

Department of Legislative Services
Maryland General Assembly
2011 Session

FISCAL AND POLICY NOTE

Senate Bill 382 (Senator Conway)
Education, Health, and Environmental Affairs

Baltimore City Board of School Commissioners - Selection of Members - Local Referendum (Democracy in Education Act of 2011)

This bill restructures the Baltimore City Board of School Commissioners, subject to voter approval via referendum, by adding two additional members elected from the city at-large. The bill also extends the term of nonstudent members from three to four years.

The referendum must take place at the November 2011 general election. The Mayor of Baltimore City and the Baltimore City Board of Elections must carry out all duties necessary to provide for and hold the referendum. If a majority of votes are cast in favor of the restructured board, it becomes effective July 1, 2014; if a majority of votes are cast against the restructured board, the provisions of the law become null and void.

The bill takes effect July 1, 2011.

Fiscal Summary

State Effect: The State Board of Elections can administer the referendum with existing resources.

Local Effect: The Baltimore City Board of Elections can absorb any costs associated with administering the referendum with existing resources. Baltimore City Public Schools (BCPS) expenses will increase minimally to cover expense reimbursements for two additional board members beginning in FY 2015. In addition, BCPS will incur a one-time expense of approximately \$10,000 in FY 2015 to purchase computer equipment for the additional two board members.

Small Business Effect: None.

Analysis

Bill Summary: Contingent upon the results of the required referendum, the bill restructures the Baltimore City Board of School Commissioners from an appointed board to a hybrid board with two members elected from the city at-large, nine members jointly appointed by the Governor and the mayor, and the one student member.

The two elected board members would be elected at the general election in November 2014 and every four years thereafter. However, as with appointed nonstudent members, the terms of elected members will be staggered. Thus, the initial term of one member elected in November 2014 would expire in 2016 and the initial term of the other elected member would expire in 2018.

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 possess a high level of knowledge concerning the successful managing of a large business, nonprofit, or governmental entity; at least three members must possess a high level of knowledge about education; at least one member must be a parent of a student enrolled in the Baltimore City Public School System; and at least one member must have knowledge or experience in the education of children with disabilities. They must all be residents of Baltimore City.

Nonstudent members serve staggered three-year terms and until a successor is appointed and qualifies, and may not serve more than two consecutive full terms. The board chair is elected every two years by the members of the board. Members are not entitled to compensation.

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 five appointed school boards in the State, including one (Caroline County) that is in the process of transitioning to a hybrid board of appointed and elected members. Harford County has such a hybrid board. Eighteen local boards 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

School System	Number of Members	Term	Means of Selection¹
Allegheny	7	4 years	E 5 from county at large 1 commissioner <i>ex officio</i> (nonvoting) 1 student (nonvoting, one-year term)
Anne Arundel	9	5 years	A 3 from county at large 5 from legislative districts 1 student (one-year term)
Baltimore City	10	3 years	A 9 from city at large 1 student (one-year term)
Baltimore	12	5 years	A 4 from county at large 7 from council districts 1 student (one-year term)
Calvert	6	4 years	E 2 from county at large 3 from commissioner districts 1 student (nonvoting, one-year term)
Caroline ²	7	4 years	A/E 3 elected from school board districts 2 appointed from county at large 2 students (nonvoting, one-year term)
Carroll	9	4 years	E 5 from county at large 3 commissioners <i>ex officio</i> (nonvoting) 1 student (nonvoting, one-year term)
Cecil	6	4 years	E 5 from commissioner districts 1 student (nonvoting, one-year term)
Charles	8	4 years	E 7 from county at large 1 student (nonvoting, one-year term)
Dorchester	7	4 years	E 5 from council districts 2 students (nonvoting, one-year term)
Frederick	8	4 years	E 7 from county at large 1 student (nonvoting, one year term)
Garrett	7	4 years	E 2 from county at large 3 from commissioner districts 1 commissioner <i>ex officio</i> (nonvoting) 1 student (nonvoting, one-year term)

School System	Number of Members	Term	Means of Selection¹
Harford	11	4 years	A/E 6 elected from council districts 3 appointed 1 superintendent <i>ex officio</i> (nonvoting) 1 student (nonvoting, one-year term)
Howard	8	4 years	E 7 from county at large 1 student (one-year term)
Kent	6	4 years	E 5 from county at large 1 student (nonvoting, one-year term)
Montgomery	8	4 years	E 2 from county at large 5 from school board districts 1 student (one-year term)
Prince George's	10	4 years	E 9 from school board districts 1 student (one-year term)
Queen Anne's	7	4 years	E 1 from county at large 4 from commissioner districts 2 students (nonvoting, one-year term)
St. Mary's	6	4 years	E 1 from county at large 4 from commissioner districts 1 student (nonvoting, one-year term)
Somerset	5	4 years	E All from commissioner districts
Talbot	8	4 years	E 7 from school board districts 1 student (nonvoting, one-year term)
Washington	8	4 years	E 7 from county at large 1 student (nonvoting, one-year term)
Wicomico	7	5 years	A All from county at large
Worcester	10	4 years	E 7 from commissioner districts 3 students (nonvoting, one-year term)

¹A = Appointed by Governor, except in Baltimore City where board is appointed jointly by the Governor and the Mayor. E = Elected. A/E = Combined appointed and elected board.

²Voters in Caroline County decided at the 2010 general election to change from an appointed board to a combination appointed and elected board beginning with the November 2012 general election. The terms of the five current appointed members will expire December 2, 2012.

Source: Annotated Code of Maryland, Education Article, Sections 3-101 through 3-1405; local board of education websites

Local Expenditures: Adding two additional members to the Baltimore City Board of School Commissioners will increase expense reimbursement expenditures minimally beginning in fiscal 2015. Baltimore City Public Schools advises there will be a one-time SB 382/ Page 4

additional expense of approximately \$5,000 for each new member (or \$10,000 total) for the purchase of computers and related costs.

Additional Information

Prior Introductions: None.

Cross File: HB 1011 (Delegate Glenn, *et al.*) – Ways and Means.

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

Fiscal Note History: First Reader - February 14, 2011
ncs/hlb

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