
By: Delegates C. Mitchell, Rawlings, and Opara

Introduced and read first time: January 24, 1996

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City School Police Force - Privatization**

3 FOR the purpose of privatizing the Baltimore City School Police Force on and after a
4 certain date by requiring the members of the Baltimore City School Police Force to
5 be employees of a private contractor that has a contract with the Board of School
6 Commissioners of Baltimore City; requiring the Board of School Commissioners of
7 Baltimore City, in consultation with the Maryland Police Training Commission, to
8 adopt certain requirements and standards applicable to employees of a private
9 contractor that has a certain contract with the Board; requiring the Board to adopt
10 regulations concerning the privatization of a certain police force and to provide
11 certain assistance to certain employees of the Board of School Commissioners of
12 Baltimore City; and generally relating to the privatization of the Baltimore City
13 School Police Force.

14 BY repealing and reenacting, with amendments,
15 Article - Education
16 Section 4-306
17 Annotated Code of Maryland
18 (1992 Replacement Volume and 1995 Supplement)

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

21 **Article - Education**

22 4-306.

23 (a) In this section, "Baltimore City school police officer" means any person who,
24 when acting in an official capacity, is authorized by law to make arrests and who is a
25 member of the Baltimore City School Police Force.

26 (b) There is a Baltimore City School Police Force.

27 (c) The members of the Baltimore City School Police Force shall be employees of
28 [and be appointed by] A PRIVATE CONTRACTOR THAT HAS A CONTRACT WITH the
29 Board of School Commissioners of Baltimore City.

1 (d) (1) Except as provided in paragraph (3) of this subsection, a Baltimore City
2 school police officer has all the powers of a law enforcement officer in the State.

3 (2) (i) A Baltimore City school police officer may act in an official
4 capacity only on the premises of schools and any other property used for educational
5 purposes owned, leased, or operated by, or under the control of the Board of School
6 Commissioners of Baltimore City.

7 (ii) A Baltimore City school police officer may not act in an official
8 capacity on any other property unless:

- 9 1. Engaged in fresh pursuit of a suspected offender;
- 10 2. Requested or authorized to do so by the Police
11 Commissioner of Baltimore City;
- 12 3. The exercise of power is necessary to facilitate the orderly
13 flow of traffic to and from property owned, leased, operated by, or under the control of
14 the Baltimore City school system; or
- 15 4. Ordered to do so by the Mayor of Baltimore City.

16 (3) Notwithstanding any other provision of law, a Baltimore City school
17 police officer whose permanent or temporary assignment is at a school or on school
18 property may not carry a rifle, gun, or other deadly weapon of any kind from 7 a.m. to 4
19 p.m. on school days on the premises of schools.

20 (e) [(1)] In consultation with the Maryland Police Training Commission, the
21 [Civil Service Commission] BOARD OF SCHOOL COMMISSIONERS of Baltimore City
22 shall adopt:

23 [(i)] (1) Requirements for education, training, human and public
24 relations skills, and moral character that [an applicant must meet to qualify for
25 employment as a Baltimore City school police officer] EMPLOYEES OF A PRIVATE
26 CONTRACTOR THAT HAS A CONTRACT WITH THE BOARD OF SCHOOL
27 COMMISSIONERS OF BALTIMORE CITY MUST MEET TO PROVIDE POLICE SERVICES
28 AUTHORIZED BY THIS SECTION; and

29 [(ii)] (2) Standards for the performance of duties.

30 [(2) Any requirements adopted by the Civil Service Commission on or after
31 July 1, 1991 may not affect the status of any individual who is a qualified Baltimore City
32 school police officer on that date.]

33 (F) THE BOARD OF SCHOOL COMMISSIONERS OF BALTIMORE CITY SHALL:

34 (1) ADOPT REGULATIONS THAT:

35 (I) REQUIRE ANY PRIVATE CONTRACTOR TO OFFER
36 EMPLOYMENT ON TERMS CONSIDERED BY THE BOARD TO BE FAIR AND EQUITABLE
37 TO ANY EMPLOYEES OF THE BOARD WHO ARE AFFECTED BY THE PRIVATIZATION
38 AUTHORIZED BY THIS SECTION;

3

1 (II) REQUIRE ANY PRIVATE CONTRACTOR TO ADOPT A
2 GRIEVANCE PROCEDURE FOR EMPLOYEES OF THE BOARD WHO ARE RETAINED BY
3 A PRIVATE CONTRACTOR UNDER ITEM (I) OF THIS PARAGRAPH; AND

4 (III) ARE NECESSARY TO ENSURE IMPLEMENTATION OF AN
5 EFFICIENT AND ORDERLY PRIVATIZATION OF THE BALTIMORE CITY SCHOOL
6 POLICE FORCE ON AND AFTER SEPTEMBER 1, 1997; AND

7 (2) ASSIST AN EMPLOYEE OF THE BOARD WHO DECLINES AN OFFER OF
8 EMPLOYMENT WITH A PRIVATE CONTRACTOR TO IDENTIFY A COMPARABLE
9 POSITION IN THE PUBLIC SECTOR.

10 [(f)] (G) The Board of School Commissioners shall adopt regulations governing
11 the:

12 (1) Operation of the Baltimore City School Police Force; and

13 (2) Conduct of each Baltimore City school police officer.

14 [(g)] (H) This section does not:

15 (1) Make a Baltimore City school police officer a member of the Baltimore
16 City Police Department; or

17 (2) Affect the salary, benefits, or retirement program of an employee of
18 Baltimore City or the Board of School Commissioners of Baltimore City.

19 SECTION 2. AND BE IT FURTHER ENACTED, That the provisions of this Act
20 altering the employment status of members of the Baltimore City School Police Force
21 shall be applicable on and after September 1, 1997.

22 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 1996.