

Department of Legislative Services  
Maryland General Assembly  
2007 Session

**FISCAL AND POLICY NOTE**

House Bill 395  
Ways and Means

(Delegate McConkey, *et al.*)

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**Anne Arundel County - School Board - Elected Members**

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This bill submits to a referendum the question of whether the Anne Arundel County Board of Education should remain an appointed board or change to an elected board. The referendum must be on the ballot in Anne Arundel County for the 2008 general election. If county residents vote for an elected board, new board members will be selected for staggered terms during the 2010 and 2012 general elections.

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**Fiscal Summary**

**State Effect:** If Anne Arundel County voters approve the referendum, general fund expenditures by the State Board of Elections would increase minimally in FY 2011 to reprogram election management software and create multiple ballot formats for each councilmanic district.

**Local Effect:** Any increased costs for the Anne Arundel County Board of Elections to include the referendum on the November 2008 ballot could be absorbed within existing resources. If the referendum results in an elected board of education, county expenditures would increase by an estimated \$23,000 in FY 2011 for board members' compensation and expenses.

**Small Business Effect:** None.

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**Analysis**

**Bill Summary:** If county voters opt for an elected board, the Anne Arundel County Board of Education will consist of seven elected voting members, each elected from one of the county's seven councilmanic districts, and one voting student member. Each

elected member must be a resident of the councilmanic district that he or she represents. Elected members will serve staggered four-year terms, with three members elected in 2010 and four members elected in 2012.

The voting student member will serve a one-year term and must be a regularly-enrolled high school senior of good character and in good standing at an Anne Arundel County public high school. The Chesapeake Regional Association of Student Councils of Anne Arundel County is responsible for establishing procedures for the selection of the voting student member, who will be selected during his or her junior year. If the student position becomes vacant during the term, the Chesapeake Regional Association will conduct a special election at its next general meeting, using the same procedures to select a replacement.

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 75% of scheduled meetings. Within 45 days of a vacancy occurring on the county board of education, the county executive will appoint a new member to complete the term.

The county board must annually select a president and a vice president from among its members. The president and vice president of the board both receive \$6,000 annually, and other voting members receive \$4,800. Board members are also entitled to reimbursement for expenses of up to \$1,000 annually.

The county board of education must meet at least once each month, and a supermajority of affirmative votes is necessary to approve measures.

In the countywide referendum to decide the composition of the board of education, the ballot must give voters the option of voting “For a Board of Education Elected by the Voters of Anne Arundel County” or “For a Board of Education Appointed by the Governor.”

**Current Law:** The Anne Arundel County Board of Education consists of seven adult members appointed by the Governor and one voting student member. Three appointed members are from the county at large and the remaining four appointed members represent legislative districts. The student member is selected according to procedures developed by the Chesapeake Regional Association of Student Councils of Anne Arundel County.

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 at least half of the board meetings. If one of the seven adult members vacates the position, the Governor appoints a replacement.

Each member of the Anne Arundel County Board of Education receives \$3,600 for travel and other expenses; there is no provision for a regular stipend.

The State Board of Elections notes that referendums typically give voters the option of voting “For” or “Against” a referendum instead of voting “For” one of two options.

**Background:** The Anne Arundel 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**.

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**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.

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**Local Expenditures:** The Anne Arundel County Board of Education's annual budget includes \$29,000 to pay for \$3,600 in travel and other expenses for each member. If voters approve the referendum, stipends would increase to \$6,000 for the president and vice president and \$4,800 for each of the remaining six members, for a total of \$44,000 (including Social Security). The county would also be required to compensate each member up to \$1,000 for travel expenses, resulting in a total cost of \$52,000. Subtracting the current allocation of \$29,000 from this total yields a net increase of \$23,000 beginning in fiscal 2011, the first year in which new members would be elected.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 28 (Senators Simonaire and Greenip) – Education, Health, and Environmental Affairs.

**Information Source(s):** Maryland State Board of Elections, Anne Arundel County, Maryland Association of Boards of Education, Department of Legislative Services

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