

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE
Revised

House Bill 609 (Delegate Guns. *et al.*)

Ways and Means

Education - County Board Hearing Examiners

This bill enables local boards of education to appoint a nonattorney as a hearing examiner for school board proceedings involving students who are suspended or expelled from school and school related decisions made by the school superintendent except those involving personnel disciplinary matters. Except in Anne Arundel County, the hearing examiner for proceedings involving personnel disciplinary matters must be an attorney. In addition, the bill allows all local boards to have these proceedings heard first by a hearing examiner. Currently, only ten counties have the authority to appoint a hearing examiner.

This bill takes effect July 1, 1999.

Fiscal Summary

State Effect: None.

Local Effect: Potential reduction in local school expenditures. Revenues would not be affected.

Small Business Effect: None.

Fiscal Analysis

Local Effect: Currently, only Anne Arundel and Harford counties are allowed to appoint a nonattorney as a hearing examiner for school board proceedings. In Harford County, this authorization is only for student suspension and expulsion cases, whereas in Anne Arundel County it also includes personnel disciplinary cases. Except for these counties, under current

law, the hearing examiner has to be an attorney admitted to practice before the Maryland Court of Appeals. Enabling a school system to appoint a nonattorney as the hearing examiner would likely reduce local expenditures.

In addition, the bill allows all local boards to have these proceedings heard first by a hearing examiner. Currently, only ten counties have the authority to appoint a hearing examiner. While this would reduce the amount of time that school board members spend on appeal hearings, it would not directly affect local school expenditures.

Information Source(s): Maryland Association of Boards of Education, Maryland State Department of Education

Fiscal Note History: First Reader - March 1, 1999
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