

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE

House Bill 779 (Harford County Delegation)
Ways and Means

Harford County - Board of Education - Election of Members

This bill reconstitutes the Harford County Board of Education from seven appointed voting members serving staggered five-year terms to seven elected voting members serving staggered four-year terms. It also establishes residency requirements for board members and procedures for removing members and filling vacant positions.

The bill takes effect July 1, 2008.

Fiscal Summary

State Effect: None. The State Board of Elections can add candidates for the school board to Harford County general election ballots with existing resources.

Local Effect: None. Harford County can conduct elections for school board members with existing resources.

Small Business Effect: None.

Analysis

Bill Summary: Of the seven elected voting members, six will be elected from each of the county's councilmanic districts by the voters of each district and one from the county at large. Each representative of a councilmanic district must be a resident of the district he or she represents, and all elected members must have been registered voters in the county for three years prior to the beginning of their terms. Three members will be elected at the 2012 general election, and four members, including the at-large member,

will be elected at the 2014 general election. Voting members may be re-elected but may not serve more than two consecutive terms.

The board also includes the superintendent of schools for the county as a nonvoting *ex officio* member and a nonvoting student member elected by all high school students in the county. Members of the board elect their president and vice president annually.

The county commissioners appoint new members to fill vacancies and complete terms until new members are elected and qualify. The State Board of Education may remove a member of the board for • immorality; • misconduct in office; • incompetency; • willful neglect of duty; or • failure to attend, without good cause, at least 75% of scheduled board meetings in any one calendar year. The removal is subject to a hearing before the State board and a *de novo* review by the Circuit Court for Harford County.

Current Law: The Harford County Board of Education consists of seven voting members appointed by the Governor, who also appoints new members to fill vacancies on the board. Members are eligible for reappointment but may not serve more than two consecutive terms.

With the approval of the Governor, the State Superintendent of Schools may remove a member for • immorality; • misconduct in office; • incompetency; • willful neglect of duty; or • failure to attend, without good cause, at least half of scheduled board meetings in any one calendar year. Members who are removed for cause are entitled to a hearing before the State Superintendent and a review by the Circuit Court of Harford County.

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
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.

Additional Information

Prior Introductions: None.

Cross File: SB 306 (Senator Glassman) – Education, Health, and Environmental Affairs.

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

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mll/mwc

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