

SENATE BILL 99

F3

7lr1381

By: **Senators Klausmeier and Harris**

Introduced and read first time: January 22, 2007

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Baltimore County Board of Education – School Board**
3 **Nominating Convention of Baltimore County**

4 FOR the purpose of altering the appointment process for certain members of the
5 Baltimore County Board of Education to require the Governor to select a
6 member from a list of nominees submitted by the School Board Nominating
7 Convention of Baltimore County; requiring the list of nominees to contain a
8 certain number of names; specifying that members of the County Board be
9 residents of the county; and generally relating to the appointment process and
10 residency requirements for members of the Baltimore County Board of
11 Education.

12 BY repealing and reenacting, with amendments,
13 Article – Education
14 Section 3–109
15 Annotated Code of Maryland
16 (2006 Replacement Volume)

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

19 **Article – Education**

20 3–109.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(A) IN THIS SECTION, "SCHOOL BOARD NOMINATING CONVENTION OF**
2 **BALTIMORE COUNTY" MEANS AN ORGANIZATION FORMED IN BALTIMORE**
3 **COUNTY WHOSE SOLE PURPOSE IS TO RECOMMEND TO THE GOVERNOR**
4 **PROSPECTIVE CANDIDATES FOR THE LOCAL SCHOOL BOARD.**

5 **[(a)] (B)** The Baltimore County Board consists of 12 members, **EACH OF**
6 **WHOM SHALL BE A RESIDENT OF THE COUNTY**, who shall be 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 **(C) (1) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION**
12 **FOR THE APPOINTMENT OF THE STUDENT MEMBER, EACH MEMBER APPOINTED**
13 **TO THE COUNTY BOARD SHALL BE SELECTED FROM A LIST AS SPECIFIED IN**
14 **PARAGRAPH (2) OF THIS SUBSECTION SUBMITTED TO THE GOVERNOR BY THE**
15 **SCHOOL BOARD NOMINATING CONVENTION OF BALTIMORE COUNTY.**

16 **(2) A LIST SUBMITTED TO THE GOVERNOR BY THE SCHOOL**
17 **BOARD NOMINATING CONVENTION OF BALTIMORE COUNTY SHALL CONTAIN:**

18 **(I) THREE NAMES; OR**

19 **(II) IF THERE ARE FEWER THAN THREE APPLICANTS, THE**
20 **NUMBER OF NAMES THAT IS EQUAL TO THE NUMBER OF APPLICANTS.**

21 **[(b)] (D)** (1) The student member shall:

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

24 (ii) Serve for 1 year; and

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

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

- (i) Hearings on appeals of special education placements;
- (ii) Hearings held under § 6–202(a) of this article; or
- (iii) Collective bargaining.

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

- (i) § 6–202(a) of this article;
- (ii) Collective bargaining;
- (iii) Capital and operating budgets; and
- (iv) School closings, reopenings, and boundaries.

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

[(c)] (E) A Board member who does not maintain his residential qualification shall be replaced as a member.

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

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

- (1) Two from the staff of the County Board of Education;
- (2) Two from the County Executive’s administrative staff, one of whom shall be the Director of Central Services;
- (3) One from the Department of Social Services;
- (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)] (H) A county employee Council member who does not maintain his
12 employment in the county shall be replaced.

13 [(g)] (I) 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,
21 9, and 11 shall each serve for a 2-year term beginning June 1, 1979, and ending May
22 31, 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 all
25 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

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

3 [(h)] (J) The Council shall:

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

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

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

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2007.