Legal Pillars

- Systems
- Staff
- Students
- Services
THE PUBLIC SCHOOLS
OF
BALTIMORE COUNTY, MARYLAND.

PUPIL'S REPORT CARD
Elementary Schools

School No.______ District.______
Name of School. Westchester Consolidated

REPORT OF
Pupil. Patsey Buggs
Grade. Second Grade
Teacher. Mrs. T. McAnally
Year 1925-1926

CODE OF MARKING:
A—Excellent
B—Very Good
C—Good
D—Medium
E—Failure

Reports Sent Out On The First of November,
January, February, April and June.

Promoted to 3rd Gr. Date June 25, 1926.
Retained in______Gr. Date______
Age, Sept. 1, 19______Years______Months______
THE PUBLIC SCHOOLS
OF
BALTIMORE COUNTY, MARYLAND.

PUPIL'S REPORT CARD
Elementary Schools

School No.____ District____
Name of School____ Westchester Consolidated

REPORT OF
Pupil____ Brattle Buggee____
Second Grade____
W. T. Ransome____ Teacher____
Year 1925-1926____

CODE OF MARKING:
A—Excellent
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Reports Sent Out On The First of November,
January, February, April and June.

Promoted to____ Gr. Date____ June 25, 1926____
Retained in____ Gr. Date____
Age, Sept. 1, 19____, Years____, Months____
<table>
<thead>
<tr>
<th>Studies, Etc.</th>
<th>Periods</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reading—Oral</td>
<td>A</td>
</tr>
<tr>
<td>Reading—Silent</td>
<td>B</td>
</tr>
<tr>
<td>Literature</td>
<td>A</td>
</tr>
<tr>
<td>Handwriting</td>
<td>A</td>
</tr>
<tr>
<td>Spelling</td>
<td>A</td>
</tr>
<tr>
<td>Composition—Oral</td>
<td>B</td>
</tr>
<tr>
<td>Composition—Written</td>
<td>B</td>
</tr>
<tr>
<td>Grammar</td>
<td>B</td>
</tr>
<tr>
<td>Arithmetic—Problem Solving</td>
<td>B</td>
</tr>
<tr>
<td>Arithmetic—Abstract</td>
<td>A</td>
</tr>
<tr>
<td>History</td>
<td>B</td>
</tr>
<tr>
<td>Nature Study</td>
<td>A</td>
</tr>
<tr>
<td>Geography</td>
<td>A</td>
</tr>
<tr>
<td>Hygiene</td>
<td>A</td>
</tr>
<tr>
<td>Civics</td>
<td>A</td>
</tr>
<tr>
<td>Industrial Arts</td>
<td>A</td>
</tr>
<tr>
<td>Domestic Sc. or Man. Tr.</td>
<td>A</td>
</tr>
<tr>
<td>Drawing</td>
<td>A</td>
</tr>
<tr>
<td>Music</td>
<td>A</td>
</tr>
<tr>
<td>Sessions Tardy</td>
<td>0</td>
</tr>
<tr>
<td>Days Absent</td>
<td>6</td>
</tr>
<tr>
<td>Days Present</td>
<td>29</td>
</tr>
<tr>
<td>Total Possible Days</td>
<td>35</td>
</tr>
</tbody>
</table>
**CITIZENSHIP.**
A Check Below Means That Trait is not satisfactory.
"KEEP THE SLATE CLEAN."

<table>
<thead>
<tr>
<th>Habits and Attitudes</th>
<th>Periods</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 2 3 4 5 6</td>
</tr>
<tr>
<td>Obeys Willingly and Promptly</td>
<td></td>
</tr>
<tr>
<td>does not interrupt others</td>
<td></td>
</tr>
<tr>
<td>Attentive to work</td>
<td></td>
</tr>
<tr>
<td>Works well independently</td>
<td></td>
</tr>
<tr>
<td>Works well with others</td>
<td></td>
</tr>
<tr>
<td>Neatness in care of books</td>
<td></td>
</tr>
<tr>
<td>Neatness in care of Sch. Rm.</td>
<td></td>
</tr>
<tr>
<td>Respects school property</td>
<td></td>
</tr>
<tr>
<td>Makes wise use of time</td>
<td></td>
</tr>
</tbody>
</table>

**STANDARD TESTS.**

<table>
<thead>
<tr>
<th>Subjects</th>
<th>Month</th>
<th>Standard</th>
<th>Class Median</th>
<th>Pupil's Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reading</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Spelling</td>
<td>June</td>
<td>100</td>
<td>84</td>
<td>90</td>
</tr>
<tr>
<td>Arithmetic</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Addition</td>
<td>Oct.</td>
<td>5</td>
<td>9</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td>Jan.</td>
<td>9</td>
<td>16</td>
<td></td>
</tr>
<tr>
<td></td>
<td>May</td>
<td>8</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>Subtraction</td>
<td>Oct.</td>
<td>8</td>
<td>12</td>
<td>17</td>
</tr>
<tr>
<td></td>
<td>Jan.</td>
<td></td>
<td>12</td>
<td>17</td>
</tr>
<tr>
<td></td>
<td>May</td>
<td></td>
<td>12</td>
<td>17</td>
</tr>
<tr>
<td>Multiplication</td>
<td>Oct.</td>
<td>12</td>
<td>16</td>
<td>17</td>
</tr>
<tr>
<td></td>
<td>Jan.</td>
<td></td>
<td>5</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>May</td>
<td></td>
<td>7</td>
<td>11</td>
</tr>
<tr>
<td>Division</td>
<td>Oct.</td>
<td>10</td>
<td>14</td>
<td>17</td>
</tr>
<tr>
<td></td>
<td>Jan.</td>
<td>6</td>
<td>8</td>
<td>11</td>
</tr>
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<td>May</td>
<td>10</td>
<td>13</td>
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**WHY PUPIL IS FAILING.**

*(To Be Filled In Only If Pupil Is Failing)*

Improvement would probably follow if attention is given to the point checked.

<table>
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<tr>
<th>Poor Attendance</th>
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<tr>
<td>Homework poorly prepared</td>
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<tr>
<td>Does not follow directions</td>
</tr>
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<td>Too many outside interests</td>
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“[N]or shall any State...deny to any person within its jurisdiction the equal protection of the laws”

Equal Protection Clause
Unique to Maryland....
Federal Constitution

"Congress shall make no law ....abridging the freedom of speech"

First Amendment
Free Speech Clause
Tinker v. Des Moines Independent Community School District,
393 U.S. 503 (1969)
Bethel School District v. Fraser
Pressure describes it all for today’s teenagers
Pregnancy affects many teens each year

Teenage marriages face 75 percent divorce rate

Runaways and juvenile delinquents

are common occurrences in large cities

Divorce’s impact on kids may have lifelong effect
But What About Here In Maryland?
Student Journalists in Maryland

S.B. 764
Morse v. Frederick
(2007)
(Anti) Social Media

Add as Friend
But What About Here In Maryland?
“The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures shall not be violated…”

Fourth Amendment
But What About Here In Maryland?

(1) A principal, assistant principal, or school security guard of a public school may make a search of the physical plant of the school and its appurtenances including the lockers of students.

(2) The right of the school official to search the locker shall be announced or published previously in the school.

Section 7-308 (d)  
Maryland Education Article
systems
staff
students
services
Federal Statutes

- Individuals With Disabilities Education Act
- Section 504 of the Rehabilitation Act
- Americans With Disabilities Act
- Clean Water Act
- Family Education and Privacy Rights Act
- Title IX
ALL-GENDER
RESTROOM
Legal Challenges

• Federal District Court (Trial)
• Fourth Circuit Court of Appeals
• U.S. Supreme Court
• Fourth Circuit Court of Appeals
Dear Colleague

Gender based discrimination

Title IX

GG v. Gloucester County School Board

“Dear Colleague” Letter

Gender Identity

Gender based discrimination
But What About Here In Maryland?
PROVIDING SAFE SPACES FOR TRANSGENDER AND GENDER NON-CONFORMING YOUTH: GUIDELINES FOR GENDER IDENTITY NON-DISCRIMINATION

A guide to laws, regulations, and best practices for use in schools.

October 2015
• “Education Records”
  – 34 CFR 99.3
• “directly related to the student”
• “maintained by the educational agency or institution or any party acting for the agency”
Maryland “Flavor”
The Constitution

“No State shall ... deprive any person of life, liberty or property without due process of law.”

Fourteenth Amendment
Due Process Clause
Due Process
School Law Overview

Federal Constitution
Federal Statutes
Maryland Constitution
Maryland Statutes: Education Article

Annotated Code of Maryland

Code of Maryland Regulations ("COMAR")
Board of Education Policies
Superintendent’s Rules
(Master Agreements)

(1) On the recommendation of the county superintendent, a county board may suspend or dismiss a teacher, principal, supervisor, assistant superintendent, or other professional assistant for:

(i) Immorality;
(ii) Misconduct in office, including knowingly failing to report suspected child abuse in violation of § 5-704 of the Family Law Article;
(iii) Insubordination;
(iv) Incompetency; or
(v) Willful neglect of duty.
Appeal Rights

• §4-205 of the Education Article
  - A “decision” of a county superintendent may be appealed to a county board of education if
    • Taken in writing
    • Made within 30 days after the county superintendent’s decision
  - The decision may be “further appealed” to the State Board of Education if
    • Taken in writing
    • Made within 30 days of the county board’s decision
Principal/Administrator
Hears issues that may later be appealed to the Superintendent's level concerning evaluations, discipline, discharge for certificated and non-certificated employees

Superintendent
*Decision* (evaluation rating; teacher contract non-renewal; non-certificated employee termination)
*Recommendation* (Certificated Employee Discipline or discharge)

Local Board
Upholds, Rejects or Modifies the Superintendent's *Decision*, upon appeal
Local Hearing Examiner makes recommendations after fact finding hearings

State Board
Reviews the Decision of the Local Board
Administrative Law Judge makes recommendations
Issues formal opinions
State Board decisions can be appealed to circuit court
Maryland State Board of Education

“the totality of the various statutory provisions concerning the State Board quite plainly invests the State Board with the last word on educational policy or the administration of the system of public education.”

Resetar v. State Board of Education, 284 Md. 537 (1979)
WAGONER, OKLAHOMA
POLICE DEPARTMENT

LAST NAME: HILL
FIRST NAME: LORIE ANN
DATE: 8-4-14 DOB: 03-31-65

OFFICER: 27
Other Issues...
Maryland Public Information Act

“All persons are entitled to have access to information about the affairs of government and the official acts of public officials and employees.”

Md. General Provisions Article, §4-103
WHY PUPIL IS FAILING.
(To Be Filled In Only If Pupil Is Failing)
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Next Steps For New Administrators

1. Familiarize myself with my local board’s policies and rules
2. Know the Master Agreement’s provisions
3. Know the organizational chart and Board members
4. Know which issues are being discussed at Board of Education meetings
5. Improve my writing and communications skills
6. Baltimore or Maryland “hello”…
Never forget why you’re here. . .