

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE
Revised

House Bill 639

(Harford County Delegation)

Ways and Means

Education, Health, and Environmental Affairs

Harford County - Board of Education - Selection of Members

This bill restructures the Harford County Board of Education from a seven-member appointed board to a nine-member board composed of six elected members and three appointed members. The bill establishes residency requirements for board members and procedures for removing members and filling board vacancies.

The bill takes effect July 1, 2009.

Fiscal Summary

State Effect: None.

Local Effect: Local education expenditures increase by \$7,200 annually beginning in FY 2012 to cover compensation for two additional board members. Annual expenditures related to board members attending conferences will also increase to the extent that the additional members choose to attend. The board will also incur a one-time expenditure of approximately \$50,000 in FY 2011 to renovate its board room.

Small Business Effect: None.

Analysis

Bill Summary: The bill restructures the Harford County Board of Education from an appointed board to an elected-appointed board, adds the county school superintendent as an *ex officio* nonvoting member, and establishes residency requirements for board members and procedures for removing members and filling board vacancies.

Board Membership

The Harford County Board of Education consists of six elected members, three appointed members, the county superintendent of schools who serves as an *ex officio* nonvoting member, and one nonvoting student member. The student member must be in grade 11 or 12, be a regularly enrolled public school system student in good standing, and be a student government association representative.

Board Member Selection and Terms

Each elected member is elected only by the voters of the councilmanic district that he or she represents. The Governor appoints three voting board members. The county's high school students elect the student member. Voting members serve four-year terms beginning July 1 after their election or appointment and until a successor is elected or appointed and qualifies. Voting members may not serve more than two consecutive terms as a voting member.

Two members will be appointed in 2010 and one member will be appointed in 2014. Three members will be elected at the 2010 general election, and three will be elected at the 2014 general election. When appropriate, the appointed members must be appointed within 90 days of the general election. The student member serves for one year, beginning July 1 after his or her election.

Eligibility for Board Service

A board member elected from a councilmanic district must continue to reside in that district to continue as a board member. A board member must be a registered voter of the county for at least three years prior to beginning service on the board.

Board Officers

The board elects a president and vice president from among its voting members at the board's first meeting in July. The term for these offices is two years. The board must fill a vacancy in either office within 30 days of the vacancy.

Removal from the Board and Vacancies

The State Board of Education may remove a voting member of the board for immorality, misconduct in office, incompetency, willful neglect of duty, or failure, without good cause, to attend at least 75% of board meetings in any 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.

The Harford County Council fills the vacancy of an elected member and the Governor fills the vacancy of an appointed member by appointing in each case a qualified replacement to serve the remainder of the term and until a successor is elected or appointed.

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. Each member serves a five-year term beginning July 1 after the member's appointment and until a successor is appointed and qualifies. Each member of the Harford County Board of Education is entitled to receive \$3,600 annually for travel and other expenses related to the performance of board duties.

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 six appointed school boards in the State. The other 18 local boards of education are elected by county voters. The selection methods and number of school board members for each of the 24 local boards are shown in **Exhibit 1**.

Local Expenditures: The addition of two board members will increase Harford County expenditures by \$7,200 beginning in fiscal 2012. Harford County advises that the board's conference room will need to be renovated at a one-time cost of \$50,000 to accommodate two additional board members, including redesign of the dais and installation of computers. The county also advises that expenditures related to attendance at an annual national conference will likely increase; on average, attending the conference costs \$4,000 per member, but members do not generally attend every year.

Harford County election board expenditures may increase minimally in fiscal 2011 and in subsequent election years due to the inclusion of school board members on general election ballots.

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	9	8	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	1
Garrett	5	0	2	3	1
Harford	7	7	0	0	1
Howard	7	0	7	0	1
Kent	5	0	5	0	0
Montgomery	7	0	2	5	1
Prince George's**	9	0	4	5	1
Queen Anne's	5	0	1	4	2
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.

**Beginning 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.

Additional Comments: The Department of Legislative Services notes that for elected board members, there will be a seven-month delay from the time of being elected at the general election (November) to the time the individual will actually take office (July).

Additional Information

Prior Introductions: SB 306 of 2008 passed the Senate and received a hearing before the House Ways and Means Committee, but no further action was taken. Its cross file, HB 779 of 2008, received a hearing before the House Ways and Means Committee, but no further action was taken.

Cross File: SB 629 (Senator Glassman, *et al.*) - Education, Health, and Environmental Affairs.

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

Fiscal Note History: First Reader - February 14, 2009
ncs/mwc Revised - House Third Reader - March 31, 2009

Analysis by: Scott P. Gates

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