

HOUSE BILL 433

F3

2lr1009
CF SB 157

By: **Delegate Wells**

Introduced and read first time: January 20, 2022

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2022

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City Board of School Commissioners – Student Members and Task**
3 **Force to Study Compensation and Student Members**

4 FOR the purpose of altering ~~the number of~~, the voting rights of, and the process for selecting
5 a student ~~members~~ member of the Baltimore City Board of School Commissioners;
6 establishing the Task Force to Study Compensation ~~for~~ and Student Members of the
7 Baltimore City Board of School Commissioners; and generally relating to the
8 Baltimore City Board of School Commissioners.

9 BY repealing and reenacting, without amendments,
10 Article – Education
11 Section 3–108.1(c) and (n)
12 Annotated Code of Maryland
13 (2018 Replacement Volume and 2021 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Education
16 Section 3–108.1(d) and (m)
17 Annotated Code of Maryland
18 (2018 Replacement Volume and 2021 Supplement)

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

21 **Article – Education**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 3-108.1.

2 (c) There is a Baltimore City Board of School Commissioners of the Baltimore
3 City Public School System.

4 (d) (1) The board consists of:

5 (i) Except as provided in paragraph (2) of this subsection, nine
6 voting members appointed by the Mayor from a list of qualified individuals submitted to
7 the Mayor by the panel;

8 (ii) Two elected voting members; and

9 (iii) ~~One~~ **TWO** voting student [member appointed] ~~MEMBERS~~
10 **MEMBER ELECTED** as provided in subsection (m) of this section.

11 (2) If the Mayor elects not to appoint a member from a list submitted by
12 the panel under paragraph (1)(i) of this subsection, the Mayor shall reconvene the panel to
13 submit additional names of qualified candidates.

14 (m) (1) ~~(H)~~ The student ~~[member]~~ ~~MEMBERS~~ shall be ~~[a student]~~
15 **REGULARLY** enrolled ~~STUDENTS IN THEIR JUNIOR OR SENIOR YEAR OF HIGH SCHOOL~~
16 in the Baltimore City Public School System who shall be [selected by the Associated
17 Student Congress of Baltimore City] **ELECTED BY THE MIDDLE AND HIGH SCHOOL**
18 **STUDENTS OF THE CITY, IN ACCORDANCE WITH THIS PARAGRAPH PROCEDURES**
19 **ESTABLISHED BY THE BOARD IN COLLABORATION WITH THE ASSOCIATED STUDENT**
20 **CONGRESS OF BALTIMORE CITY.**

21 ~~(H) 1. THE NOMINATION AND ELECTION PROCESS FOR THE~~
22 ~~STUDENT MEMBERS SHALL:~~

23 ~~A. BE AS AGREED ON BY THE BOARD AND THE~~
24 ~~ASSOCIATED STUDENT CONGRESS OF BALTIMORE CITY; AND~~

25 ~~B. INCLUDE A PROCESS TO REPLACE ONE OF THE FINAL~~
26 ~~CANDIDATES IF THEY ARE UNABLE TO PROCEED IN THE ELECTION.~~

27 ~~2. ANY STUDENT ENROLLED IN A MIDDLE OR HIGH~~
28 ~~SCHOOL IN THE BALTIMORE CITY PUBLIC SCHOOL SYSTEM MAY:~~

29 ~~A. NOMINATE A STUDENT MEMBER CANDIDATE;~~

30 ~~B. VOTE FOR DELEGATES FROM THE STUDENT'S~~
31 ~~SCHOOL, WHO IN TURN VOTE IN A NOMINATING CONVENTION TO REDUCE TO FOUR~~

1 ~~THE NUMBER OF CANDIDATES FOR STUDENT MEMBER IF THERE ARE FIVE OR MORE~~
 2 ~~CANDIDATES; AND~~

3 ~~C. VOTE DIRECTLY FOR TWO OF THE REMAINING~~
 4 ~~STUDENT MEMBER CANDIDATES.~~

5 ~~3. THE CANDIDATES RECEIVING THE THIRD AND~~
 6 ~~FOURTH HIGHEST NUMBER OF VOTES IN THE DIRECT ELECTION SHALL BECOME THE~~
 7 ~~ALTERNATE STUDENT MEMBERS AND SHALL SERVE IF A STUDENT MEMBER IS~~
 8 ~~UNABLE TO COMPLETE THEIR ELECTED TERM.~~

9 (2) The term of a student member is 1 year.

10 (3) A student member may not serve more than two consecutive full terms.

11 (4) The student ~~[member]~~ **MEMBERS** may vote on ~~all~~ matters before the
 12 board ~~[except]~~ **INCLUDING** those relating to:

13 ~~(i) Personnel;~~

14 ~~(ii) (I) Capital and operating budgets;~~

15 ~~(iii) (II) School closings, reopenings, and boundaries; AND~~

16 ~~(iv) Collective bargaining decisions;~~

17 ~~(v) (III) Student disciplinary matters; and~~

18 ~~(vi) Appeals to the board as provided under §§ 4-205 and 6-202 of~~
 19 ~~this article.~~

20 (5) **THE STUDENT MEMBER MAY NOT VOTE ON MATTERS BEFORE THE**
 21 **BOARD RELATING TO PERSONNEL AND COLLECTIVE BARGAINING DECISIONS.**

22 **(6)** The student ~~[member]~~ **MEMBERS** may [not] attend or participate in an
 23 executive or special session of the board.

24 (n) Any action by the board shall require:

25 (1) A quorum of a majority of the voting members then serving; and

26 (2) The affirmative vote of a majority of the voting members then serving.

27 SECTION 2. AND BE IT FURTHER ENACTED, That:

1 (a) There is a Task Force to Study Compensation ~~for~~ and Student Members of the
2 Baltimore City Board of School Commissioners.

3 (b) The Task Force consists of the following members:

4 (1) one member of the Baltimore City Senate Delegation, appointed by the
5 President of the Senate;

6 (2) one member of the Baltimore City House Delegation, appointed by the
7 Speaker of the House;

8 (3) ~~five~~ three members, appointed by the Mayor of Baltimore City, of which:

9 (i) ~~not more than two may be members of the Baltimore City Board~~
10 ~~of School Commissioners; and~~

11 (ii) one member shall be a resident of Baltimore City who is not
12 employed by the City, State, or federal government; ~~and~~

13 ~~(2)~~ (4) two members, appointed by the Chair of the Baltimore City Board
14 of School Commissioners; and

15 (5) ~~four~~ two members, appointed by the President of the City Council of
16 Baltimore City, of which one member shall be a resident of Baltimore City who is not
17 employed by the City, State, or federal government.

18 (c) The Mayor of Baltimore City shall designate the chair of the Task Force.

19 (d) The Office of the Mayor of Baltimore City shall provide staff for the Task
20 Force.

21 (e) A member of the Task Force:

22 (1) may not receive compensation as a member of the Task Force; but

23 (2) is entitled to reimbursement for expenses under the Standard State
24 Travel Regulations, as provided in the State budget.

25 (f) The Task Force shall:

26 (1) study the compensation of members of the Baltimore City Board of
27 School Commissioners, including the student members; ~~and~~

28 (2) study the possibility and effect of adding a second student member to
29 the Baltimore City Board of School Commissioners; and

1 ~~(2)~~ (3) make recommendations regarding the amount of and revenue
2 stream for any proposed compensation to begin with the Baltimore City budget for fiscal
3 year 2024.

4 (g) On or before April 1, 2023, the Task Force shall report its findings and
5 recommendations to the Governor and, in accordance with § 2-1257 of the State
6 Government Article, the General Assembly.

7 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall
8 remain effective for a period of 1 year and, at the end of June 30, 2023, this Act, with no
9 further action required by the General Assembly, shall be abrogated and of no further force
10 and effect.

11 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July
12 1, 2022.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.