

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE
Revised

House Bill 576

(Cecil County Delegation)

Ways and Means

Education, Health, and Environmental Affairs

Cecil County - Board of Education - Selection of Members

This bill submits to referendum the question of whether the Cecil County Board of Education should remain an appointed board or change to an elected board. The referendum must be on the ballot in Cecil County for the 2004 general election. If county residents vote for an elected board, three board members will be selected at the 2006 general election and two board members will be selected at the 2008 general election.

Fiscal Summary

State Effect: None.

Local Effect: Cecil County expenditures would increase to expand elections and pay compensation to Board of Education members. The increases range from an estimated \$12,600 in FY 2005, to \$34,200 in FY 2007. County revenues would not be affected.

Small Business Effect: None.

Analysis

Bill Summary: The bill provides that if county voters opt for an elected board, the Cecil County Board of Education will consist of five voting members, with one member elected from each of the five county commissioner districts. Elected members will serve staggered four-year terms and may not serve more than two terms. The Governor appoints new members to fill vacancies on the board.

In addition to the five voting members, the board will include one nonvoting student member who serves a one-year term. The student member must be in the eleventh or

twelfth grade and is elected by high school students in the county. The student member may 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.

The county board must annually select a president and a vice president from among its members. The president of the board receives \$4,000 annually and other voting members receive \$3,500. Board members are also entitled to reimbursement for expenses of up to \$1,000 annually. The Cecil County Commissioners may increase the compensation levels.

Current Law: The Cecil County Board of Education consists of five voting members appointed by the Governor and one nonvoting student member. Voting members serve five-year terms, and the student member serves a one-year term. 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 five voting members vacates the position, the Governor appoints a replacement.

Members of the Cecil County Board of Education serve without compensation, but they are entitled to reimbursement for expenses of up to \$1,400 for the board's president or \$1,000 for other board members.

Background: The Cecil 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: Cecil County expenditures would increase to provide for expanded elections and to provide compensation for board of education members. For each

election that involves a referendum or the selection of school board members, the cost of holding the election would increase by an estimated \$12,600 for additional ballots, printing, and postage. On an annualized basis, the compensation provided to school board members would increase county expenditures by \$18,000. The estimated impact by fiscal year is shown in **Exhibit 2**.

Exhibit 2
Estimated Cost of House Bill 576
Fiscal 2005 to 2008

	<u>FY 2005</u>	<u>FY 2006</u>	<u>FY 2007</u>	<u>FY 2008</u>
Compensation	\$0	\$0	\$9,000	\$18,000
Elections	<u>12,600</u>	<u>0</u>	<u>25,200</u>	<u>12,600</u>
Total	\$12,600	\$0	\$34,200	\$30,600

These estimates reflect the following assumptions.

- Cecil County residents would vote for an elected board in November 2004 (fiscal 2005). If voters oppose the establishment of an elected board, there would be no increase in county expenditures after fiscal 2005.
- Primary and general elections would be held for board of education members. Primaries would take place during the spring in Presidential election years and during the fall in Gubernatorial election years.
- Compensation of board members would not begin until the first elected members take office in December 2006, midway through fiscal 2007. The full annualized cost of compensating board members would not be incurred until fiscal 2008.
- The legislation would not materially affect county expenditures for the reimbursement of board expenses.

Additional Information

Prior Introductions: None.

Cross File: SB 518 (Cecil County Senators) – Education, Health, and Environmental Affairs.

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

Fiscal Note History: First Reader - February 24, 2003
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