
By: Delegates D. Murphy, Ports, Dewberry, Redmer, DeCarlo, Mohorovic, and Holt

Introduced and read first time: January 31, 1997

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Board of Education of Baltimore County - Appointment Process**

3 FOR the purpose of altering the appointment process for members of the Board of
4 Education of Baltimore County to require that the Governor appoint a member to
5 the Board from a certain list submitted by the School Board Nominating
6 Convention of Baltimore County; making stylistic corrections; and generally relating
7 to the appointment process for members of the Board of Education of Baltimore
8 County.

9 BY repealing and reenacting, with amendments,
10 Article - Education
11 Section 3-109
12 Annotated Code of Maryland
13 (1997 Replacement Volume)

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

16 **Article - Education**

17 3-109.

18 (a) The BOARD OF EDUCATION OF Baltimore County [Board] consists of 12
19 members who shall be appointed as follows:

20 (1) Four from the County at large;

21 (2) One from each of the seven councilmanic districts in Baltimore County;
22 and

23 (3) One student member from the County at large.

24 (B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION FOR THE
25 APPOINTMENT OF THE STUDENT MEMBER, EACH MEMBER APPOINTED TO THE
26 BOARD SHALL BE SELECTED FROM A LIST OF NOT MORE THAN THREE NOMINEES
27 SUBMITTED TO THE GOVERNOR BY THE SCHOOL BOARD NOMINATING
28 CONVENTION OF BALTIMORE COUNTY.

29 [(b)] (C) (1) The student member shall:

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1 (i) Be an eleventh or twelfth grade student in the Baltimore County
2 public school system;

3 (ii) Serve for 1 year; and

4 (iii) Advise the Board on the thoughts and feelings of students.

5 (2) Unless invited to attend by an affirmative vote of a majority of the
6 [County] Board, the student member may not attend an executive session that relates to:

7 (i) Hearings on appeals of special education placements;

8 (ii) Hearings held under § 6-202(a) of this article; or

9 (iii) Collective bargaining.

10 (3) As provided in paragraph (4) of this subsection, the student member
11 may vote on all matters except those relating to:

12 (i) § 6-202(a) of this article;

13 (ii) Collective bargaining;

14 (iii) Capital and operating budgets; and

15 (iv) School closings, reopenings, and boundaries.

16 (4) On a majority vote of the nonstudent members, the Board may
17 determine, on a case by case basis, whether a matter under consideration is covered by
18 the exclusionary provisions listed in paragraph (3) of this subsection.

19 [(c)] (D) A Board member who does not maintain [his] THE residential
20 qualification shall be replaced as a member.

21 [(d)] (E) If the boundary line of a legislative district is changed, the term of an
22 incumbent member of the [County] Board who no longer resides in the legislative
23 district because of the change is not affected during this term.

24 [(e)] (F) There is a School Shared Space Council in Baltimore County consisting
25 of 12 employees of the County appointed by the County Executive for a term coterminous
26 with that of the Board as follows:

27 (1) Two from the staff of the [County] Board [of Education];

28 (2) Two from the County Executive's administrative staff, one of whom shall
29 be the Director of Central Services;

30 (3) One from the Department of Social Services;

31 (4) One from the Department of Recreation and Parks;

32 (5) One from the Department of Aging;

33 (6) One from the Health Department;

3

1 (7) One from the County community colleges, subject to the following
2 conditions:

3 (i) Representation shall be determined on a rotating basis by
4 alphabetical order by community college name; and

5 (ii) Each such member shall serve for 1 year;

6 (8) One from the Department of Juvenile Justice;

7 (9) One from the County public libraries; AND

8 (10) One from the Department of Planning.

9 [(f)] (G) A County employee Council member who does not maintain [his]
10 employment in the County shall be replaced.

11 [(g)] (H) In addition to the County employee members, there shall be eight
12 County citizens selected as members of the Council as follows and with the following
13 duties:

14 (1) The County citizen members shall be selected by the County Executive.
15 One member shall be selected from each legislative district of Baltimore County with the
16 approval of the State Senator from that district. Each legislative district representative
17 shall reside in that district;

18 (2) The initial members selected to represent legislative districts 5, 7, 9, and
19 11 shall each serve for a 2-year term beginning June 1, 1979, and ending May 31, 1981.
20 Thereafter all members shall be selected to serve 2-year terms. The initial members
21 selected to represent legislative districts 8, 10, 12, and 13 shall each serve for a 1-year
22 term beginning June 1, 1979, and ending May 31, 1980, and thereafter all members shall
23 be selected for 2-year terms;

24 (3) A citizen member shall be entitled to attend and vote at a Council
25 session where an issue before the Council concerns the school or schools in the citizen
26 member's respective district; and

27 (4) When the Council meets to consider countywide issues, all selected
28 citizen members shall be entitled to attend such sessions and vote.

29 [(h)] (I) The Council shall:

30 (1) Meet as needed to compile the number of spaces in the public schools of
31 the County that are not filled and to evaluate the feasibility of the utilization of the spaces
32 by the community and County departments; and

33 (2) Report its findings and recommendations to the [County] Board [of
34 Education] and the County Executive at least twice during the school year.

35 [(i)] (J) The County Executive may, by executive order, appoint up to two
36 additional members to the Council from agencies of the County government.

37 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
38 July 1, 1997.

