
CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW
EBONY THOMPSON, ACTING CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

August 7, 2023

The Honorable President and Members
of the Baltimore City Council
Attn: Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 23-0174R – Informational Hearing-Middle School Sports Programs

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 23-0174R for form and legal sufficiency. The bill invites representatives from the Baltimore City Public School System and other relevant stakeholders to brief the City Council on the availability, accessibility, and diversity of sports programs offered at the middle school age for youth.

In general, Article III, §9 of the City Charter and City Code Article I, §1-4, give the City Council authority to study and/or investigate the operation of City agencies and to make recommendations for the more effective operation of the agencies. Article III, §9 of the Charter requires department heads, municipal officers not embraced in a department, and members of commissions and boards to appear before the City Council if so requested to participate in the discussion of matters relating to their respective departments, offices, commissions, or boards.

The Mayor and City Council of Baltimore City established and maintains a system of free public schools in Baltimore City. Md. Code Ann., Educ. § 4-302. However, in order to improve the Baltimore City Public School system and to encourage a more efficient use of resources, the General Assembly created a joint partnership between the City and State. Md. Code Ann., Educ. § 4-303. Under this partnership, the Mayor and the General Assembly jointly appoint members to the Baltimore City Board of School Commissioners of the Baltimore City Public School System. *See* MD Fiscal Note, 2002 Sess. H.B. 853, pp. 2-3. While the Board of School Commissioners has the authority and is responsible for all functions of the BCPSS, the commission is governed by State law, and therefore, the City Council may only request that a representative from the Board of School Commissioners participate in the informational hearing. Additionally, provisions of Federal and State law governing students and schools may limit the information that can be disclosed regarding the topic of this informational hearing.

Nonetheless, Council Bill 23-0174R is an appropriate resolution to initiate this process and request the specified officials to attend to provide information on the availability, accessibility, and

diversity of sports programs offered at the middle school age for youth. As such, the Law Department approves Council Bill 23-0174R for form and legal sufficiency.

Very truly yours,

/s/ Teresa Cummings

Teresa Epps Cummings
Assistant Solicitor

cc: Nina Themelis, Mayor's Office of Government Relations
Sofia Gebrehiwot, Legislative Liaison, Council Affairs
Tiffany Maclin, Deputy Director, Legislative
Elena DiPietro, Chief Solicitor, General Counsel Division
Ashlea Brown, Chief Solicitor
Jeffrey Hochstetler, Chief Solicitor
Hilary B. Ruley, Chief Solicitor
Michelle Toth, Assistant Solicitor