

Department of Legislative Services
 Maryland General Assembly
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FISCAL AND POLICY NOTE
Revised

House Bill 1239
 Ways and Means

(Prince George’s County Delegation)

Education, Health, and Environmental Affairs

Prince George's County - Board of Education
PG 433-07

This bill requires that each of the nine members of the Prince George’s County Board of Education be elected from a school board district. It also establishes eligibility criteria for school board members and new procedures for electing members and filling vacant positions, and makes other changes to board policies and procedures.

In addition, the bill repeals the requirement that a consultant conduct a comprehensive review of the Prince George’s County public school system and the Prince George’s County Board of Education that was established in 2002.

Fiscal Summary

State Effect: General fund expenditures would decrease by \$565,000 in FY 2007 to eliminate the comprehensive review requirement. Funds for the review are in the FY 2007 State budget for the Maryland State Department of Education (MSDE). The State Board of Elections could revise ballots to reflect the new voting districts specified in the bill with existing resources. Revenues would not be affected.

(in dollars)	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	(565,000)	0	0	0	0
Net Effect	\$565,000	\$0	\$0	\$0	\$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: Local school expenditures for the Prince George’s County Board of Education would decrease by approximately \$565,000 in FY 2007 or 2008 due to the repeal of the comprehensive review requirement. Potential expenditure increase of

\$150,000 to \$200,000 for Prince George's County to hold special elections to fill vacancies on the school board, beginning in FY 2011.

Small Business Effect: None.

Analysis

Bill Summary: In 2010, each of the nine elected members of the Prince George's County Board of Education will be elected from one of nine school board districts established in the bill. Each board member must be a registered voter, a resident of the school board district he or she represents, and elected by the registered voters of that school board district. School board members serve four-year terms, except that the five members with the lowest vote total in the 2010 general election serve two-year terms.

Vacant elected positions on the board must be filled by a special election within 60 days after the vacancy occurs, with the county paying the costs of the special election. The winning candidate serves out the remainder of the term. However, if the special election would occur less than 180 days before a primary or general election, it must be delayed until that election occurs. Also, if the term expires within the same calendar year as the primary or general election, the winner of the special election will serve the remainder of the vacant term and the full four-year term that follows.

A quorum of the board is five elected members, except that a quorum is four elected members when there are two or more vacancies on the board. A majority of the members of the board is required to pass a motion.

The statutory position of Chief Financial Officer (CFO) for Prince George's County Schools is repealed.

Current Law: The Prince George's County Board of Education consists of nine elected members and one student member. Four of the elected members may reside anywhere in the county, and the remaining five must each live in a different school board district. All elected members must be residents of the county for three years and must be registered to vote in the county. All elected members are elected by the registered voters of the entire county.

Members serve four-year terms, but may remain in office until a successor is elected and qualifies. Vacancies on the board are filled by the county executive, subject to the approval of the county council. Individuals appointed to fill a vacancy serve only until a successor is elected and qualifies at the next congressional election.

When the student member is voting, six votes are required to pass any motion. If the student member is not voting, five votes are required to pass a motion.

The CFO is selected by the superintendent and is responsible for the day-to-day management and oversight of the system's fiscal affairs.

The New Prince George's County Board of Education and the Maryland State Department of Education (MSDE) must jointly select a consultant to do a comprehensive review of Prince George's County Public Schools (PGCPS) and must share equally in the cost of the review. The review must be complete by June 1, 2007 and must evaluate both the educational and management reforms made by the appointed board of education that was established in 2002.

Background: Chapter 289 of 2002 eliminated the then-existing Board of Education of Prince George's County and established a New Prince George's County Board of Education. The new board consisted of nine voting members jointly appointed by the county executive and the Governor from a list of nominees submitted by the State Board of Education. At least four voting members had to have management experience, at least three members had to possess a high level of knowledge concerning education, at least one member had to be a parent of a student in a Prince George's County public school, and at least one member had to have knowledge or experience in the education of students with disabilities. In addition to the nine voting members, one student with limited voting privileges served on the new board. The new board members took office June 1, 2002, and their terms expired December 3, 2006.

Chapter 289 also eliminated the existing Prince George's County Superintendent of Schools position and replaced it with a Chief Executive Officer (CEO). The CEO acted as the executive officer, secretary, and treasurer of the new board and was responsible for the overall administration of the county public school system. The new board employed and established the salary of the CEO. The CEO's contract, which could not exceed four years, provided that continued employment was contingent on demonstrable improvement in student performance and successful management of the school system. The provisions establishing the CEO and the CEO's responsibilities expired on June 30, 2006.

Finally, Chapter 289 required the CEO to select and establish salaries for a Chief Academic Officer (CAO), a CFO, and a Chief Accountability Officer for Prince George's County Public Schools. The selection of officers and establishment of officers' salaries were subject to the approval of the new board. The CAO and the chief accountability

officer positions expired on June 30, 2006, but the CFO position was to continue past that date.

On December 4, 2006, a newly elected board with the configuration described in the Current Law section above replaced the appointed board.

Currently, 17 counties in Maryland elect their boards of education. Of these, seven elect all school board members from the county at large and five elect all members from individual school board districts. The other five counties with elected boards (including Prince George's County) have a mix of members elected from the county at large and from individual districts.

State Expenditures: The fiscal 2007 State budget includes \$565,000 for the comprehensive review of PGCPS. This bill would eliminate the review requirement, thus reducing general fund expenditures by \$565,000.

Local Expenditures: PGCPS must split the cost of the required review with the State. Eliminating the review, therefore, would reduce PGCPS expenditures by approximately \$565,000.

The county would be responsible for paying for a special election if a vacancy occurs on the board of education. The county estimates that each special election would cost between \$150,000 and \$200,000.

It is assumed that the county board would replace the statutory CFO position that is being repealed with a comparable position responsible for overseeing the school system's finances. In that case, the county would not derive any savings from the repealed position.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Prince George's County, Maryland State Department of Education, Department of Legislative Services

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Analysis by: Michael C. Rubenstein

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