

HOUSE BILL 562

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7lr2104
CF 7lr1656

By: **Delegate Hayes (By Request – Baltimore City Administration)**

Introduced and read first time: January 30, 2017

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City Board of School Commissioners – Members – Appointment and**
3 **Removal**

4 FOR the purpose of repealing the role of the Governor in making certain appointments to,
5 filling certain vacancies on, and removing certain members from the Baltimore City
6 Board of School Commissioners; and generally relating to the appointment and
7 removal of the members of the Baltimore City Board of School Commissioners.

8 BY repealing and reenacting, with amendments,
9 Article – Education
10 Section 3–108.1
11 Annotated Code of Maryland
12 (2014 Replacement Volume and 2016 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That the Laws of Maryland read as follows:

15 **Article – Education**

16 3–108.1.

17 (a) In this section, “board” means the Baltimore City Board of School
18 Commissioners of the Baltimore City Public School System.

19 (b) There is a Baltimore City Board of School Commissioners of the Baltimore
20 City Public School System.

21 (c) The board consists of:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) Nine voting members [jointly] appointed by the Mayor of Baltimore
2 City [and the Governor] from a list of qualified individuals submitted to the Mayor [and
3 the Governor] by the State Board;

4 (2) Two elected voting members; and

5 (3) One voting student member appointed as provided in subsection (l) of
6 this section.

7 (d) Each member of the board shall be a resident of Baltimore City.

8 (e) The two elected voting members shall be elected at large by the voters of
9 Baltimore City.

10 (f) To the extent practicable, the appointed members of the board shall reflect the
11 demographic composition of Baltimore City.

12 (g) (1) At least four of the appointed voting members shall possess a high level
13 of knowledge and expertise concerning the successful administration of a large business,
14 nonprofit, or governmental entity and shall have served in a high level management
15 position within such an entity.

16 (2) At least three of the appointed voting members shall possess a high
17 level of knowledge and expertise concerning education.

18 (3) At least one appointed voting member shall be a parent of a student
19 enrolled in the Baltimore City Public School System as of the date of appointment of the
20 member.

21 (4) (i) Among the appointed voting members, at least one member shall
22 also possess knowledge or experience in the education of children with disabilities.

23 (ii) The knowledge or experience may be derived from being the
24 parent of a child with a disability.

25 (h) (1) (i) The term of an appointed voting member is 3 years.

26 (ii) The term of an elected member is 4 years.

27 (2) The terms of the appointed voting members are staggered as required
28 by the terms provided for the appointed members of the board on June 1, 1997.

29 (3) At the end of a term, a voting member continues to serve until a
30 successor is elected or appointed and qualifies.

31 (4) A voting member who is appointed after a term has begun serves only
32 for the remainder of the term and until a successor is elected or appointed and qualifies.

1 (5) A voting member may not serve more than two consecutive full terms.

2 (6) To the extent practicable, [the Governor and] the Mayor of Baltimore
3 City shall fill any vacancy for an appointed or elected member on the board within 60 days
4 of the date of the vacancy from a list of qualified individuals submitted to the Mayor [and
5 the Governor] by the State Board.

6 (7) The elected members of the board shall be elected:

7 (i) At the general election in November 2022 and every 4 years
8 thereafter; and

9 (ii) In accordance with Title 8, Subtitle 8 of the Election Law Article.

10 (i) (1) On the [joint] approval of the Mayor of Baltimore City [and the
11 Governor], an appointed member may be removed only for cause in accordance with §
12 3-108 of this subtitle.

13 (2) The State Board may remove an elected voting member for:

14 (i) Immorality;

15 (ii) Misconduct in office;

16 (iii) Incompetency; or

17 (iv) Willful neglect of duty.

18 (j) Each member of the board serves without compensation.

19 (k) Beginning on July 1, 1999 and every 2 years thereafter, from among its voting
20 members the board shall elect a chairman.

21 (l) (1) The student member shall be a student enrolled in the Baltimore City
22 Public School System who shall be selected by the Associated Student Congress of
23 Baltimore City.

24 (2) The term of a student member is 1 year.

25 (3) A student member may not serve more than two consecutive full terms.

26 (4) The student member may vote on all matters before the board except
27 those relating to:

28 (i) Personnel;

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- 1 (ii) Capital and operating budgets;
- 2 (iii) School closings, reopenings, and boundaries;
- 3 (iv) Collective bargaining decisions;
- 4 (v) Student disciplinary matters; and
- 5 (vi) Appeals to the board as provided under §§ 4–205 and 6–202 of
6 this article.

7 (5) The student member may not attend or participate in an executive or
8 special session of the board.

9 (m) Any action by the board shall require:

10 (1) A quorum of a majority of the voting members then serving; and

11 (2) The affirmative vote of a majority of the voting members then serving.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
13 1, 2017.