

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE

Senate Bill 303 (Senator Conway)
Education, Health, and Environmental Affairs

Baltimore City - School Board - Election of Members

This bill reconfigures the Baltimore City Board of School Commissioners from an appointed board to a hybrid board consisting of elected and appointed members. It also makes changes to board members' terms, conditions for their removal, and residency requirements.

Fiscal Summary

State Effect: Any increase in ballot testing and production costs for the State Board of Elections is assumed to be minimal and would not materially affect State finances.

Local Effect: The Baltimore City Board of Elections could notify registered voters of the school board election boundaries with existing resources. Any expense reimbursements are assumed to be minimal and could be handled with existing resources.

Small Business Effect: None.

Analysis

Bill Summary: Under the bill, the Baltimore City Board of School Commissioners would consist of 12 voting members, including 2 members appointed by the Governor, 2 members appointed by the Mayor, 1 member elected from each of 6 existing legislative districts, 1 member elected at large to serve as board chairman, and 1 student member.

To the extent practicable, the appointed members should reflect the demographic composition of Baltimore City. Among the four appointed members, at least one must

demonstrate successful experience managing a large business, nonprofit, or governmental entity; one must possess a high level of knowledge about education; one must be a parent of a student enrolled in the Baltimore City Public Schools; and one must have knowledge or experience in the education of children with disabilities.

Terms for the current members of the board will expire on December 5, 2010. Except for the student member, who would serve one year, board members would serve for four years beginning the first Monday in December after their election or appointment. They may continue to serve until a successor is elected or appointed and qualifies. The Governor and Mayor are required to make their first appointments by November 15, 2010, and the first elections for elected members will occur at the general election in November 2010.

Following substantial investigation, board members may be removed by a unanimous vote of the Baltimore City Council for • an ethical violation; • fraud; • malfeasance; • misfeasance; • negligence; or • omission of duty.

Board members are entitled to reimbursement for travel and other expenses after submitting expense vouchers.

Each appointed member must show proof of residency in Baltimore City for one year and maintain residency in the city throughout the term of office. Each candidate for an elected position and each elected member must show proof of residency in Baltimore for at least one year and maintain residency in the legislative district he or she represents throughout the term of office.

The bill further delineates the authority and responsibilities of the Baltimore City Board of School Commissioners.

Current Law: The Baltimore City Board of School Commissioners consists of nine members jointly appointed by the Governor and the Mayor and one student member. At least four members must demonstrate successful experience managing a large business, nonprofit, or governmental entity; three must possess a high level of knowledge about education; one must be a parent of a student enrolled in the Baltimore City Public Schools; and one must have knowledge or experience in the education of children with disabilities. They must all be residents of Baltimore City.

Members serve staggered three-year terms and until a successor is appointed and qualifies. The board chairman is elected every two years by the members of the board. Members are not entitled to compensation or reimbursement for expenses.

Members may be removed from office on the joint approval of the Governor and the Mayor for • immorality; • misconduct in office; • incompetency; • willful neglect of duty; or • failure to attend, without good cause, at least half of the scheduled meetings of the board in any one calendar year.

Background: The Baltimore City Board of School Commissioners 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. There are no hybrid boards that have both elected and appointed members. The selection method and number of school board members for each of the 24 local boards are shown in **Exhibit 1**.

Local Expenditures: The Baltimore City Board of Elections believes it will cost \$254,077 to redesign, print, and mail new voter identification cards to all registered voters in the city that include school board voting districts. However, since the bill uses existing legislative district boundaries, no registered voters will be assigned to new precincts or polling places, and they will be able to identify which candidates are running in their districts on the basis of their legislative district boundaries. Therefore, Legislative Services believes that the board can wait until a regularly scheduled mailing of voter identification cards, or include notices with regular mailings of sample ballots.

Additional Information

Prior Introductions: None, although HB 954 of 2007 and HB 1362 of 2006 both sought to reconstitute the school board in Baltimore City as a hybrid board. Both bills were heard by the House Ways and Means Committee, but no further action was taken on either bill.

Cross File: HB 524 (Delegate Glenn, *et al.*) – Ways and Means.

Information Source(s): Maryland State Board of Elections, Maryland State Department of Education, Baltimore City, Department of Legislative Services

Fiscal Note History: First Reader - February 11, 2008
mll/mwc

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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
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 the Mayor.

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