
By: **Delegates Carter and Oaks**

Introduced and read first time: February 7, 2003

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City Board of School Commissioners - Membership**

3 FOR the purpose of altering the membership of the Baltimore City Board of School
4 Commissioners; providing for the appointment of certain members of the Board
5 by the Governor and the Mayor of Baltimore City; providing for the election of
6 certain members of the Board; providing for the compensation of the members of
7 the Board; prohibiting certain members from receiving compensation;
8 establishing the Board of Education districts; providing for the termination of
9 the terms of certain members of the Board; and generally relating to the
10 Baltimore City Board of School Commissioners.

11 BY repealing and reenacting, with amendments,
12 Article - Education
13 Section 3-108.1 and 3-114(a)
14 Annotated Code of Maryland
15 (2001 Replacement Volume and 2002 Supplement)

16 BY adding to
17 Article - Education
18 Section 3-114(d)
19 Annotated Code of Maryland
20 (2001 Replacement Volume and 2002 Supplement)

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

23 **Article - Education**

24 3-108.1.

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

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

1 (c) The Board consists of:

2 (1) [Nine] SEVEN voting members jointly appointed by the Mayor of
3 Baltimore City and the Governor; [and]

4 (2) EIGHT VOTING MEMBERS ELECTED AS FOLLOWS:

5 (I) ONE MEMBER ELECTED FROM THE CITY AT LARGE BY THE
6 VOTERS OF BALTIMORE CITY;

7 (II) ONE MEMBER ELECTED FROM BOARD OF EDUCATION DISTRICT
8 1;

9 (III) ONE MEMBER ELECTED FROM BOARD OF EDUCATION DISTRICT
10 2;

11 (IV) ONE MEMBER ELECTED FROM BOARD OF EDUCATION DISTRICT
12 3;

13 (V) ONE MEMBER ELECTED FROM BOARD OF EDUCATION DISTRICT
14 4;

15 (VI) ONE MEMBER ELECTED FROM BOARD OF EDUCATION DISTRICT
16 5;

17 (VII) ONE MEMBER ELECTED FROM BOARD OF EDUCATION DISTRICT
18 6;

19 (VIII) ONE MEMBER ELECTED FROM BOARD OF EDUCATION DISTRICT
20 7; AND

21 (3) [One] TWO voting student [member] MEMBERS appointed as
22 provided in subsection (o) of this section.

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

24 (e) To the extent practicable, the [membership] APPOINTED MEMBERS of the
25 Board shall reflect the demographic composition of Baltimore City.

26 (f) At least [four] THREE of the APPOINTED voting members shall possess a
27 high level of knowledge and expertise concerning the successful administration of a
28 large business, nonprofit, or governmental entity and shall have served in a high level
29 management position within such an entity.

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

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

1 (i) (1) Among the [nine] 15 voting members, at least one member shall also
2 possess knowledge or experience in the education of children with disabilities.

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

5 (j) (1) The term of a voting member is [3] 4 years BEGINNING ON THE
6 FIRST MONDAY IN DECEMBER AFTER THE MEMBER'S ELECTION OR APPOINTMENT
7 AND UNTIL A SUCCESSOR IS ELECTED OR APPOINTED AND QUALIFIES.

8 (2) The terms of the ELECTED voting members are staggered as required
9 [by the terms provided for members of the Board on June 1, 1997] UNDER
10 SUBSECTION (N) OF THIS SECTION.

11 (3) At the end of a term, a voting member continues to serve until a
12 successor is appointed and qualifies.

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

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

17 (6) To the extent practicable, the Governor and the Mayor shall fill any
18 vacancy on the Board within 60 days of the date of the vacancy.

19 (7) THE GOVERNOR AND THE MAYOR SHALL APPOINT SEVEN MEMBERS
20 OF THE BOARD AS PROVIDED IN SUBSECTION (C)(1) OF THIS SECTION ON OR BEFORE
21 THE NOVEMBER 15, 2004 AND EVERY 4 YEARS THEREAFTER.

22 (k) On the joint approval of the Mayor of Baltimore City and the Governor, a
23 member may be removed only for cause in accordance with § 3-108 of this subtitle.

24 (l) (1) [Each member of the Board serves without compensation] THE
25 CHAIRMAN OF THE BOARD IS ENTITLED TO RECEIVE \$10,000 ANNUALLY AS
26 COMPENSATION AND THE OTHER VOTING MEMBERS ARE EACH ENTITLED TO
27 RECEIVE \$5,000 ANNUALLY AS COMPENSATION.

28 (2) VOTING MEMBERS ARE ENTITLED TO REIMBURSEMENT, AFTER
29 SUBMITTING VOUCHERS, FOR TRAVEL AND OTHER EXPENSES.

30 (3) A STUDENT MEMBER MAY NOT RECEIVE COMPENSATION, BUT
31 AFTER SUBMITTING EXPENSE VOUCHERS, MAY BE REIMBURSED FOR TRAVEL AND
32 OTHER EXPENSES.

33 (m) [On appointment of the Board, the Governor and the Mayor shall jointly
34 select one of the voting members to serve as the Chairman of the Board who shall
35 serve through June 30, 1999] THE CHAIRMAN OF THE BOARD SHALL BE THE VOTING
36 MEMBER ELECTED AT LARGE BY THE VOTERS OF BALTIMORE CITY.

1 (n) [Beginning on July 1, 1999 and every 2 years thereafter, from among its
2 voting members the Board shall elect a chairman.] THE TERMS OF THE ELECTED
3 VOTING MEMBERS ARE STAGGERED AS FOLLOWS:

4 (1) (I) THE MEMBERS ELECTED FROM BOARD OF EDUCATION
5 DISTRICTS 1, 3, AND 5 SHALL BE ELECTED AT THE 2004 GENERAL ELECTION.

6 (II) THE MEMBERS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH
7 SHALL SERVE AN INITIAL TERM OF 2 YEARS AND SHALL BE ELECTED AT THE 2006
8 GENERAL ELECTION AND EVERY 4 YEARS THEREAFTER.

9 (2) THE MEMBERS ELECTED FROM BOARD OF EDUCATION DISTRICTS 2,
10 4, 6, AND 7 SHALL BE ELECTED AT THE 2004 GENERAL ELECTION AND EVERY 4 YEARS
11 THEREAFTER.

12 (o) (1) One nonvoting student member shall be a student enrolled in the
13 Baltimore City Public School System who shall be selected by the Associated Student
14 Congress of Baltimore City.

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

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

18 (4) The student member may vote on all matters before the Board except
19 those relating to:

20 (i) Personnel;

21 (ii) Capital and operating budgets;

22 (iii) School closings, reopenings, and boundaries;

23 (iv) Collective bargaining decisions;

24 (v) Student disciplinary matters; and

25 (vi) Appeals to the Board as provided under §§ 4-205 and 6-202 of
26 this article.

27 (5) The student member may not attend or participate in an executive or
28 special session of the Board.

29 (p) Any action by the Board shall require:

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

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

1 (Q) (1) THE DESCRIPTIONS OF BOARD OF EDUCATION DISTRICTS IN THIS
2 SECTION ARE COMPRISED OF THE COUNCILMANIC DISTRICTS AS ESTABLISHED BY
3 THE CITY OF BALTIMORE REDISTRICTING PROPOSAL SUBMITTED BY THE MAYOR
4 AND APPROVED BY THE CITY COUNCIL ON OR BEFORE APRIL 30, 2003.

5 (2) (I) BOARD OF EDUCATION DISTRICT 1 CONSISTS OF
6 COUNCILMANIC DISTRICTS 1 AND 2;

7 (II) BOARD OF EDUCATION DISTRICT 2 CONSISTS OF
8 COUNCILMANIC DISTRICTS 3 AND 4;

9 (III) BOARD OF EDUCATION DISTRICT 3 CONSISTS OF
10 COUNCILMANIC DISTRICTS 5 AND 6;

11 (IV) BOARD OF EDUCATION DISTRICT 4 CONSISTS OF
12 COUNCILMANIC DISTRICTS 7 AND 8;

13 (V) BOARD OF EDUCATION DISTRICT 5 CONSISTS OF
14 COUNCILMANIC DISTRICTS 9 AND 10;

15 (VI) BOARD OF EDUCATION DISTRICT 6 CONSISTS OF
16 COUNCILMANIC DISTRICTS 11 AND 12; AND

17 (VII) BOARD OF EDUCATION DISTRICT 7 CONSISTS OF
18 COUNCILMANIC DISTRICTS 13 AND 14.

19 3-114.

20 (a) [In] EXCEPT AS PROVIDED UNDER PARAGRAPH (D) OF THIS SECTION, IN
21 the following counties, the members of the county board shall be elected:

22 (1) Allegany;

23 (2) Calvert;

24 (3) Carroll;

25 (4) Charles;

26 (5) Frederick;

27 (6) Garrett;

28 (7) Howard;

29 (8) Kent;

30 (9) Montgomery;

31 (10) St. Mary's;

1 (11) Somerset;

2 (12) Washington; and

3 (13) Worcester.

4 (D) IN BALTIMORE CITY, SEVEN MEMBERS OF THE BALTIMORE CITY BOARD
5 OF SCHOOL COMMISSIONERS SHALL BE APPOINTED BY THE GOVERNOR AND THE
6 MAYOR OF BALTIMORE CITY AND EIGHT MEMBERS OF THE BALTIMORE CITY BOARD
7 OF SCHOOL COMMISSIONERS SHALL BE ELECTED.

8 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the
9 appointed members of the Baltimore City Board of School Commissioners who are
10 serving on the effective date of this Act shall terminate at the end of December 5,
11 2004.

12 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2003.