

SENATE BILL 79

F3

7lr1121

By: **Senators Kelley, Brochin, and Stone**

Introduced and read first time: January 22, 2007

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County – Board of Education – Membership**

3 FOR the purpose of requiring the appointments made by the Governor to the
4 Baltimore County Board of Education to be with the advice and consent of the
5 Senate of Maryland; requiring the composition of the membership of the Board
6 to reflect certain demographics in the county; and generally relating to the
7 Baltimore County Board of Education.

8 BY repealing and reenacting, with amendments,
9 Article – Education
10 Section 3–108(a) and 3–109
11 Annotated Code of Maryland
12 (2006 Replacement Volume)

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

15 **Article – Education**

16 3–108.

17 (a) **(1)** Except **AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION**
18 **AND** for the Baltimore City Board of School Commissioners established under
19 § 3–108.1 of this subtitle and counties listed in § 3–114 of this subtitle, the Governor
20 shall appoint the members of each county board from the residents of that county.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) THE GOVERNOR, WITH THE ADVICE AND CONSENT OF THE**
2 **SENATE OF MARYLAND, SHALL APPOINT THE MEMBERS OF THE BALTIMORE**
3 **COUNTY BOARD OF EDUCATION.**

4 3-109.

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

7 (1) Four from the county at large;

8 (2) One from each of the seven councilmanic districts in Baltimore
9 County; and

10 (3) One student member from the county at large.

11 (b) (1) The student member shall:

12 (i) Be an eleventh or twelfth grade student in the Baltimore
13 County public school system;

14 (ii) Serve for 1 year; and

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

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

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

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

21 (iii) Collective bargaining.

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

24 (i) § 6-202(a) of this article;

25 (ii) Collective bargaining;

1 (iii) Capital and operating budgets; and

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

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

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

8 **(D) TO THE EXTENT PRACTICABLE, THE MEMBERSHIP OF THE BOARD**
9 **SHALL REFLECT THE DEMOGRAPHIC COMPOSITION OF THE STUDENT**
10 **POPULATION OF BALTIMORE COUNTY.**

11 **[(d)] (E)** If the boundary line of a councilmanic district is changed, the term
12 of an incumbent member of the County Board who no longer resides in the
13 councilmanic district because of the change is not affected during this term.

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

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

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

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

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

22 (5) One from the Department of Aging;

23 (6) One from the Health Department;

24 (7) One from the county community colleges, subject to the following
25 conditions:

26 (i) Representation shall be determined on a rotating basis by
27 alphabetical order by community college name; and

- 1 (ii) Each such member shall serve for 1 year;
- 2 (8) One from the Department of Juvenile Services;
- 3 (9) One from the county public libraries; and
- 4 (10) One from the Department of Planning.

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

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

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

14 (2) The initial members selected to represent legislative districts 5, 7,
15 9, and 11 shall each serve for a 2-year term beginning June 1, 1979, and ending May
16 31, 1981. Thereafter all members shall be selected to serve 2-year terms. The initial
17 members selected to represent legislative districts 8, 10, 12, and 13 shall each serve
18 for a 1-year term beginning June 1, 1979, and ending May 31, 1980, and thereafter all
19 members shall be selected for 2-year terms;

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

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

25 **[(h)] (I)** The Council shall:

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

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

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

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 July 1, 2007.