

SENATE BILL 1012

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7lr1656
CF HB 562

By: **Senator Conway (By Request – Baltimore City Administration)**

Introduced and read first time: February 3, 2017

Assigned to: Education, Health, and Environmental Affairs

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; requiring the Mayor of Baltimore City to appoint
7 certain members of the board from a list of qualified individuals submitted by a
8 certain panel; establishing the Baltimore City Public School Board Community
9 Panel; providing for the purpose and composition of the panel; and generally relating
10 to the appointment and removal of the members of the Baltimore City Board of
11 School Commissioners.

12 BY repealing and reenacting, with amendments,
13 Article – Education
14 Section 3–108.1
15 Annotated Code of Maryland
16 (2014 Replacement Volume and 2016 Supplement)

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

19 **Article – Education**

20 3–108.1.

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) The board consists of:

2 (1) Nine voting members [jointly] appointed by the Mayor of Baltimore
3 City [and the Governor] from a list of qualified individuals submitted to the Mayor [and
4 the Governor] by the [State Board] **BALTIMORE CITY PUBLIC SCHOOL BOARD**
5 **COMMUNITY PANEL**;

6 (2) Two elected voting members; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 (i) (1) On the [joint] approval of the Mayor of Baltimore City [and the
13 Governor], an appointed member may be removed only for cause in accordance with §
14 3–108 of this subtitle.

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

16 (i) Immorality;

17 (ii) Misconduct in office;

18 (iii) Incompetency; or

19 (iv) Willful neglect of duty.

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

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

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

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

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

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

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

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

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

- 11 (1) A quorum of a majority of the voting members then serving; and
- 12 (2) The affirmative vote of a majority of the voting members then serving.

13 **(N) (1) THERE IS A BALTIMORE CITY PUBLIC SCHOOL BOARD**
14 **COMMUNITY PANEL.**

15 **(2) THE PURPOSE OF THE PANEL IS TO SELECT NOMINEES TO BE**
16 **RECOMMENDED TO THE MAYOR AS QUALIFIED CANDIDATES FOR APPOINTMENT TO**
17 **THE BOARD.**

18 **(3) THE FOLLOWING ORGANIZATIONS EACH SHALL APPOINT ONE**
19 **MEMBER TO THE PANEL:**

20 **(I) THE BALTIMORE TEACHERS UNION;**

21 **(II) THE BALTIMORE CITY PUBLIC SCHOOL ADMINISTRATORS**
22 **AND SUPERVISORS ASSOCIATION;**

23 **(III) THE MARYLAND ALLIANCE OF PUBLIC CHARTER**
24 **SCHOOLS;**

25 **(IV) THE DOWNTOWN BALTIMORE PUBLIC ALLIANCE;**

26 **(V) THE FUND FOR EDUCATIONAL EXCELLENCE;**

1 **(VI) A MEMBER OF THE BALTIMORE PARENT TEACHERS**
2 **ASSOCIATION;**

3 **(VII) A MEMBER OF AMERICAN FEDERATION OF STATE,**
4 **COUNTY, AND MUNICIPAL EMPLOYEES (AFSCME);**

5 **(VIII) A MEMBER OF THE CITY COUNCIL EDUCATION AND YOUTH**
6 **COMMITTEE; AND**

7 **(IX) A MEMBER OF THE STUDENT GOVERNMENT ASSOCIATION.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
9 1, 2017.