

**Department of Legislative Services**  
Maryland General Assembly  
2004 Session

**FISCAL AND POLICY NOTE**

Senate Bill 862 (Senator Schrader, *et al.*)  
Education, Health, and Environmental Affairs

---

**Public Schools - Distribution of Politically Related Material - Prohibition**

---

This bill requires each local board of education to prohibit a public school from distributing to students politically related materials that are directed at parents or students and advocate a particular position or request a particular action. A local board may not prohibit a public school from distributing: (1) safety or security information; or (2) politically related material through the postal mail.

---

**Fiscal Summary**

**State Effect:** None.

**Local Effect:** Local boards of education could update existing policies and enforce the prohibition with existing resources.

**Small Business Effect:** None.

---

**Analysis**

**Current Law:** Educational matters that affect the local school systems are under the control of the local boards of education. The distribution of political materials to students is not specifically prohibited.

**Background:** Local boards of education set policies for the distribution of political materials and participation in political activities on school property. The policies of several local school boards are described briefly below.

- In Baltimore County, the posting of political circulars or petitions is prohibited. School system employees and volunteers may not involve students in political activities for any party, candidate, or political issues.
- In Frederick County, campaign literature or other information that endorses or advocates a candidacy may not be distributed on school property during school hours or during school-sponsored activities. Teachers may not impose partisan political views in the classroom or exploit students by the use of political materials.
- In Montgomery County, printed materials advocating or opposing a candidate for public office or other political views may be distributed on school premises under certain circumstances.
- In Wicomico County, political advertising is prohibited in the school system.

---

### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 278 (Delegate Miller, *et al.*) – Ways and Means.

**Information Source(s):** Maryland Association of Boards of Education, Maryland State Department of Education, Department of Legislative Services

**Fiscal Note History:** First Reader - March 10, 2004  
ncs/jr

---

Analysis by: Mark W. Collins

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510