

HOUSE BILL 999

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8lr3472

By: **Delegates Haynes, Conaway, Glenn, Hayes, R. Lewis, McCray, and M. Washington**

Introduced and read first time: February 7, 2018

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Chief Executive Officer of the Baltimore City Board of School**
3 **Commissioners – Title Change**

4 FOR the purpose of altering the title of the Chief Executive Officer of the Baltimore City
5 Board of School Commissioners to be the Superintendent of the Baltimore City Board
6 of School Commissioners; altering certain definitions; requiring the publisher of the
7 Annotated Code of Maryland, in consultation with and subject to the approval of the
8 Department of Legislative Services, to correct any cross–references or terminology
9 rendered incorrect by this Act and to describe any corrections made in an editor’s
10 note following the section affected; and generally relating to the title change of the
11 Chief Executive Officer of the Baltimore City Board of School Commissioners.

12 BY repealing and reenacting, without amendments,
13 Article – Education
14 Section 1–101(a), 4–102(a)(1), 4–319(b), and 16–504(a)
15 Annotated Code of Maryland
16 (2014 Replacement Volume and 2017 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Education
19 Section 1–101(e), 4–102(a)(2), 4–301, 4–304, 4–319(c) and (g), and 16–504(b)(1)
20 Annotated Code of Maryland
21 (2014 Replacement Volume and 2017 Supplement)

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

24 **Article – Education**

25 1–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) In this article, unless the context requires otherwise, the following words have
2 the meanings indicated.

3 (e) “County superintendent” means the county superintendent of schools of a
4 county and includes the [Chief Executive Officer] **SUPERINTENDENT** of the Baltimore
5 City Board of School Commissioners.

6 4–102.

7 (a) (1) Except in Baltimore City, the county superintendent is the executive
8 officer, secretary, and treasurer of the county board.

9 (2) (i) In Baltimore City, the [Chief Executive Officer]
10 **SUPERINTENDENT** of the Baltimore City Board of School Commissioners is the executive
11 officer, secretary, and treasurer of the Board of School Commissioners.

12 (ii) The [Chief Executive Officer] **SUPERINTENDENT** shall have the
13 powers and duties imposed under this article.

14 (iii) The [Chief Executive Officer] **SUPERINTENDENT** is not a public
15 officer under the Constitution or the laws of the State.

16 4–301.

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

18 (b) “Board” means the Baltimore City Board of School Commissioners of the
19 Baltimore City Public School System.

20 (c) “Bonds” means revenue bonds, refunding bonds, certificates, notes, demand
21 notes, commercial paper, other evidence of indebtedness, and, where applicable, bond
22 anticipation notes.

23 [(d) “Chief Executive Officer” means the Chief Executive Officer of the Baltimore
24 City Board of School Commissioners.]

25 [(e)] **(D)** “Costs” as applied to any project means all costs of the project,
26 including:

27 (1) The cost of acquisition, construction, reconstruction, equipping,
28 maintenance, repair, and renovation;

29 (2) The cost of acquisition of all land, rights-of-way, property rights,
30 easements, and interests acquired by the board;

1 (3) Finance charges and interest prior to and during construction and for 1
2 year after completion of construction;

3 (4) The cost of architectural, engineering, and legal expenses, plans,
4 specifications, feasibility studies, surveys, estimates of costs and revenue, and other
5 expenses necessary or desirable for determining the feasibility or practicability of
6 construction of any project;

7 (5) Reserves for the payment of debt service, operating reserves, and repair
8 and replacement funds; and

9 (6) Administrative expenses and other expenses necessary or allocable to
10 any project, the financing or refinancing of any project, the issuance of bonds, and the
11 placing of any project in operation.

12 [(f)] (E) "Project" means the acquisition, construction, reconstruction,
13 equipping, maintenance, repair, or renovation of any public school facility.

14 [(g)] (F) "Public school facility" means a building, parking facility, athletic
15 facility, testing facility, or other facility in the City of Baltimore, now existing or hereafter
16 acquired or constructed, that is used by the board in relation to the education of students
17 in the Baltimore City Public School System.

18 (G) "SUPERINTENDENT" MEANS THE SUPERINTENDENT OF THE
19 BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS.

20 4-304.

21 (a) There is a [Chief Executive Officer] SUPERINTENDENT of the board.

22 (b) The [Chief Executive Officer] SUPERINTENDENT shall:

23 (1) Be responsible for the overall administration of the Baltimore City
24 Public School System;

25 (2) Report directly to the board;

26 (3) Be a member of the cabinet of the Mayor; and

27 (4) Designate individuals with primary responsibility for each of the
28 following functions:

29 (i) Management and administration of the Baltimore City Public
30 School System;

31 (ii) Assessment and accountability of the academic performance of

1 the students in the Baltimore City Public School System;

2 (iii) Provision of services to students with disabilities in accordance
3 with federal and State law;

4 (iv) Development and implementation of initiatives for educational
5 reform; and

6 (v) Professional hiring and development.

7 (c) Notwithstanding the provisions of subsection (b)(4) of this section, the [Chief
8 Executive Officer] **SUPERINTENDENT** and the board shall be held accountable for the
9 delegated functions.

10 (d) The board shall employ the [Chief Executive Officer] **SUPERINTENDENT** and
11 establish the salary of the [Chief Executive Officer] **SUPERINTENDENT** at an amount
12 commensurate with the credentials, experience, and prior positions of responsibility of the
13 [Chief Executive Officer] **SUPERINTENDENT**.

14 (e) The employment contract of the [Chief Executive Officer] **SUPERINTENDENT**
15 shall provide, at a minimum, that continued employment is contingent on demonstrable
16 improvement in the academic performance of the students in the Baltimore City Public
17 School System and the successful management of the Baltimore City public schools.

18 (f) The initial contract and any renewal may not exceed 4 years.

19 4–319.

20 (b) There is a Baltimore City Alternative Learning Center in the Baltimore City
21 School System.

22 (c) (1) The [Chief Executive Officer] **SUPERINTENDENT** of the Baltimore
23 City Board of School Commissioners shall appoint a Director of the Center.

24 (2) The Director may employ a staff or retain consultants, including
25 psychologists, social workers, guidance counselors, and teachers.

26 (g) The [Chief Executive Officer] **SUPERINTENDENT** shall report annually to the
27 members of the Baltimore City Delegation in the General Assembly on the progress of the
28 students in the Center.

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 voting members:

2 (i) Six members appointed by the Governor with the advice and
3 consent of the Senate, including the student member;

4 (ii) One member jointly appointed by the President of the Senate and
5 the Speaker of the House of Delegates, who shall serve as chair of the Board;

6 (iii) The [Chief Executive Officer] **SUPERINTENDENT** of the
7 Baltimore City Public Schools, or the [Chief Executive Officer's] **SUPERINTENDENT'S**
8 designee, who shall serve as an ex officio member; and

9 (iv) The Executive Director of the Mayor's Office of Employment
10 Development, who shall serve as an ex officio member.

11 SECTION 2. AND BE IT FURTHER ENACTED, That the publisher of the
12 Annotated Code of Maryland, in consultation with and subject to the approval of the
13 Department of Legislative Services, shall correct, with no further action required by the
14 General Assembly, cross-references and terminology rendered incorrect by this Act or by
15 any other Act of the General Assembly of 2018 that affects provisions enacted by this Act.
16 The publisher shall adequately describe any correction that is made in an editor's note
17 following the section affected.

18 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
19 1, 2018.