

Department of Legislative Services
Maryland General Assembly
2007 Session

FISCAL AND POLICY NOTE

House Bill 730 (Harford County Delegation)
Ways and Means

Harford County - Board of Education - Selection of Members

This bill alters the composition of the Harford County Board of Education from a 7-member appointed board to an 11-member hybrid board consisting of appointed and elected members who serve staggered terms. The bill also provides for interim appointments by the Governor and the county executive until the new elected and appointed members are selected.

The bill takes effect July 1, 2007.

Fiscal Summary

State Effect: None.

Local Effect: Harford County Board of Education expenditures would increase by \$7,200 in FY 2008 to pay for stipends for two new voting members of the board. County expenditures could also increase to pay for travel and expense reimbursements for the two additional members.

Small Business Effect: None.

Analysis

Bill Summary: Once all the new members are in place, the new Harford County Board of Education will consist of nine voting members and two nonvoting members, as follows:

- two voting members appointed by the Governor;
- one voting member appointed by the county executive;
- six voting members elected at the general election from each of the six councilmanic districts in the county;
- one nonvoting student member; and
- the superintendent of Harford County Public Schools, who serves ex officio and is a nonvoting member

The two Governor-appointed members will serve staggered four-year terms, with one beginning in 2009 and one in 2011. The county executive-appointed member serves a four-year term beginning in 2009.

The elected members serve staggered four-year terms. Three of the elected members will be elected at the 2008 general election, and three will be elected at the 2010 general election. Elected members must be residents and registered voters of Harford County, and are elected only by the voters of the districts they represent. If no individual files a certificate of candidacy for election in a councilmanic district within 90 days before the general election, the Democratic and Republican central committees of Harford County each nominate a candidate to appear on the ballot for that councilmanic district.

Elected and appointed voting members may not serve more than two consecutive terms.

The nonvoting student member is elected by high school students in the county and serves a one-year term. The student must be an eleventh or twelfth grade student in good standing in the county public school system and serve as a student government association representative.

Persons appointed to fill vacancies serve the remainder of that term until a successor is appointed and qualifies. The Governor appoints new members to fill vacancies among members who are Governor-appointed or elected. The county executive appoints a new member if the county executive-appointed position becomes vacant. The school system appoints a new student member if the student position becomes vacant.

The bill provides for the removal of board members by the State Board of Education for:

- immorality;
- misconduct in office;
- incompetency;
- willful neglect of duty; or

- failure to attend at least 75% of scheduled board meetings.

Members removed by the State board have a right to a *de novo* review by the Circuit Court for Harford County. Board presidents and vice presidents serve one-year terms.

Between the bill’s effective date and the dates of the mandated elections and appointments, the Governor appoints two interim members to serve for three years. In addition, as the staggered terms of the current appointed members expire, the Governor or county executive appoint interim members until the new elected and appointed members can assume their permanent seats on the board.

Current Law: The Harford County Board of Education has seven members appointed by the Governor from the county at large.

Background: The Harford County Board of Education is one of seven appointed school boards in the State, of which one (Queen Anne’s County) is in the process of transitioning to an elected board. Another 17 local boards of education are elected by county voters. 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	0	0	5	1
Charles	7	0	7	0	1
Dorchester	5	0	0	5	2
Frederick	7	0	7	0	0
Garrett	5	0	2	3	1

<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>
Harford	7	7	0	0	1
Howard	7	0	7	0	0
Kent	5	0	5	0	0
Montgomery	7	0	2	5	1
Prince George's	9	0	4	5	1
Queen Anne's**	5	5	0	0	0
St. Mary's	5	0	1	4	1
Somerset	5	0	0	5	0
Talbot	7	0	0	7	1
Washington	7	0	7	0	0
Wicomico	7	7	0	0	0
Worcester	7	0	0	7	3

*The Baltimore City Board of Education is appointed jointly by the Governor and mayor.

**The Queen Anne's County board will begin transitioning to an elected board at the 2008 general election.

Local Effect: Harford County expenditures would increase by at least \$7,200 in fiscal 2008 due to the addition of two board members appointed by the Governor. Voting members of the Harford County Board of Education receive stipends of \$3,600 and reimbursements for travel and other expenses.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Harford County, Maryland State Department of Education, Department of Legislative Services

Fiscal Note History: First Reader - February 20, 2007
ncs/rhh

Analysis by: Michael C. Rubenstein

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