

CHAPTER NO.

A BILL ENTITLED

AN ACT to add new Sections 300 to 304, inclusive, to Article 77 of the Annotated Code of Maryland (1957 Edition), title "Public Education", to follow immediately after Section 299 thereof and to be under the new sub-title "Community Colleges", authorizing the Board of School Commissioners of Baltimore City and the Board of Education of any county to establish and maintain community colleges, generally defining the powers and duties of such boards as trustees for community colleges, providing for the financing of these schools generally on a formula of one-third from the state, one-third from the political sub-division, and one-third from students' fees, providing for details of the operations of such community colleges and relating generally to the establishment and operation of certain community colleges in this State.

1 SECTION 1. *Be it enacted by the General Assembly of Maryland,*
2 That new Sections 300 to 304, inclusive, be and they are hereby added
3 to Article 77 of the Annotated Code of Maryland (1957 Edition),
4 title "Public Education", to follow immediately after Section 299
5 thereof and to be under the new sub-title "Community Colleges", and
6 all to read as follows:

1 *Community Colleges*

2 300. (a) *The Board of Education of any county and the Board of*
3 *School Commissioners of Baltimore City, with the approval of the*
4 *State Superintendent of Schools, by appropriate resolution, may es-*
5 *tablish and maintain community colleges. For the purposes of ad-*
6 *ministration over these colleges the board of education shall con-*
7 *stitute a board of trustees and governmental corporation vested with*
8 *the following Powers:*

9 (b) *To maintain and exercise general control over the community*
10 *college, to keep separate records and minutes, and to adopt reason-*
11 *able rules, by-laws or regulations to effectuate and carry out the pro-*
12 *visions of this sub-title.*

13 (c) *To appoint, on the recommendation of the superintendent of*
14 *schools, a president of the community college, qualified teaching*
15 *personnel, and such other employees as may be necessary for its*
16 *efficient administration; to fix the salaries and tenure of the presi-*
17 *dent, teachers, and other employees and to discharge them for good*
18 *cause, provided those with tenure shall have reasonable notice of the*
19 *grounds for their dismissal and an opportunity to be heard.*

EXPLANATION: *Italics indicate new matter added to existing law.*

[Brackets] indicate matter stricken from existing law.

CAPITALS indicate amendments to bill.

~~Strike out~~ indicates matter stricken out of bill.

20 (d) To purchase, lease, condemn, or in any other manner acquire
21 real and personal property deemed necessary by the board of trustees
22 for the operation of the community college.

23 (e) To sell, lease, or in any other manner dispose of community
24 college assets, real or personal, at public or private sale; provided
25 that the president of the community college and the chairman of the
26 board of trustees are authorized to execute legal conveyances and
27 other documents pursuant to an appropriate resolution of the board
28 of trustees.

29 (f) To utilize, if permission is duly granted, any land, buildings,
30 personal assets, or other facilities of the board of education of the
31 county or Baltimore City.

32 (g) To receive local, state, and federal funds to defray the cost of
33 the college program authorized by this sub-title and to accept both
34 conditional and unconditional gifts, as the case may be, from private
35 persons.

36 (h) To determine entrance requirements and the courses of study,
37 subject to minimum standards fixed by the State Department of Edu-
38 cation. If such minimum standards are not met, no certificate of ap-
39 proval shall be issued by the State Department of Education.

40 (i) To charge reasonable fees to students with a view to making
41 college education available at low cost to all qualified persons.

42 (j) To create by resolution an advisory board for the community
43 college, with staggered terms of office, and to appoint the member-
44 ship of this board. The board of trustees shall meet with the advi-
45 sory board, if such is created, at least once annually to review the
46 problems of the community college.

47 (k) To enter into agreements or contracts with any person, firm,
48 or corporation, or with any county, state, federal or governmental
49 agencies which are deemed by the board of trustees to be necessary
50 or advisable to the establishment, maintenance, and operation of the
51 community college. This power includes agreements between or
52 among the counties and Baltimore City, their county commissioners
53 or councils and boards of trustees designed to create and support a
54 community college for two or more counties, or Baltimore City.

1 301. For the purposes of this sub-title a Community College is
2 defined as an institution of higher education, offering at least one
3 two-year program of post high school education and performing one
4 or more of the following functions:

5 (1) Offering terminal vocational, technical and semi-professional
6 programs;

7 (2) Offering terminal non-technical programs; or

8 (3) Offering the equivalent of freshman and sophomore years of
9 college work.

1 302. (a) The county superintendent of schools (and in Baltimore
2 City the Superintendent of Public Instruction) shall serve as secre-
3 tary and treasurer to the board of trustees. The president of the com-
4 munity college shall attend all meetings of the board, except those
5 involving his personal position as president. The board of trustees,
6 the superintendent, and the president of the community college are
7 charged with the preparation of the annual budget, its presentation
8 to the county commissioners, county council, or the Board of Esti-
9 mates of Baltimore City, and the receipt and expenditure of budgeted

10 funds under an adequate accounting system, subject to review by
11 the auditor of the county or of Baltimore City, as the case may be.
12 The Board of Trustees shall be styled "The Board of Trustees of
13 Community College" and it may adopt
14 a corporate seal. The Chairman of the board of education or the
15 board of school commissioners is the chairman of the board of
16 trustees.

17 (b) All professional and clerical employees are eligible for partici-
18 pation in the Teachers Retirement System as established and main-
19 tained under this Article.

1 303. The Mayor and City Council of Baltimore and the county
2 commissioners or county council of any county in which a community
3 college is established by the board of education or board of school
4 commissioners under this sub-title have the right and power to ap-
5 propriate funds to meet the cost of establishment, current expenses,
6 purchase of land, construction of capital improvements, and the main-
7 tenance thereof. In addition, the county commissioners or county
8 council of any county and the Mayor and City Council of Baltimore
9 City have the power to borrow funds for the purchase of land and
10 the construction of capital improvements for said purposes upon such
11 terms and conditions as they deem right and proper, subject to the
12 general requirements of local laws applicable to the creation of pub-
13 lic debt.

1 304. (a) Each community college operating under the provisions
2 of this sub-title shall be financed on the general basis of receiving
3 one-third of its current expenses from the State, one-third from
4 the county (or Baltimore City) in which it is located, and one-third
5 from fees and charges required from students at the community col-
6 lege. In this computation, "current expenses" shall be the product of
7 the per-student operating cost for the preceding school year multi-
8 plied by the number of full-time equivalent students enrolled in the
8A current school year.

9 (b) Beginning for the State's fiscal year which commences on
10 July 1, 1963, the Governor shall place in the State budget an item to
11 pay the State's one-third share to each of the community colleges
12 operating under this sub-title. Until that time, State aid to these col-
13 leges shall be as provided in the budget. In either event it shall not
14 exceed the sum of two hundred and twenty-five dollars (\$225.00)
15 for each student at any community college. The State Superintendent
16 of Schools shall certify to the State Comptroller on or before the last
17 day of both September and March in each year one-half of the annual
18 amount which is due the local board of trustees of each community
19 college and thereupon the Comptroller within five days shall draw
20 his warrant on the Treasurer of the State of Maryland for the respec-
21 tive amounts due the said local boards of trustees; and the Treasurer
22 of the State of Maryland upon receiving such warrants shall im-
23 mediately pay the amounts due to the respective local boards of
24 trustees.

26 (c) In any such political sub-division in which a community col-
26A lege is operating under the provisions of this sub-title, the board of
27 county commissioners, county council, or Mayor and City Council of
28 Baltimore shall provide and pay to the community college or col-
29 leges therein the political sub-division's one-third share of current
30 expenses. The State Superintendent of Schools shall certify to the
31 Treasurer of each county or of Baltimore City as the case may be on
32 or before the last day of both September and March in each year one-
33 half of the annual amount which is due the local board of trustees
34 of each community college and thereupon the Treasurer within five

35 days of each of these dates shall draw his warrant on the county or
36 the City of Baltimore as the case may be and shall pay the amount
37 due to the board of trustees of the community college or colleges in
38 his respective political sub-division.

39 (d) Students from outside the State of Maryland who attend a
40 community college shall pay a full fee which covers the one-third
41 share of the State and also the one-third share of the political sub-
42 division in addition to the regular fees and charges for students. Out-
43 of-county (or City) students from Maryland who attend a community
44 college shall pay two-thirds of a full fee, which includes the one-third
45 share of the political sub-division in addition to the regular fees and
46 charges for students. Any political sub-division which does not op-
47 erate a community college under the provisions of this sub-title may
48 levy and appropriate funds to pay the one-third share of the political
49 sub-divisions for its residents who attend a community college in
50 another political sub-division.

1 SEC. 2. And be it further enacted, That this Act shall take effect
2 June 1, 1961.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.

Sealed with the Great Seal and presented to the Governor, for his

approval this.....day of.....

at.....o'clock,M.

Secretary.