

CITY OF BALTIMORE

MAYOR SHEILA DIXON



BALTIMORE CITY PUBLIC SCHOOL SYSTEM

BRIAN D. MORRIS, CHAIRMAN
BOARD OF SCHOOL COMMISSIONERSANDRÉS A. ALONSO, Ed.D.
CHIEF EXECUTIVE OFFICER
200 E. North Avenue
Baltimore, Maryland 21202

June 12, 2008

The Honorable Stephanie Rawlings-Blake
The Baltimore City Council
City Hall
Baltimore, Maryland 21202

RE: 08-0108 -- Charter Amendment – Department of General Services

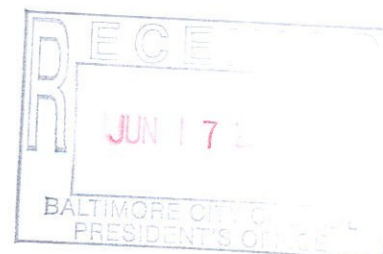
Dear President Rawlings-Blake:

City Council Bill 08-0108 is an amendment to the Baltimore City Charter that makes changes to reflect current state law as it relates to the operation and management of school buildings controlled by the Baltimore City Board of School Commissioners.

In 1997 the Maryland General Assembly passed Senate Bill 795, creating the City-State Partnership. Prior to 1997, the Baltimore City Public School System (BCPSS) was a department within the Baltimore City government. It was the only school system in the state that was not considered separate from the local government. Control of the schools was transferred from the Mayor and City Council of Baltimore to the New Baltimore City Board of School Commissioners (the Board) (the name was subsequently changed by dropping the "new" in the title). The rationale of the separation was to make the BCPSS operate as the other 23 school districts in the state, therefore a new nine-member school board was jointly appointed by the Governor and the Mayor to lead and execute reforms.

The Education Article of the Annotated Code of Maryland § 4-303 (d)(2) states that with this new partnership, "the Board shall have the authority and be responsible for all functions relating to the Baltimore City Public School System. Notwithstanding any provision of local law governing the Baltimore City Public School System, the Board may adopt rules and regulations and prescribe policies and procedures for the management, maintenance, operation, and control of the Baltimore City Public School System."

Furthermore, the Board has the authority under § 4-115 (b) (1) and (2) of the Education Article to "buy or otherwise acquire land, school sites, or buildings and rent, repair, improve and build school buildings or approve contracts for doing so, if the plans conform to the bylaws, rules, and regulations of the Maryland State Board of Education" and the Interagency Committee on Public School Construction. However, the Board recognizes the Baltimore City Planning Department as the city agency with legal responsibility for Baltimore City planning and land use and consults with the agency to ensure that our plans are congruent with the city's plans, as required under § 4-116 (a)(i) of the Education Article.



While the charter amendment is designed to ensure that the City Charter follows state law, the Board will not support any interpretation of the charter amendment that interferes with the rights of the Board as authorized under state law.

For the foregoing reasons, the Baltimore City Board of School Commissioners supports the charter amendment as clarification to coincide with existing state law. If you have any questions, please contact me, Charline Rolley, Legislative Analyst, or Dawana Merritt Sterrette, Esq., Legislative Liaison at the above number.

Sincerely,



Brian D. Morris
Chairman

cc: Dr. Andres Alonso
Baltimore City Board of School Commissioners
The Honorable Sheila Dixon
Angela Gibson