
By: **Senators Hughes, McFadden, Conway, Della, Gladden, and Jones**

Introduced and read first time: February 4, 2005

Assigned to: Education, Health, and Environmental Affairs and Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City Community College - Governance**

3 FOR the purpose of altering the membership of the Board of Trustees of Baltimore
 4 City Community College; providing that the Secretary of Higher Education or
 5 the Secretary's designee is an ex officio member of the Board of Trustees;
 6 clarifying the role of the Board of Trustees; prohibiting the Board of Trustees
 7 from participating in the daily operations of the College; requiring the Board of
 8 Trustees to appoint an interim president when the Office of the President is
 9 vacant; providing that the interim president may not be a member of the Board
 10 of Trustees; clarifying the President's role as the sole liaison to the Board of
 11 Trustees; clarifying that the President shall make certain recommendations;
 12 altering the contribution required from the City of Baltimore; and generally
 13 relating to the governance of Baltimore City Community College.

14 BY repealing and reenacting, with amendments,
 15 Article - Education
 16 Section 16-504(b), 16-505(b) and (h), 16-506(a), and 16-512(d)
 17 Annotated Code of Maryland
 18 (2004 Replacement Volume and 2004 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 16-504.

23 (b) (1) The Board of Trustees consists of [9] 10 members appointed by the
 24 Governor with the advice and consent of the Senate.

25 (2) Of the VOTING members:

26 (i) Each shall be a resident of the State;

27 (ii) A majority shall be residents of Baltimore City; [and]

1 (iii) I shall be a regularly enrolled student in good standing at the
2 College; AND

3 (IV) I SHALL BE THE SECRETARY, OR THE SECRETARY'S DESIGNEE,
4 WHO SHALL SERVE AS AN EX OFFICIO MEMBER.

5 16-505.

6 (b) (1) The Board of Trustees shall exercise general control [and
7 management of] OVER the College and establish [policies] BROAD POLICY AND
8 LONG-RANGE PLANNING to effect the efficient operation of the College.

9 (2) THE BOARD OF TRUSTEES SHALL NOT PARTICIPATE IN THE
10 DAY-TO-DAY OPERATIONS OF THE COLLEGE.

11 (h) (1) The Board of Trustees shall appoint a President of the College who
12 shall be the Chief Executive Officer of the College and the Chief of Staff for the Board
13 of Trustees.

14 (2) The Board of Trustees may create other offices in the College and
15 provide for the appointment of qualified persons to those offices.

16 (3) (I) THE BOARD OF TRUSTEES SHALL APPOINT AN INTERIM
17 PRESIDENT TO CARRY OUT THE DUTIES OF THE PRESIDENT IMMEDIATELY WHEN
18 THE OFFICE OF THE PRESIDENT BECOMES VACANT.

19 (II) THE INTERIM PRESIDENT MAY NOT BE A MEMBER OF THE
20 BOARD OF TRUSTEES.

21 [(3)] (4) (i) Notwithstanding any other provision of law, the Board of
22 Trustees may create any position to the extent that the cost of the position, including
23 any fringe benefit costs, is funded from grant or special project funds.

24 (ii) The Board of Trustees shall abolish a position created under
25 this paragraph when the grant or special project funds are insufficient to fund the
26 cost of the position, including any fringe benefit costs.

27 (iii) This paragraph may not be construed to require any additional
28 State General Fund support.

29 (iv) By September 1 of each year, the Board shall submit an annual
30 position accountability report to the Department of Budget and Management, the
31 Department of Legislative Services, and the Maryland Higher Education Commission
32 reporting the total positions created and the cost and the funding source for any
33 positions created by Baltimore City Community College in the previous fiscal year.

34 (v) The total number of positions authorized under this paragraph
35 shall be limited as specified annually in the State budget bill.

1 16-506.

2 (a) The President of the College shall:

3 (1) Report directly to the Board of Trustees AND BE THE SOLE LIAISON
4 BETWEEN THE BOARD AND THE COLLEGE'S FACULTY, ADMINISTRATORS, AND STAFF;

5 (2) Be responsible and accountable to the Board of Trustees for the
6 discipline and successful conduct of the College and supervision of each of its
7 departments;

8 (3) Take every initiative in:

9 (i) Implementing the policies of the Board of Trustees and the
10 College; and

11 (ii) Promoting the development and efficiency of the College;

12 (4) [Hire] RECOMMEND THE APPOINTMENT and discharge OF faculty
13 and employees [as authorized] by the Board of Trustees;

14 (5) Attend all meetings of the Board of Trustees, except that the
15 President may be excused by the Board of Trustees from discussions concerning the
16 President or the position of President; and

17 (6) Carry out other duties as authorized by the Board of Trustees.

18 16-512.

19 (d) (1) (i) Through June 30, 1999, the City of Baltimore shall be
20 responsible for providing at least \$600,000 in each fiscal year to support education at
21 the Baltimore City Community College.

22 (ii) Of this amount, in each fiscal year, at least \$300,000 shall be
23 expended and administered by the College for tuition reimbursement or scholarships
24 to attend classes at the Baltimore City Community College, and the remaining
25 balance shall be expended in a manner consistent with the educational mission of the
26 Baltimore City Community College.

27 (iii) The source of the \$600,000 is not limited to tax or fee revenues
28 generated by the City of Baltimore.

29 (2) (i) Beginning on July 1, 1999, the City of Baltimore shall be
30 responsible for providing at least \$800,000 in each fiscal year to support education at
31 the Baltimore City Community College.

32 (ii) Of this amount, in each fiscal year, at least \$500,000 shall be
33 expended and administered by the College for tuition reimbursement or scholarships
34 to attend classes at the Baltimore City Community College, and the remaining
35 balance shall be expended in a manner consistent with the educational mission of the
36 Baltimore City Community College.

1 (iii) The source of the \$800,000 is not limited to tax or fee revenues
2 generated by the City of Baltimore.

3 (3) (I) BEGINNING ON JULY 1, 2005, THE CITY OF BALTIMORE SHALL
4 BE RESPONSIBLE FOR PROVIDING AT LEAST \$1,500,000 IN EACH FISCAL YEAR TO
5 SUPPORT EDUCATION AT THE BALTIMORE CITY COMMUNITY COLLEGE.

6 (II) OF THIS AMOUNT, IN EACH FISCAL YEAR, AT LEAST \$1,000,000
7 SHALL BE EXPENDED AND ADMINISTERED BY THE COLLEGE FOR TUITION
8 REIMBURSEMENT OR SCHOLARSHIPS TO ATTEND CLASSES AT THE BALTIMORE CITY
9 COMMUNITY COLLEGE, AND THE REMAINING BALANCE SHALL BE EXPENDED IN A
10 MANNER CONSISTENT WITH THE EDUCATIONAL MISSION OF THE BALTIMORE CITY
11 COMMUNITY COLLEGE.

12 (III) THE SOURCE OF THE \$1,500,000 IS NOT LIMITED TO TAX OR FEE
13 REVENUES GENERATED BY THE CITY OF BALTIMORE.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 June 1, 2005.