

SENATE BILL 1127

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EMERGENCY BILL

7lr2627
CF HB 1595

By: **Senators Conway, Ferguson, and McFadden**

Introduced and read first time: February 22, 2017

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City Community College – Restructuring**

3 FOR the purpose of repealing the Board of Trustees of Baltimore City Community College;
4 establishing the Restructuring Board of Baltimore City Community College and
5 transferring the powers and duties of the Board of Trustees to the Restructuring
6 Board; providing for the composition and duties of the Restructuring Board;
7 requiring each member of the Restructuring Board to serve for the duration of the
8 Restructuring Board; altering a certain authority of the Maryland Higher Education
9 Commission; requiring the Restructuring Board to elect one of its members as its
10 chair, select a certain president and develop a certain strategic plan on or before a
11 certain date, review and focus certain offerings on certain needs, make workforce
12 development and job placement a certain priority, improve student pathways to
13 success, enter into certain memoranda of understanding, align a certain budget with
14 certain projections, engage in a certain review of positions and staff, establish certain
15 relationships with certain stakeholders, rebuild and market a certain brand, address
16 certain information technology needs, develop or sell certain real estate holdings,
17 identify certain barriers that impede the efficient and effective operation of the
18 College, recommend a certain structure and composition of a newly constructed
19 Board of Trustees, and ensure a certain transition; requiring the President of the
20 College to meet certain criteria; prohibiting the President of the College from being
21 a member of the Restructuring Board or a member of the Board of Trustees as it
22 existed on a certain date; requiring the Restructuring Board to submit a certain
23 report to the Governor and the General Assembly, on or before a certain date,
24 annually, regarding its progress in implementing its duties and responsibilities;
25 altering certain definitions; making certain conforming changes; providing for the
26 expiration of the terms of the members of the Board of Trustees; requiring the
27 publisher of the Annotated Code of Maryland, in consultation with the Department
28 of Legislative Services, to correct cross–references and terminology in the Code that
29 are rendered incorrect by this Act; making this Act an emergency measure; providing
30 for the termination of this Act; and generally relating to the restructuring of
31 Baltimore City Community College.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,
 2 Article – Education
 3 Section 10–101(e), 11–105(i)(1), 16–302.1(a)(3), 16–502, 16–504, 16–505, 16–506,
 4 16–507(a) and (c), 16–511, 16–512(c) and (d)(3), and 16–513(c) and (d)
 5 Annotated Code of Maryland
 6 (2014 Replacement Volume and 2016 Supplement)

7 BY repealing and reenacting, without amendments,
 8 Article – Education
 9 Section 16–501
 10 Annotated Code of Maryland
 11 (2014 Replacement Volume and 2016 Supplement)

12 BY adding to
 13 Article – Education
 14 Section 16–505.1 and 16–505.2
 15 Annotated Code of Maryland
 16 (2014 Replacement Volume and 2016 Supplement)

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

19 **Article – Education**

20 10–101.

21 (e) “Governing board” means:

22 (1) The Board of Regents of the University System of Maryland;

23 (2) The Board of Regents of Morgan State University;

24 (3) The Board of Trustees of St. Mary’s College of Maryland; and

25 (4) The **RESTRUCTURING** Board [of Trustees] of Baltimore City
 26 Community College.

27 11–105.

28 (i) (1) On or before a date set by the Commission, each of the following
 29 governing boards and agencies shall submit to the Commission its annual operating budget
 30 requests and proposals for capital projects, by constituent institutions and affiliated
 31 regional higher education centers for the next fiscal year:

32 (i) The Board of Regents of the University System of Maryland;

- 1 (ii) The Board of Regents of Morgan State University;
- 2 (iii) The Board of Trustees of St. Mary's College of Maryland;
- 3 (iv) The State Advisory Council for Title I of the Higher Education
4 Act of 1965;
- 5 (v) The **RESTRUCTURING** Board [of Trustees] of Baltimore City
6 Community College;
- 7 (vi) The Board of the Maryland Higher Education Investment
8 Program; and
- 9 (vii) The governing body of each regional higher education center.

10 16-302.1.

11 (a) (3) "Board" means:

- 12 (i) A board of community college trustees established under §
13 16-101 of this title;
- 14 (ii) A board of regional community college trustees established under
15 § 16-202 of this title;
- 16 (iii) The **RESTRUCTURING** Board [of Trustees] of [the] Baltimore
17 City Community College established under § 16-504 of this title; and
- 18 (iv) The Board of Trustees of the College of Southern Maryland
19 established under § 16-604 of this title.

20 16-501.

21 (a) The establishment of Baltimore City Community College is based on the
22 findings and policies set forth in this section.

23 (b) (1) Public higher education should be accessible to all those who seek and
24 qualify for admission.

25 (2) There is a need for an effective comprehensive urban community college
26 in Baltimore City offering educational programs that will stimulate the participation of
27 individuals, be responsive to the needs of the community, and afford open access to
28 individuals with a variety of educational backgrounds.

29 (3) Businesses in the Baltimore metropolitan area are undergoing an
30 economic transition and need and must be ready to make extensive use of and provide
31 financial support for an effective, well-managed urban institution to train and educate

1 their employees and prospective employees in skills and fields of study of importance to the
2 region's business community.

3 (4) A partnership between the State and business community is essential
4 to attain the requisite level of financial support to create and sustain a quality institution
5 that is responsive to the technological and continuing education needs of businesses.

6 (c) The purpose of the College is to provide quality, accessible, and affordable
7 education to the citizens of Baltimore in the areas of basic skills, technical and career
8 education, continuing education, and the arts and sciences.

9 16-502.

10 (a) In this subtitle the following words have the meanings indicated.

11 (b) "Board [of Trustees]" means the **RESTRUCTURING** Board [of Trustees] of
12 Baltimore City Community College.

13 (c) "College" means Baltimore City Community College, formerly known as the
14 New Community College of Baltimore.

15 (d) "Commission" means the Maryland Higher Education Commission.

16 (e) "Full-time equivalent student" means the quotient of the number of student
17 credit hours produced in the fiscal year 2 years prior to the fiscal year for which the State
18 appropriation is calculated divided by 30, as certified by the Maryland Higher Education
19 Commission.

20 (f) "Officer" means the president and the vice presidents of the College and other
21 officers as shall be appointed by the Board [of Trustees].

22 (g) "Secretary" means the Secretary of Higher Education.

23 (h) "State appropriation" means the amount of money for Baltimore City
24 Community College operating funds to be provided each fiscal year to the Board [of
25 Trustees] by the State.

26 (i) "Student credit hours" means student credit hours or contact hours which are
27 eligible, under the regulations issued by the Maryland Higher Education Commission, for
28 inclusion in State funding calculations.

29 16-504.

30 (a) The government of the College is vested in the Board [of Trustees of the
31 College].

1 (b) (1) The Board [of Trustees consists of nine members appointed by the
2 Governor with the advice and consent of the Senate.

3 (2) Of the members:

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

5 (ii) A majority shall be residents of Baltimore City; and

6 (iii) One shall be a regularly enrolled student in good standing at the
7 College] **CONSISTS OF SEVEN MEMBERS APPOINTED JOINTLY BY THE GOVERNOR**
8 **AND THE MAYOR OF BALTIMORE CITY WITH THE ADVICE AND CONSENT OF THE**
9 **SENATE.**

10 **(2) THE MEMBERS OF THE BOARD SHALL BE AS FOLLOWS:**

11 **(I) ONE FORMER PRESIDENT OF AN INSTITUTION OF HIGHER**
12 **EDUCATION IN THE STATE;**

13 **(II) ONE INDIVIDUAL WITH A BACKGROUND IN PROCUREMENT**
14 **AND FINANCE;**

15 **(III) ONE INDIVIDUAL WITH A BACKGROUND IN WORKFORCE**
16 **DEVELOPMENT;**

17 **(IV) ONE HIGH LEVEL EXECUTIVE FROM A LARGE EMPLOYER**
18 **LOCATED IN BALTIMORE CITY;**

19 **(V) ONE INDIVIDUAL WITH A BACKGROUND IN**
20 **REORGANIZATION AND RESTRUCTURING; AND**

21 **(VI) TWO MEMBERS OF THE BOARD OF TRUSTEES OF**
22 **BALTIMORE CITY COMMUNITY COLLEGE AS IT EXISTED ON FEBRUARY 1, 2017.**

23 (c) [(1) The student member shall have a term of 1 year beginning July 1 and
24 ending on June 30.

25 (2) Except for the student member, the term is 6 years from July 1 of the
26 year of appointment and until a successor is appointed and qualifies.

27 (3) The terms of the members are staggered, as required by the terms
28 provided for members of the Board on July 1, 1992.

29 (4) A member appointed to fill a vacancy in an unexpired term serves only
30 for the remainder of that term or until a successor is appointed and qualifies.

1 (5) A member may be reappointed but may not serve more than 2
2 consecutive full terms] **EACH MEMBER OF THE BOARD SHALL SERVE FOR THE**
3 **DURATION OF THE BOARD.**

4 (d) Each member of the Board [of Trustees]:

5 (1) Serves without compensation; and

6 (2) Is entitled to reimbursement for expenses in accordance with the
7 Standard State Travel Regulations.

8 (e) [Each year the] **THE** Board [of Trustees]:

9 (1) Shall elect one of its [nonstudent] members as its [chairman] **CHAIR**;
10 and

11 (2) May elect any other officers it requires.

12 (f) (1) The Board [of Trustees] shall meet regularly at such times and places
13 as it determines.

14 (2) The Board [of Trustees] may adopt rules for the conduct of its meetings
15 and the transaction of business.

16 (g) A majority of the voting members shall constitute a quorum for the
17 transaction of business.

18 16-505.

19 (a) In addition to the other powers granted and duties imposed by this title, [and
20 subject to the authority of the Commission,] the Board [of Trustees] has the powers and
21 duties set forth in this section.

22 (b) [(1)] The Board [of Trustees] shall exercise general control over the College
23 and establish broad policy and long-range planning to effect the efficient operation of the
24 College.

25 [(2)] The Board of Trustees may not participate in the day-to-day operations
26 of the College.]

27 (c) (1) [The] **NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS**
28 **SUBTITLE, THE** Board [of Trustees] shall:

29 (I) **ON OR BEFORE DECEMBER 1, 2018:**

1 1. **SELECT A NEW PRESIDENT IN ACCORDANCE WITH**
2 **THE CRITERIA LISTED UNDER § 16-505.1(A) OF THIS SUBTITLE AND SUBJECT TO**
3 **THE LIMITATION OF § 16-505.1(B) OF THIS SUBTITLE; AND**

4 2. **DEVELOP A NEW STRATEGIC PLAN FOR THE COLLEGE**
5 **IN CONSULTATION WITH THE NEW PRESIDENT SELECTED UNDER ITEM 1 OF THIS**
6 **ITEM;**

7 (ii) **REVIEW, ELIMINATE IF NEEDED, AND STRATEGICALLY**
8 **FOCUS CORE OFFERINGS OF THE COLLEGE ON THE NEEDS OF:**

9 1. **STUDENTS AT THE COLLEGE; AND**

10 2. **THE WORKFORCE IN BALTIMORE CITY;**

11 (iii) **MAKE WORKFORCE DEVELOPMENT AND JOB PLACEMENT**
12 **TOP EDUCATIONAL PRIORITIES OF THE COLLEGE;**

13 (iv) **IMPROVE STUDENT PATHWAYS TO SUCCESS, INCLUDING**
14 **REMEDIAL EDUCATION, ATTAINMENT OF A DEGREE OR A POSTSECONDARY**
15 **CERTIFICATE, AND TRANSFER TO 4-YEAR INSTITUTIONS OF HIGHER EDUCATION;**

16 (v) **ENTER INTO MEMORANDA OF UNDERSTANDING IN ORDER**
17 **TO ESTABLISH STUDENT PATHWAYS TO SUCCESS WITH THE BALTIMORE CITY**
18 **PUBLIC SCHOOL SYSTEM, INSTITUTIONS OF HIGHER EDUCATION, AND EMPLOYERS;**

19 (vi) **ALIGN THE BUDGET OF THE COLLEGE WITH REALISTIC**
20 **ENROLLMENT PROJECTIONS;**

21 (vii) **ENGAGE IN A COMPREHENSIVE REVIEW OF ALL POSITIONS,**
22 **FACULTY, AND STAFF AT THE COLLEGE;**

23 (viii) **ESTABLISH STRONG RELATIONSHIPS WITH KEY**
24 **STAKEHOLDERS, INCLUDING:**

25 1. **THE MAYOR OF BALTIMORE CITY;**

26 2. **THE MAYOR'S OFFICE OF EMPLOYMENT**
27 **DEVELOPMENT;**

28 3. **THE BALTIMORE CITY PUBLIC SCHOOL SYSTEM;**

1 4. **INSTITUTIONS OF HIGHER EDUCATION LOCATED IN**
2 **BALTIMORE CITY;**

3 5. **STATE AGENCIES, INCLUDING THE DEPARTMENT OF**
4 **LABOR, LICENSING, AND REGULATION;**

5 6. **PRIVATE EMPLOYERS; AND**

6 7. **BUSINESS AND COMMUNITY ORGANIZATIONS;**

7 **(IX) REBUILD AND MARKET THE BRAND OF THE COLLEGE;**

8 **(X) ADDRESS THE INFORMATION TECHNOLOGY AND**
9 **INFRASTRUCTURE NEEDS OF THE COLLEGE, INCLUDING WHETHER OVERSIGHT BY**
10 **THE DEPARTMENT OF INFORMATION TECHNOLOGY IS ADVISABLE;**

11 **(XI) DEVELOP OR SELL ALL UNUSED OR UNDERUTILIZED REAL**
12 **ESTATE HOLDINGS, INCLUDING THE INNER HARBOR SITE;**

13 **(XII) IDENTIFY ANY BARRIERS IN STATE OR LOCAL LAWS OR**
14 **REGULATIONS THAT IMPEDE THE ABILITY OF THE COLLEGE TO OPERATE**
15 **EFFICIENTLY AND EFFECTIVELY, INCLUDING PROCUREMENT AND CAPITAL**
16 **CONSTRUCTION PROJECTS;**

17 **(XIII) RECOMMEND THE APPROPRIATE STRUCTURE AND**
18 **COMPOSITION OF A NEWLY CONSTITUTED BOARD OF TRUSTEES;**

19 **(XIV) ENSURE A SEAMLESS TRANSITION BETWEEN THE**
20 **RESTRUCTURING BOARD AND THE NEWLY CONSTITUTED BOARD OF TRUSTEES;**

21 **[(i)] (XV)** Adopt reasonable rules, regulations, and bylaws to carry
22 out the provisions of this subtitle and §§ 10–204 and 10–211 of this article; and

23 **[(ii)] (XVI)** Keep separate records and minutes.

24 (2) Except with respect to skilled service employee grievance appeals, Title
25 10, Subtitles 1 and 2 of the State Government Article (“Administrative Procedure Act”) does
26 not apply to the Board [of Trustees].

27 (d) (1) Subject to the provisions of paragraph (2) of this subsection and the
28 provisions of § 16–511(d)(3) of this subtitle, the Board [of Trustees] may receive, purchase,
29 lease, or otherwise acquire property it considers necessary or useful for the operation of the
30 College.

1 (2) Subject to appropriations and the prior approval of the Board of Public
2 Works, the Board [of Trustees] may receive, purchase, lease, or otherwise acquire real
3 property.

4 (e) (1) The Board [of Trustees] may sell, lease, encumber, or otherwise dispose
5 of assets or property of the College, other than any real property, improvement to real
6 property, or license.

7 (2) Subject to the prior approval of the Board of Public Works, the Board
8 may sell, lease, encumber, or otherwise dispose of any real property, improvement to real
9 property, or license of the College.

10 (3) (i) All proceeds and income from any sale, lease, disposition,
11 encumbrance, or development of any property, right, or interest of the College shall be used
12 for the benefit of the College and may not revert to the general funds of the State or be
13 applied to the Annuity Bond Fund of the State.

14 (ii) 1. The proceeds and income from the sale of any real
15 property, improvement to real property, or license of the College shall be deposited in a
16 special fund.

17 2. The principal of the special fund may be used for capital
18 expenditures, subject to the approval of the Board of Public Works on a pay-as-you-go
19 basis, and may not be used to pay the operating expenses of the College.

20 3. The Board [of Trustees] shall develop the commercial
21 potential of the Inner Harbor site **OR DETERMINE THAT THE INNER HARBOR SITE**
22 **SHOULD BE SOLD** to maximize revenue to the College without jeopardizing the educational
23 mission of the College.

24 (f) The Board [of Trustees] may apply for, accept, and spend any gift or grant
25 from any government, foundation, or person.

26 (g) (1) The Board [of Trustees] shall fix the tuition and fees to be paid by
27 students and shall do so with a view to making college education available at low cost.

28 (2) (i) Except as otherwise provided in paragraph (4) of this subsection,
29 the Board [of Trustees] shall assess each student who is not a resident of this State, in
30 addition to the student tuition and fees paid by residents, an out-of-state fee at least equal
31 to 60 percent of the amount of State support for the College per full-time equivalent
32 student.

33 (ii) The Board [of Trustees] may waive the out-of-state fee as
34 determined in subparagraph (i) of this paragraph for a student who is employed by a
35 business located in the City of Baltimore.

1 (iii) Any student attending the College who receives a tuition waiver
2 as provided by subparagraph (ii) of this paragraph shall not be included as an in-State
3 resident for computation of State aid to the College in accordance with § 16-512 of this
4 subtitle.

5 (iv) The Board [of Trustees] may waive the out-of-state fee as
6 determined in subparagraph (i) of this paragraph for a student who resides in the State but
7 does not meet the in-State residency requirement for tuition purposes and has moved to
8 the State as an employee or a family member of an employee as part of the Base
9 Realignment and Closure process as announced by the United States Department of
10 Defense.

11 (v) Any student attending the College who receives a tuition waiver
12 under subparagraph (iv) of this paragraph shall be included as an in-State resident for
13 computation of State aid to the College in accordance with § 16-512 of this subtitle.

14 (3) For purposes of this subsection, the number of full-time equivalent
15 students is the quotient of the number of student credit hours produced in the fiscal year
16 divided by 30.

17 (4) A student who is not a resident of the State shall be considered a
18 resident for purposes of assessing tuition and fees to the extent that such student would be
19 eligible for in-county status under the provisions of § 16-310(a)(3) or (f) of this title.

20 (5) The Board [of Trustees] shall set tuition and fees for students who are
21 residents of counties in this State other than Baltimore City at the same rate as the tuition
22 and fees charged to students who reside in Baltimore City.

23 (h) (1) **[The] IN ACCORDANCE WITH § 16-505.1 OF THIS SUBTITLE, THE**
24 **Board [of Trustees] shall appoint a President of the College who shall be the Chief**
25 **Executive Officer of the College and the Chief of Staff for the Board [of Trustees].**

26 (2) The Board [of Trustees] may create other offices in the College and
27 provide for the appointment of qualified persons to those offices.

28 (3) (i) The Board [of Trustees] shall appoint an interim president to
29 carry out the duties of the President within 90 days after the office of the President becomes
30 vacant.

31 (ii) The interim president may not be a member of the Board [of
32 Trustees].

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

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

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

6 (iv) By September 1 of each year, the Board [of Trustees] shall
7 submit an annual position accountability report to the Department of Budget and
8 Management, in accordance with § 2–1246 of the State Government Article, the
9 Department of Legislative Services, and the Commission reporting the total positions
10 created and the cost and the funding source for any positions created by the College in the
11 previous fiscal year.

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

14 (i) Subject to the authority of the Commission, the Board [of Trustees] may:

15 (1) Establish entrance requirements for the College;

16 (2) Approve courses and programs;

17 (3) Adopt and change curricula;

18 (4) Establish and change requirements for the awarding of credits and
19 degrees and for graduation;

20 (5) Work with the Commission to establish cooperative program
21 agreements that qualify as statewide programs in accordance with § 16–310(d) of this title;
22 and

23 (6) Develop effective relationships and cooperative programs with the
24 Baltimore City Public School System to assure that high school students are encouraged to
25 enroll in the College.

26 (j) The Board [of Trustees] may fix the salaries and terms of employment of the
27 President, faculty, and officers of the College.

28 (k) In addition to any performance evaluation required by regulation of the
29 Department of Budget and Management, the Board [of Trustees] shall evaluate the
30 performance of the faculty of the College in a form developed in cooperation with the
31 Commission.

32 (l) The Board [of Trustees] may enter into contracts or delegate that authority to
33 the President.

1 (m) On the recommendation of the President, the Board [of Trustees] shall
2 designate one or more representatives to participate as a party in collective bargaining on
3 behalf of the College in accordance with Title 3 of the State Personnel and Pensions Article.

4 **16-505.1.**

5 (A) AT A MINIMUM, THE PRESIDENT OF THE COLLEGE SHALL MEET THE
6 FOLLOWING CRITERIA:

7 (1) A COMMITMENT TO LIFELONG LEARNING AND ACHIEVEMENT;

8 (2) ACADEMIC LEADERSHIP SKILLS TO DETERMINE FUTURE
9 PRIORITIES, STRATEGIC INITIATIVES, NEW PROGRAMS OR METHODS OF PROGRAM
10 DELIVERY, AND EVALUATION OF ACCOUNTABILITY FOR CURRENT PROGRAMS;

11 (3) THE VISION AND SKILLS TO DEVELOP AND IMPLEMENT A FOCUS,
12 VISION, AND STRATEGIES FOR THE COLLEGE THAT ADDRESS THE CRITICAL
13 ACADEMIC, CAREER, AND CONTINUING EDUCATION ROLES OF THE COLLEGE;

14 (4) THE ABILITY TO ARTICULATE EFFECTIVELY THE COLLEGE'S
15 FOCUS, VISION, AND STRATEGIES FOR THE FUTURE TO A WIDE RANGE OF
16 STAKEHOLDERS AND THE PUBLIC;

17 (5) THE ABILITY TO DEVELOP NEW AND IMPROVED PARTNERSHIPS
18 BETWEEN THE COLLEGE AND BALTIMORE CITY, THE BALTIMORE CITY PUBLIC
19 SCHOOL SYSTEM, INSTITUTIONS OF HIGHER EDUCATION LOCATED IN BALTIMORE
20 CITY, BUSINESS AND WORKFORCE SECTORS, RELIGIOUS, CIVIC, AND PROFESSIONAL
21 COMMUNITIES, AND THE STATE;

22 (6) THE ABILITY TO ENHANCE THE COLLEGE'S ROLE IN THE
23 CONTINUING ECONOMIC AND WORKFORCE DEVELOPMENT OF THE REGION,
24 INCLUDING UPGRADING THE SKILLS OF YOUNG PEOPLE AND ADULTS TO OBTAIN
25 EMPLOYMENT THAT SUPPORTS FAMILIES AND ATTRACTS NEW EMPLOYERS TO THE
26 REGION; AND

27 (7) A DEDICATION TO SERVING ALL OF THE STAKEHOLDERS OF THE
28 COLLEGE IN BALTIMORE CITY AND THE STATE.

29 (B) THE NEW PRESIDENT OF THE COLLEGE MAY NOT BE A MEMBER OF THE
30 RESTRUCTURING BOARD OR A MEMBER OF THE BOARD OF TRUSTEES OF THE
31 COLLEGE, AS IT EXISTED ON FEBRUARY 1, 2017.

32 **16-505.2.**

1 **ON OR BEFORE DECEMBER 1 EACH YEAR, THE BOARD SHALL REPORT TO THE**
2 **GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT**
3 **ARTICLE, TO THE GENERAL ASSEMBLY REGARDING ITS PROGRESS IN**
4 **IMPLEMENTING THE DUTIES AND RESPONSIBILITIES LISTED UNDER § 16-505(C) OF**
5 **THIS SUBTITLE.**

6 16-506.

7 (a) The President of the College shall:

8 (1) Report directly to the Board [of Trustees] and be the sole liaison
9 between the Board [of Trustees] and the College's faculty, administrators, and staff;

10 (2) Be responsible and accountable to the Board [of Trustees] for the
11 discipline and successful conduct of the College and supervision of each of its departments;

12 (3) Take every initiative in:

13 (i) Implementing the policies of the Board [of Trustees] and the
14 College; and

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

16 (4) Hire and discharge faculty and employees as authorized by the Board
17 [of Trustees];

18 (5) Attend all meetings of the Board [of Trustees], except that the
19 President may be excused by the Board [of Trustees] from discussions concerning the
20 President or the position of President; and

21 (6) Carry out other duties as authorized by the Board [of Trustees].

22 (b) The President may delegate any portion of the President's authority to other
23 officers of the College, subject to the right of the President or the Board [of Trustees] to
24 rescind or modify the delegation in whole or in part at any time.

25 16-507.

26 (a) For each fiscal year, the President shall prepare and the Board [of Trustees]
27 shall review, modify, as necessary, and approve an operating budget and a capital budget
28 for the College.

29 (c) The President and Board [of Trustees] shall submit the operating and capital
30 budgets to the Commission in accordance with the provisions of § 11-105(i) of this article.

1 16-511.

2 (a) The College possesses all of the property, assets, immunities, defenses,
3 licenses, credits, and rights of the New Community College of Baltimore, including those
4 transferred to the Board of Trustees of the New Community College of Baltimore by the
5 City of Baltimore and the Board of Trustees of the Community College of Baltimore under
6 Chapter 220 of the Acts of the General Assembly of 1990.

7 (b) (1) (i) The Board [of Trustees of the College] may, in its discretion,
8 assume such liabilities and obligations of the Community College of Baltimore as the Board
9 considers necessary or useful.

10 (ii) Except as otherwise provided in subsection (d) of this section, the
11 Board [of Trustees] may assume such liabilities or obligations only if the nature and terms
12 of the obligations or liabilities to be assumed are consistent with the laws and regulations
13 of the State.

14 (2) No liability, contract, or obligation of the Community College of
15 Baltimore shall be a liability, contract, or obligation of the College unless such liability,
16 contract, or obligation is expressly assumed by action of the Board [of Trustees of the
17 College].

18 (c) Baltimore City shall indemnify and hold harmless the State, **THE BOARD**, the
19 Board of Trustees of the New Community College of Baltimore, the New Community
20 College of Baltimore, the Board of Trustees of Baltimore City Community College, and
21 Baltimore City Community College for any judgments, damages, liens, settlements, and
22 other costs, including attorney's fees, arising from the operations of the Community College
23 of Baltimore, or the actions of the Board of Trustees of the Community College of Baltimore,
24 or their employees, officers, or agents.

25 (d) (1) In this subsection, "procurement" and "procurement contract" have the
26 meanings stated in § 11-101 of the State Finance and Procurement Article.

27 (2) Before July 1, 1991, the Board [of Trustees] may, in its discretion,
28 assume as assignee any procurement contract entered into by or on behalf of the
29 Community College of Baltimore prior to July 1, 1990. The Board [of Trustees] may assume
30 such procurement contracts without regard to whether the contracts conform to the
31 requirements of Division II of the State Finance and Procurement Article (The "General
32 Procurement Law") and the regulations adopted under that law.

33 (3) Except for contracts assumed under paragraph (2) of this subsection,
34 procurement by the College shall be in accordance with Division II of the State Finance and
35 Procurement Article and the regulations issued pursuant to that article.

36 16-512.

1 (c) The State shall distribute the State appropriation under this subsection to the
2 Board [of Trustees of Baltimore City Community College] on a quarterly basis.

3 (d) (3) (i) Beginning on July 1, 2006, the City of Baltimore shall be
4 responsible for providing at least \$1,000,000 in each fiscal year to support education at the
5 College.

6 (ii) Of this amount, in each fiscal year, at least \$400,000 shall be
7 expended and administered by the College for tuition reimbursement or scholarships to
8 attend classes at the College, and the remaining balance shall be expended in a manner
9 consistent with the educational mission of the College.

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

12 (iv) The Board [of Trustees] shall submit an annual report on or
13 before December 31 to the Director of Finance for the City of Baltimore regarding the
14 expenditures made under this paragraph.

15 16–513.

16 (c) (1) In consultation with the Secretary of State Police and the Maryland
17 Police Training Commission, the Board [of Trustees] shall adopt standards, qualifications,
18 and prerequisites of character, training, education, human and public relations, and
19 experience for Baltimore City Community College police officers, including standards for
20 the performance of their duties.

21 (2) To the extent practicable, the Board shall adopt standards that are
22 similar to the standards adopted for the Department of State Police.

23 (d) The Board [of Trustees] shall adopt regulations governing the operation and
24 conduct of the Baltimore City Community College police force and of Baltimore City
25 Community College police officers.

26 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of each member of
27 the Board of Trustees of Baltimore City Community College shall expire on the effective
28 date of this Act.

29 SECTION 3. AND BE IT FURTHER ENACTED, That the publisher of the
30 Annotated Code of Maryland, in consultation with and subject to the approval of the
31 Department of Legislative Services, shall correct, with no further action required by the
32 General Assembly, cross-references and terminology rendered incorrect by this Act or any
33 other Act of the General Assembly of 2017 that affects provisions enacted by this Act. The
34 publisher shall adequately describe any such correction in an editor's note following the
35 section affected.

1 SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency
2 measure, is necessary for the immediate preservation of the public health or safety, has
3 been passed by a yea and nay vote supported by three-fifths of all the members elected to
4 each of the two Houses of the General Assembly, and shall take effect from the date it is
5 enacted. It shall remain effective through June 30, 2020, and, at the end of June 30, 2020,
6 with no further action required by the General Assembly, this Act shall be abrogated and
7 of no further force and effect.