

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE

Senate Bill 463 (Senator Colburn)
Education, Health, and Environmental Affairs

Dorchester County - Board of Education - Membership

This bill changes the Dorchester County Board of Education from a six-member board appointed by the Governor to a seven-member board with six elected members and one member appointed by the county council. Three new members will be elected at the 2004 general election, and the member appointed by the county council must be appointed by December 1, 2004. Three additional members will be elected at the 2006 general election.

Fiscal Summary

State Effect: None.

Local Effect: Dorchester County expenditures would increase by \$4,600 annually beginning January 1, 2007, when the new board would be fully phased in. Lesser expenditure increases would be incurred beginning in FY 2005.

Small Business Effect: None.

Analysis

Bill Summary: The bill provides that the new Dorchester County Board of Education will consist of seven voting members, with one member elected from each of the five councilmanic districts in Dorchester County, one member elected from the county at-large, and one member appointed from the county at-large by the county council. The member elected from the county at-large serves as the president of the board, and the member appointed by the county council acts as the vice president. Members on the new board will serve staggered four-year terms and may not serve more than three

consecutive terms. The county council member of the councilmanic district where a vacancy occurs appoints a new member to fill the vacancy.

In addition to the seven voting members, the board will include one nonvoting student member from each of the public high schools in the county. Student members must be in the twelfth grade and are elected by the students in their schools. Student members do not attend executive sessions of the board unless invited to do so by an affirmative vote of a majority of the board.

Upon notice and an opportunity for a hearing, the State Board of Education may remove a county board member for immorality, misconduct in office, incompetency, willful neglect of duty, or failure to attend scheduled meetings. A member who is removed has a right to a *de novo* review in circuit court.

Voting members receive compensation as set by the county council, although voting members must receive at least \$3,200 and the president of the board must receive at least \$3,600.

The board must meet at least once a month and must make records of the meetings available to the public. The board may take actions in an executive session as authorized under the State Open Meetings Act.

Current Law: The Dorchester County Board of Education consists of six voting members appointed by the Governor and two student representatives, one from each of the two high schools in the county. Voting members serve five-year terms, and the student representatives serve one-year terms. With the approval of the Governor, the State Superintendent of Schools may remove a board member for immorality, misconduct in office, incompetency, willful neglect of duty, or failure to attend board meetings. If one of the six voting members vacates the position, the Governor appoints a replacement.

In fiscal 2002, the voting members of the Dorchester County Board of Education received compensation of \$3,000 each, except the president who received \$3,200. Members are not reimbursed for travel or other expenses.

Background: The Dorchester County Board of Education is one of 11 appointed school boards in the State. Another 12 local boards of education are elected, and one, the Worcester County board, is in the process of transitioning from an appointed board to an elected board. The selection methods and number of school board members for the 24 local boards are shown in **Exhibit 1**.

Exhibit 1
Local Boards of Education
Number of Members and Selection Methods

County	Full Voting Members	Elected Members			Student Member(s)
		Appointed Members	County At Large	From Districts	
Allegany	5	0	5	0	1
Anne Arundel	7	7	0	0	1
Baltimore City	9	9	0	0	1
Baltimore	11	11	0	0	1
Calvert	5	0	2	3	1
Caroline	5	5	0	0	0
Carroll	5	0	5	0	1
Cecil	5	5	0	0	1
Charles	7	0	7	0	1
Dorchester	6	6	0	0	2
Frederick	7	0	7	0	1
Garrett	5	0	2	3	1
Harford	7	7	0	0	1
Howard	5	0	5	0	0
Kent	5	0	5	0	0
Montgomery	7	0	2	5	1
Prince George's*	9	9	0	0	1
Queen Anne's	5	5	0	0	0
St. Mary's	5	0	1	4	1
Somerset	5	0	0	5	2
Talbot	5	5	0	0	1
Washington	7	0	7	0	1
Wicomico	7	7	0	0	0
Worcester	7	3	0	4	3

* In 2006 the Prince George's Board of Education will revert to an elected board, with four members elected from the county at large and five elected from five school board districts.

Local Expenditures: In accordance with the board member compensation set by the county council, Dorchester County expenditures would increase minimally beginning in

fiscal 2005. Compensation for school board members currently totals \$18,200 (\$3,200 for the board president and \$3,000 for each of the other five members). Pursuant to this legislation, annual compensation would total \$22,800 (\$3,600 for the board president and \$3,200 for each of the other six board members) by January 1, 2007. This represents an increase in county expenditures of \$4,600 annually once the new board is phased in.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Dorchester County, Department of Legislative Services

Fiscal Note History: First Reader - March 10, 2003
mdf/jr

Analysis by: Mark W. Collins

Direct Inquiries to:
(410) 946-5510
(301) 970-5510