

§ 60. Department of Education: Board of School Commissioners – Established, composition, etc.

(a) Composition; [Appointment] **Election**; Terms.

The Board of School Commissioners shall consist of nine persons, who shall be [appointed, must be confirmed, and shall serve, pursuant to Article IV, Section 6. The terms of five members shall expire on the last day of the year in which the term of the Mayor begins pursuant to Article IV, Section 1, and the four year terms of four members shall expire two years thereafter.]

The Board of School Commissioners shall consist of nine persons, who shall be elected citywide.

(b) **Election and Term**

(1) **The voters shall elect the Board of School Commissioners on the Tuesday next after the first Monday in November 2030, and on the same day and month in every succeeding fourth year.**

(2) **Their term of office shall commence on the Thursday next after the first Monday in December succeeding their election and shall continue for 4 years.**

(d) **Removal.**

The Board of School Commissioners, by a two-thirds vote of its members, may remove an individual member from office for incompetence, misconduct in office, wilful neglect of duty, or felony or misdemeanor in office, on charges preferred by the Mayor, the City Council's Committee on Legislative Investigations, or by the Inspector General, and after notice of those charges and an opportunity to be heard by the Board of School Commissioners are given to the individual member.

(e) **Emergency Vacancies**

If, by reason of any catastrophe, a majority of the members elected to the Board of School Commissioners are killed, or are sick, or incapacitated, missing, or otherwise unavailable, so that for a temporary or indefinite period there is not a quorum of the Board of School Commissioners available to permit that body to function, the City Council President, if the City Council President is available, or the Governor of Maryland or the other person acting in that capacity, if the City Council President is unavailable, is authorized to appoint for a temporary or indefinite period persons to fill the vacancies thus existing. If possible, each of the appointees shall have the qualifications required of members of the Board of School Commissioners.

During their tenure, all such appointive members of the Board of School Commissioners shall possess and may exercise the powers and prerogatives of regularly elected members. Each appointee shall continue to hold office during the incapacity or unavailability of the member whose position the appointee was appointed to fill, or until the position is filled pursuant to the regular election and qualification of a successor.

(f) **Individual Vacancies**

Each vacancy in the Board of School Commissioners shall be filled without delay. After public notice, the Board of School Commissioners, by a majority vote of its remaining members, shall elect a person possessing the qualifications prescribed in Section 1 of this article to serve the remainder of the unexpired term of the former incumbent.

[(b)] (e) President.

The [Mayor] Board of School Commissioners shall designate one member of the Board among itself as its President, and may withdraw such designation and so designate another member.

(h) Vacancy in Presidency

In case of the death, resignation, removal or other disqualification of the President, the Board of School Commissioners, by a majority vote of its members, shall elect a new president for the unexpired term. The person so elected as President may, but need not, be, at the time of election, a member of the Board of School Commissioners.

[(c)] (i) Member qualifications.

[The members of the Board shall be registered voters and residents of Baltimore City at the time, and during the term of their appointment.] Members of the Board of School Commissioners, shall be citizens of the United States, at least 18 years old, and registered voters of Baltimore City. They also shall be residents of Baltimore City for at least 1 year next preceding their election and during their term of office.

[(d)] (j) Political and religious ties disregarded.

Notwithstanding Article IV, Section 8, in the selection of the members of the Board and in their actions in the administration of the public schools, ecclesiastical and party ties shall not be regarded, so that the public schools may be entirely out of the field of political and religious differences and controversies.

(k) Procedures

(1) Attendance of members.

The Board of School Commissioners may compel the attendance of absent members in such manner and under such penalties as it may provide.

(2) Vice-President — in general.

The Board of School Commissioners, by a majority vote of its members, shall appoint from its members a Vice-President, who in the absence, sickness or disqualification of the President shall preside at all its meetings.

(3) Vice-President — as acting President.

In case of, and during, necessary absence, sickness or the temporary disqualification of the President of the Board of School Commissioners, the Vice-President shall be acting President of the Board of School Commissioners.

(4) Judge of member qualifications.

The Board of School Commissioners shall be judge of the election and qualifications of its members, subject to appeal by petition of the party aggrieved as provided by law.

(5) Rules of procedure; Officers.

The Board of School Commissioners shall adopt rules of procedure not inconsistent with the Charter, appoint its own officers, regulate their respective compensation, not to exceed in the aggregate the amount appropriated therefore in the Ordinance of Estimates, and remove them at pleasure.

(6) Journal of proceedings; Public deliberations.

The Board of School Commissioners shall keep a journal of its proceedings and enter yeas and nays on any question, resolution or ordinance at the request of

any member, and the deliberations of the Board of School Commissioners shall be public.