
By: **Delegates Carter, Anderson, Burns, C. Davis, Dwyer, Haynes, Kirk,
Marriott, Murray, Oaks, O'Donnell, and Patterson**

Introduced and read first time: February 9, 2004

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 2003 Supplement)

16 BY adding to
17 Article - Education
18 Section 3-114(d)
19 Annotated Code of Maryland
20 (2001 Replacement Volume and 2003 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.

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

3 (c) The Board consists of:

4 (1) [Nine] FIVE voting members jointly appointed by the Mayor of
5 Baltimore City and the Governor from a list of qualified individuals submitted to the
6 Mayor and the Governor by the State Board; [and

7 (2) One voting student member appointed as provided in subsection (o) of
8 this section.]

9 (2) EIGHT VOTING MEMBERS ELECTED AS FOLLOWS:

10 (I) ONE MEMBER ELECTED FROM BOARD OF EDUCATION DISTRICT
11 1;

12 (II) ONE MEMBER ELECTED FROM BOARD OF EDUCATION DISTRICT
13 2;

14 (III) ONE MEMBER ELECTED FROM BOARD OF EDUCATION DISTRICT
15 3;

16 (IV) ONE MEMBER ELECTED FROM BOARD OF EDUCATION DISTRICT
17 4;

18 (V) ONE MEMBER ELECTED FROM BOARD OF EDUCATION DISTRICT
19 5;

20 (VI) ONE MEMBER ELECTED FROM BOARD OF EDUCATION DISTRICT
21 6;

22 (VII) ONE MEMBER ELECTED FROM BOARD OF EDUCATION DISTRICT
23 7; AND

24 (VIII) ONE MEMBER ELECTED FROM BALTIMORE CITY AT LARGE; AND

25 (3) TWO VOTING STUDENT MEMBERS APPOINTED AS PROVIDED IN
26 SUBSECTION (O) OF THIS SECTION.

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

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

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

1 (g) At least [three] ONE of the APPOINTED voting members shall possess a
2 high level of knowledge and expertise concerning education.

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

6 (I) AT LEAST ONE APPOINTED VOTING MEMBER SHALL POSSESS A HIGH
7 LEVEL OF KNOWLEDGE AND EXPERTISE CONCERNING BUDGET AND FINANCE.

8 [(i)] (J) (1) Among the [nine] FIVE APPOINTED voting members, at least
9 one member shall also possess knowledge or experience in the education of children
10 with disabilities.

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

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

16 (2) [The terms of the voting members are staggered as required by the
17 terms provided for members of the Board on June 1, 1997.

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

20 [(4)] (3) A voting member who is appointed after a term has begun
21 serves only for the remainder of the term and until a successor is appointed and
22 qualifies.

23 [(5)] (4) A voting member may not serve more than two consecutive full
24 terms.

25 [(6)] (5) To the extent practicable, the Governor and the Mayor shall
26 fill any vacancy on the Board within 60 days of the date of the vacancy from a list of
27 qualified individuals submitted to the Mayor and the Governor by the State Board.

28 (6) THE GOVERNOR AND THE MAYOR SHALL APPOINT THE MEMBERS OF
29 THE BOARD AS PROVIDED IN SUBSECTION (C)(1) OF THIS SECTION ON OR BEFORE
30 NOVEMBER 15, 2006, AND EVERY 4 YEARS THEREAFTER.

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

34 [(l) Each member of the Board serves without compensation.]

1 (M) (1) THE CHAIRMAN OF THE BOARD IS ENTITLED TO RECEIVE \$7,500
2 ANNUALLY AS COMPENSATION AND THE OTHER VOTING MEMBERS ARE EACH
3 ENTITLED TO RECEIVE \$5,000 ANNUALLY AS COMPENSATION.

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

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

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

12 (n) Beginning on July 1, 1999 and every 2 years thereafter, from among its
13 voting members the Board shall elect a chairman.]

14 (N) THE CHAIRMAN OF THE BOARD SHALL BE THE MEMBER ELECTED FROM
15 THE COUNTY AT LARGE.

16 (o) (1) [One] A student member shall be a student enrolled in the Baltimore
17 City Public School System who shall be selected by the Associated Student Congress
18 of Baltimore City.

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

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

22 (4) [The] A student member may vote on all matters before the Board
23 except those relating to:

24 (i) Personnel;

25 (ii) Capital and operating budgets;

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

27 (iv) Collective bargaining decisions;

28 (v) Student disciplinary matters; and

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

31 (5) [The] A student member may not attend or participate in an
32 executive or special session of the Board.

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

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

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

4 (Q) (1) THE DESCRIPTIONS OF BOARD OF EDUCATION DISTRICTS IN THIS
5 SECTION ARE COMPRISED OF THE COUNCILMANIC DISTRICTS AS ESTABLISHED BY
6 THE CITY OF BALTIMORE REDISTRICTING PROPOSAL SUBMITTED BY THE MAYOR
7 AND APPROVED BY THE CITY COUNCIL ON MARCH 17, 2003.

8 (2) (I) BOARD OF EDUCATION DISTRICT 1 CONSISTS OF
9 COUNCILMANIC DISTRICTS 1 AND 2.

10 (II) BOARD OF EDUCATION DISTRICT 2 CONSISTS OF
11 COUNCILMANIC DISTRICTS 3 AND 4.

12 (III) BOARD OF EDUCATION DISTRICT 3 CONSISTS OF
13 COUNCILMANIC DISTRICTS 5 AND 6.

14 (IV) BOARD OF EDUCATION DISTRICT 4 CONSISTS OF
15 COUNCILMANIC DISTRICTS 7 AND 8.

16 (V) BOARD OF EDUCATION DISTRICT 5 CONSISTS OF
17 COUNCILMANIC DISTRICTS 9 AND 10.

18 (VI) BOARD OF EDUCATION DISTRICT 6 CONSISTS OF
19 COUNCILMANIC DISTRICTS 11 AND 12.

20 (VII) BOARD OF EDUCATION DISTRICT 7 CONSISTS OF
21 COUNCILMANIC DISTRICTS 13 AND 14.

22 3-114.

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

25 (1) Allegany;

26 (2) Calvert;

27 (3) Carroll;

28 (4) Charles;

29 (5) Dorchester;

30 (6) Frederick;

31 (7) Garrett;

32 (8) Howard;

- 1 (9) Kent;
- 2 (10) Montgomery;
- 3 (11) St. Mary's;
- 4 (12) Somerset;
- 5 (13) Washington; and
- 6 (14) Worcester.

7 (D) IN BALTIMORE CITY, TWO VOTING MEMBERS OF THE BALTIMORE CITY
8 BOARD OF SCHOOL COMMISSIONERS SHALL BE APPOINTED BY THE GOVERNOR, TWO
9 VOTING MEMBERS SHALL BE APPOINTED BY THE MAYOR OF BALTIMORE CITY, AND
10 SEVEN VOTING MEMBERS OF THE BALTIMORE CITY BOARD OF SCHOOL
11 COMMISSIONERS SHALL BE ELECTED.

12 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the
13 appointed members of the Baltimore City Board of School Commissioners who are
14 serving on the effective date of this Act shall terminate at the end of December 3,
15 2006.

16 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take
17 effect October 1, 2004.