
By: **Delegate C. Davis**

Introduced and read first time: January 24, 2001

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - New Baltimore City Board of School Commissioners - Elected**
3 **Voting Members**

4 FOR the purpose of requiring a certain number of voting members of the New
5 Baltimore City Board of School Commissioners to be elected at large by the
6 registered voters of Baltimore City during certain elections in Baltimore City;
7 requiring the elected members of the Board to possess certain qualifications;
8 requiring that the elected members appear on the ballot in 2002 and begin their
9 terms of office on January 1, 2003; allowing for continued service by an elected
10 member until a certain successor qualifies; establishing term limits for certain
11 members; providing for the filling of vacancies of certain members; requiring
12 certain conditions for the removal of certain members; repealing an obsolete
13 provision; and generally relating to the New Baltimore City Board of School
14 Commissioners.

15 BY repealing and reenacting, with amendments,
16 Article - Education
17 Section 3-108.1
18 Annotated Code of Maryland
19 (1999 Replacement Volume and 2000 Supplement)

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

22 **Article - Education**

23 3-108.1.

24 (a) In this section "Board" means the New Baltimore City Board of School
25 Commissioners of the Baltimore City Public School System.

26 (b) There is a New Baltimore City Board of School Commissioners of the
27 Baltimore City Public School System.

28 (c) The Board consists of:

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; [and]

4 (2) One nonvoting student member appointed as provided in subsection
5 (o) of this section[.]; AND

6 (3) (I) AS THE TERMS OF BOARD MEMBERS EXPIRE, THREE OF THE
7 NINE VOTING MEMBERS SHALL BE ELECTED AT LARGE BY THE REGISTERED VOTERS
8 OF BALTIMORE CITY.

9 (II) THE ELECTED MEMBERS OF THE BOARD SHALL BE ELECTED
10 WHENEVER THE OFFICE OF MAYOR OF BALTIMORE CITY IS TO BE FILLED THROUGH
11 A LOCAL ELECTION OR WHENEVER A GENERAL ELECTION IS CONDUCTED IN THE
12 CITY FOR ANY OTHER PURPOSE.

13 (III) OF THE THREE ELECTED MEMBERS OF THE BOARD, ONE EACH
14 SHALL COME FROM THE CATEGORIES DESIGNATED IN SUBSECTIONS (F), (G), AND (H)
15 OF THIS SECTION.

16 (IV) THE THREE ELECTED MEMBERS OF THE BOARD SHALL BE
17 ELECTED IN THE 2002 GENERAL ELECTION AND SHALL BEGIN THEIR TERMS OF
18 OFFICE ON JANUARY 1, 2003.

19 (d) Each member of the Board shall be a resident of Baltimore City.

20 (e) To the extent practicable, the membership of the Board shall reflect the
21 demographic composition of Baltimore City.

22 (f) At least four of the voting members shall possess a high level of knowledge
23 and expertise concerning the successful administration of a large business, nonprofit,
24 or governmental entity and shall have served in a high level management position
25 within such an entity.

26 (g) At least three of the voting members shall possess a high level of
27 knowledge and expertise concerning education.

28 (h) At least one voting member shall be a parent of a student enrolled in the
29 Baltimore City Public School System as of the date of appointment of the member.

30 (i) (1) Among the nine voting members, at least one member shall also
31 possess knowledge or experience in the education of children with disabilities.

32 (2) The knowledge or experience may be derived from being the parent of
33 a child with a disability.

34 (j) (1) The term of a voting member is 3 years.

35 (2) The terms of the voting members are staggered as required by the
36 terms provided for members of the Board on the effective date of this Act.

1 (3) At the end of a term, a voting member continues to serve until a
2 successor is appointed OR ELECTED and qualifies.

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

5 (5) A voting member WHO IS NOT ELECTED TO OFFICE UNDER
6 SUBSECTION (C)(3) OF THIS SECTION may not serve more than two consecutive full
7 terms.

8 (6) To the extent practicable, the Governor and the Mayor shall fill any
9 vacancy OF A VOTING MEMBER WHO IS NOT ELECTED TO OFFICE UNDER
10 SUBSECTION (C)(3) OF THIS SECTION on the Board within 60 days of the date of the
11 vacancy from a list of qualified individuals submitted to the Mayor and the Governor
12 by the State Board.

13 (k) On the joint approval of the Mayor of Baltimore City and the Governor, a
14 member WHO IS NOT ELECTED TO OFFICE UNDER SUBSECTION (C)(3) OF THIS
15 SECTION may be removed only for cause in accordance with § 3-108 of this subtitle.

16 (l) Each member of the Board serves without compensation.

17 (m) [On appointment of the Board, the Governor and the Mayor shall jointly
18 select one of the voting members to serve as the Chairman of the Board who shall
19 serve through June 30, 1999.

20 (n) Beginning on July 1, 1999 and every 2 years thereafter, from among its
21 voting members the Board shall elect a Chairman.

22 [(o)] (N) (1) One student member shall be a student enrolled in the
23 Baltimore City Public School System who shall be selected by the Associated Student
24 Congress of Baltimore City.

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

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

28 [(p)] (O) Any action by the Board shall require:

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

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

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 June 1, 2001.