

BALTIMORE CITY PUBLIC SCHOOLS

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of School Commissioners

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**Testimony of the
Baltimore City Board of School Commissioners
Support with Amendment
Senate Bill 31
Baltimore City Board of School Commissioners – Student Members and Task
Force to Study Compensation**

January 24, 2023

The Baltimore City Board of School Commissioners (the Board) supports Senate Bill 31 and encourages passage of the legislation.

The City School Board wants to continue to promote the student member's ability to make serving on the school board a learning opportunity. The student member, even with the current restrictions in the law, serves on the Board's Policy Committee and votes on policies that are before the school board. The Policy Committee is one of the most important committees of the Board as it provides the overall direction for the school system and provides guidance to the CEO as she manages the daily activities of the school system.

The Board recognizes the importance of having a student member participate in the majority of voting decisions and does agree with the legislation that the only restriction the student should have is on collective bargaining and personnel.

Over the last year, the Board has worked with staff to look at how to manage and operate a schoolwide election. We have also tasked staff, over the last year, to work with the Associated Student Congress of Baltimore City and other student government associations to bring about greater participation in student government. Last year, the Board testified that it wanted a year to explore working with student government associations to build stronger and more robust organizations. The veto allowed the Board this time. Interest has increased and a broader representation of the student body in government associations has begun.

This year, the Board will become a hybrid board, i.e. combination of elected and appointed members. With the addition of two elected school board members coming to the City School Board this year, the Board does agree that a compensation study should be conducted.

The amendment that the Board is seeking in no way removes or changes anything in the current bill. The amendment request is to seek a definition of a "full term." Currently appointed board commissioners may serve two consecutive full three year terms. The law also allows the Mayor 60 days after the completion of a board member's term to appoint another from a list of individuals submitted by the Community Panel. However, if the Mayor does not select anyone from that list, the Mayor may convene another panel for a list of candidates. The issue currently is that there have been many appointments that have occurred one or two years after the conclusion of a person's term. In fact, the average for appointments has been over 200 days since a term has ended. There have also been several members appointed over 400 days since the end of the term. This delay means that the newly appointed member has a much shortened first

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term. There are several issues when the appointments take this long in such a large school system. The complexities of a large school system require a significant amount of time for a commissioner to become fully oriented to the activities and efforts over which they provide. Oversight and the process of implementing change within a large school system is a deliberate process that requires a meaningful amount of time and should not be rushed or otherwise hurried and reducing a commissioner's time has a significant potential to negatively impact the likelihood of a commissioner being able to provide the long-term planning, oversight, and implementation of policy and governance changes.

The Board has spoken with the sponsor to notify the Senator that it intends to seek an amendment to address this challenge. Caselaw is clear that even if an individual is appointed after the start of the term, the date of appointment reverts to the date the person should have been appointed. So, for example, if an individual term ended July 1, 2021 and a new individual was not appointed until August 2022, the law states that the start date reverts back to July 1, 2021.

The language in the section for the appointments of the Baltimore City School Board members currently states "that to the extent practicable the Mayor shall appoint within 60 days of the date of the vacancy from a list of qualified individuals submitted to the Mayor by the panel." However, the law allows the Mayor to not select from the panel recommendations and ask the panel to find other individuals. The Board seeks an amendment that states that "if the Mayor elects not to appoint a member from a list submitted by the panel or within 60 days after the completion of a board member's term and that subsequent appointment happens more than one year after the vacancy, the appointed member may fulfill the remainder of the term and be eligible to be reappointed for two consecutive three year terms. The Board believes this is only prudent.

Based upon the foregoing, the Baltimore City Board of School Commissioners supports, with amendment, Senate Bill 31 and urges a favorable report.

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