:
POLICY NUMBER PRIOR TO NOVEMBER 1, 2005: School Administration - .02.08.100		

POLICY TITLE: Clubs		
ADOPTION/EFFECTIVE DATE: Statutory	MOST RECENTLY AMENDED: 4/14/1997	MOST RECENTLY REAFFIRMED: 4/22/2002
POLICY/PROCEDURE MANUAL SUMMARY CATEGORY: School Management		

~~All student organizations desiring to conduct activities in public school buildings or on public school grounds shall be permitted to conduct such activities only if authorized to do so and shall thereafter be subject to the supervision of the administration and faculty of such school.~~

~~Any secret, exclusive, or self-perpetuating organization which seeks to organize and perpetuate itself by taking in members from among the pupils enrolled in such public schools in which they are pupils, upon the basis of decision of the membership of such organization, rather than from the free choice of any student in such school who are qualified to fill the special aims of such an organization, shall be prohibited from conducting its activities in public school buildings or on public school grounds.~~

I. Purpose

The purpose of this policy is to establish criteria relating to clubs in the schools.

II. Definitions

A. Club means a group of three or more students of a school who meet to pursue recreational, philosophical, or other activities which are not extracurricular in nature, **including dance teams, chess clubs, language clubs.**

B. Faculty Staff sponsor means a teacher or other HCPS employee who oversees and supervises a club and who does not receive compensation for such sponsorship **or oversight.**

~~C. Extracurricular means having a direct connection to the curriculum.~~

III. Policy Statement

A. Clubs are permitted provided: ~~they have a faculty sponsor.~~

1. they are approved by the principal; and

2. have a staff sponsor approved by the principal.

~~B. All club activities shall occur on the campus of the school in question unless approved by the principal.~~

B. All staff sponsors shall comply with all HCPS policies and procedures and shall adhere to HCPS scheduling, including inclement weather scheduling, in conducting club activities.

~~C. Club activities, including practices, celebrations or meetings, shall not take place at the private residence of any staff sponsor, HCPS employee, or club member.~~

C. HCPS sponsors may not plan, sanction or supervise a club activity which occurs at a private residence or property.

D. No club or organization activity may occur at the private residences or property of sponsors.

Board Approval Acknowledged By:

Barbara P. Canavan, Secretary and Treasurer
Board of Education of Harford County

Policy Action Dates		
ACTION DATE	ACTION DATE	ACTION DATE
Adopted	Statutory	
Amended	4/14/1997	
Reaffirmed	4/22/2002	

Responsibility for Policy Maintenance & References		
LAST EDITOR/DRAFTER NAME: Patrick P. Spicer, Esquire		JOB POSITION OF LAST EDITOR/DRAFTER: General Counsel
PERSON RESPONSIBLE:		JOB POSITION OF PERSON RESPONSIBLE:
DESIGNEE NAME: N/A		JOB POSITION OF DESIGNEE: N/A
REFERENCE 1 TYPE:	REFERENCE 1 NO.	REFERENCE 1 DESCRIPTION:
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REFERENCE 3 TYPE:	REFERENCE 3 NO.	REFERENCE 3 DESCRIPTION:
REFERENCE 4 TYPE:	REFERENCE 4 NO.	REFERENCE 4 DESCRIPTION:
REFERENCE 5 TYPE:	REFERENCE 5 NO.	REFERENCE 5 DESCRIPTION:
POLICY NUMBER PRIOR TO NOVEMBER 1, 2005: School Administration - .02.08.100		

PROCEDURE TITLE: SAFETY PRECAUTIONS FOR EXTRACURRICULAR ACTIVITIES AND CLUBS		
ADOPTION/EFFECTIVE DATE: February 03, 2014	MOST RECENTLY AMENDED::	MOST RECENTLY REAFFIRMED
POLICY/PROCEDURE MANUAL SUMMARY CATEGORY: School Management		

I. Purpose and Scope

The purpose of this procedure is to establish rules and regulations that provide for safe and secure learning and activity environments for Extracurricular Teams and Clubs, as defined herein, that undertake construction and assembly of materials.

II. Definitions

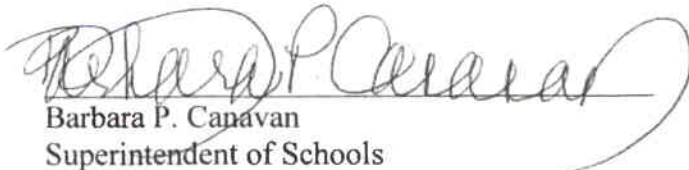
- A. Extracurricular activity: school sponsored events, programs or undertakings that:
- 1) generally occur after the regular school day;
 - 2) are not graded and for which a credit is not earned, and is not described as a part of a course of study or subject offering in the course description guide including, but not limited to, interscholastic sports; and
 - 3) which is coached or supervised by Harford County Public Schools (HCPS) staff paid pursuant to a collective bargaining agreement or a coach appointed pursuant to Code of Maryland Regulations (COMAR) 13A.06.03.04B.
- B. Club: a group of three or more students of a school who meet to pursue recreational, philosophical, or other activities which are not extracurricular in nature, including dance teams, drama clubs, chess clubs, language clubs.
- C. Power tools: a device which is activated by a power source other than manual labor and used to construct, repair, and/or assemble materials.

Power tools do not include a vacuum cleaner, pencil sharpener, lights, or flashlights.

III. Procedures

- A. No Extracurricular Team or Club shall use a power tool in the course and scope of its activities except as follows:
1. Elementary Students may use:
Hot Glue Guns.
 2. Middle School Students may use:
Hot Glue Guns,
Cordless Screw Drivers.
 3. High School Students may use:
Hot Glue Guns,
Cordless Screw Drivers,
Cordless Drills.
- B. All Extracurricular Team and Club activities shall be conducted under the supervision and control of the Harford County Public School Team coach; or Club staff sponsor or a volunteer who has been approved by the Team coach or Club staff sponsor to supervise and control a particular activity.
- C. All power tools used by any Extracurricular Team or Club shall be owned by Harford County Public Schools.

Approved By:


Barbara P. Canavan
Superintendent of Schools


Date

PROCEDURE

Procedure Action Dates		
ACTION DATE	ACTION DATE	ACTION DATE
Adopted 02/03/2014		

Responsibility for Procedure Maintenance & References		
LAST EDITOR/DRAFTER NAME: Patrick P. Spicer, Esquire		JOB POSITION OF LAST EDITOR/DRAFTER: General Counsel
PERSON RESPONSIBLE		JOB POSITION OF PERSON RESPONSIBLE
DESIGNEE NAME		DESIGNEE POSITION:
REFERENCE 1 TYPE	REFERENCE 1 NO	REFERENCE 1 DESCRIPTION
REFERENCE 2 TYPE:	REFERENCE 2 NO	REFERENCE 2 DESCRIPTION:
REFERENCE 3 TYPE:	REFERENCE 3 NO	REFERENCE 3 DESCRIPTION:
REFERENCE 4 TYPE:	REFERENCE 4 NO	REFERENCE 4 DESCRIPTION:
REFERENCE 5 TYPE:	REFERENCE 5 NO	REFERENCE 5 DESCRIPTION:
PROCEDURE NUMBER PRIOR TO NOVEMBER 1, 2005:		