

**Department of Legislative Services
Maryland General Assembly
2006 Session**

FISCAL AND POLICY NOTE

House Bill 338
Ways and Means

(Queen Anne's County Delegation)

Education, Health, and
Environmental Affairs

Queen Anne's County - Board of Education - Selection of Members

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

The bill takes effect June 1, 2006.

Fiscal Summary

State Effect: None.

Local Effect: Queen Anne's County Board of Elections costs could increase minimally in FY 2007 to include the referendum on the November 2006 ballot. If the referendum results in an elected board of education, county expenditures would increase by an estimated \$3,900 in FY 2009 and by \$7,800 annually beginning in FY 2010.

Small Business Effect: None.

Analysis

Bill Summary: The bill provides that if county voters opt for an elected board, the Queen Anne's County Board of Education will consist of five voting members, with one member elected from each of the four county commissioner districts and one member elected from the county at-large. Elected members will serve staggered four-year terms,

with three of the initial elected members serving six-year terms. The Governor appoints new members to fill vacancies on the board for the remainder of the vacant member's term.

In addition to the five voting members, the board will include one nonvoting student member from each of the public high schools in the county, each of whom serves a one-year term. The student members must be in the eleventh or twelfth grade and are elected by students in their schools. The student members 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 Queen Anne's County Commissioners may increase these compensation levels.

Current Law: The Queen Anne's County Board of Education consists of five voting members appointed by the Governor. Members serve five-year terms and may not serve more than two consecutive 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 five voting members vacates the position, the Governor appoints a replacement.

Members of the Queen Anne's County Board of Education serve without compensation, but they are entitled to reimbursement for expenses of up to \$3,200 for the board's president or \$3,000 for other board members.

Background: The Queen Anne's County Board of Education is 1 of 10 appointed school boards in the State. Another 13 local boards of education are elected, and 1, the Dorchester County board, is in the process of transitioning from an appointed board to an elected board. The selection method and number of school board members for each of the 24 local boards are shown in **Exhibit 1**.

Exhibit 1
Local Boards of Education
Members and Selection Methods

<u>County</u>	<u>Full Voting Members</u>	<u>Appointed Members</u>	<u>Elected Members From County At Large</u>	<u>Elected Members From Districts</u>	<u>Student Member(s)</u>
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	3	0	3	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	1
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*	7	7	0	0	1
Washington	7	0	7	0	1
Wicomico	7	7	0	0	0
Worcester	7	0	0	7	3

*The Cecil and Talbot county boards will begin transitioning to elected boards at the 2006 general election.

**The Prince George's County board will revert to an elected board at the 2006 general election.

Local Expenditures: If the 2006 referendum results in an elected board of education, Queen Anne's County expenditures would increase mid-way through fiscal 2009 to begin paying higher compensation to the board of education members. The fiscal 2009 increase
HB 338 / Page 3

is approximately \$3,900, and the full annualized amount of the increase is approximately \$7,800 and would begin in fiscal 2010. These estimates assume that the \$15,200 that is currently allowed for board expense reimbursements is being used and that costs for board compensation (\$18,000) and expenses (\$5,000) authorized in the bill will be incurred. If the referendum results in an appointed board, board of education expenditures would not be affected.

Queen Anne's County Board of Elections expenditures could increase minimally if adding the required referendum to the November 2006 ballot results in additional printing costs. The potential addition of board of education elections to future ballots would not significantly impact county expenses.

Additional Information

Prior Introductions: None.

Cross File: SB 481 (Senator Pipkin) – Education, Health, and Environmental Affairs.

Information Source(s): Queen Anne's County, Department of Legislative Services

Fiscal Note History: First Reader - February 22, 2006
ncs/rhh

Analysis by: Mark W. Collins

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