
By: **Senators Kelley, Brochin, Hollinger, Kasemeyer, Klausmeier, and Stone**

Introduced and read first time: January 16, 2006

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Baltimore County Board of Education - Qualifications of**
3 **Members**

4 FOR the purpose of prohibiting a member of the Baltimore County Board of
5 Education from being employed as a certain staff member to a member of the
6 General Assembly who represents a legislative district in Baltimore County.

7 BY repealing and reenacting, with amendments,
8 Article - Education
9 Section 3-109
10 Annotated Code of Maryland
11 (2004 Replacement Volume and 2005 Supplement)

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

14 **Article - Education**

15 3-109.

16 (a) The Baltimore County Board consists of 12 members who shall be
17 appointed as follows:

- 18 (1) Four from the county at large;
- 19 (2) One from each of the seven councilmanic districts in Baltimore
20 County; and
- 21 (3) One student member from the county at large.

- 22 (b) (1) The student member shall:
 - 23 (i) Be an eleventh or twelfth grade student in the Baltimore
24 County public school system;
 - 25 (ii) Serve for 1 year; and

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

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

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

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

7 (iii) Collective bargaining.

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

10 (i) § 6-202(a) of this article;

11 (ii) Collective bargaining;

12 (iii) Capital and operating budgets; and

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

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

17 (c) A Board member who does not maintain his residential qualification shall
18 be replaced as a member.

19 (d) If the boundary line of a councilmanic district is changed, the term of an
20 incumbent member of the County Board who no longer resides in the councilmanic
21 district because of the change is not affected during this term.

22 (E) A BOARD MEMBER MAY NOT BE EMPLOYED AS A COMPENSATED STAFF
23 MEMBER TO A MEMBER OF THE GENERAL ASSEMBLY WHO REPRESENTS A
24 LEGISLATIVE DISTRICT IN BALTIMORE COUNTY.

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

28 (1) Two from the staff of the County Board of Education;

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

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

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

- 1 (5) One from the Department of Aging;
- 2 (6) One from the Health Department;
- 3 (7) One from the county community colleges, subject to the following
4 conditions:
- 5 (i) Representation shall be determined on a rotating basis by
6 alphabetical order by community college name; and
- 7 (ii) Each such member shall serve for 1 year;
- 8 (8) One from the Department of Juvenile Services;
- 9 (9) One from the county public libraries; and
- 10 (10) One from the Department of Planning.

11 [(f)] (G) A county employee Council member who does not maintain his
12 employment in the county shall be replaced.

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

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

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

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

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

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

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

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

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

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2006.