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FISCAL AND POLICY NOTE
Revised

House Bill 481

(Baltimore County Delegation)

Ways and Means

Education, Health, and Environmental Affairs

Baltimore County - Elected School Board

This bill restructures the Baltimore County Board of Education from a 12-member appointed board, including 1 student member, to a 10-member board consisting of 9 nonpartisan elected board members and a student member.

The bill also establishes a 7-member appointed School Board Redistricting Commission for Baltimore County which must recommend the establishment of nine school board election districts, consistent with specified requirements. Baltimore County must provide staff support for the commission.

Fiscal Summary

State Effect: The State Board of Elections and State Board of Education can implement the provisions of the bill with existing resources.

Local Effect: Baltimore County school expenditures decrease by \$18,000 in FY 2016 and 2017, assuming elected board members do not receive health insurance coverage from the public school system. If elected board members receive health insurance coverage, county expenditures may increase by up to \$53,500 in FY 2016 and 2017. Beginning in FY 2018, also depending on whether health insurance is received by elected board members, county expenditures may decrease by \$17,500 annually or increase by up to \$111,200 annually.

Local election costs increase to the extent that additional election judges and polling places are made necessary by the establishment of school board election districts. Baltimore County can cover staffing responsibilities for the school board redistricting commission with existing resources. **This bill may impose a mandate on a unit of local government**

Small Business Effect: None.

Analysis

Bill Summary: An elected member of the Baltimore County school board district must be a registered voter in the county and reside in the district prior to the election; the office is deemed vacant if the member does not maintain district residency. If a district boundary line is changed, an incumbent who resides outside of the district as a result of the change may serve the remainder of the current term.

Voters of a school board district may vote only for a candidate for election from that district. After election results are certified, the State Board of Education must declare for each district whether a candidate has been elected. If no individual files for candidacy or if no individual otherwise qualifies for placement on the ballot, the county executive must appoint a member to fill the vacancy, with advice and consent of the county council. At its first meeting in July of each year, the county board must elect a chair and vice chair from among its members. Aside from compensation, provisions concerning the student member of the county board are not altered by the bill.

In the case of a vacancy on the county board of education, the county council confirms the nomination by the county executive. The county executive must act promptly to fill appointments; to the extent practicable, the county executive and the county council must act within 60 days after a vacancy occurs. A nominee may not take office until the county council has confirmed the nomination.

The State Board of Education may remove a board member for immorality, misconduct in office, incompetency, willful neglect of duty, or failure to attend board meetings. The bill requires that the member be informed of the charges against the member, be given an opportunity to request a public hearing before the State Board of Education, and if removed, be given the right to a *de novo* review of the removal by the Circuit Court for Baltimore County.

The terms of the seven members appointed from councilmanic districts expire June 30, 2015, and the terms of the four members appointed at large expire June 30, 2017. Each elected member serves a four-year term beginning on July 1 in the following election. Terms are staggered such that members from districts 1, 3, 5, 7, and 9 are elected in November 2014 and serve commencing on July 1, 2015; members from districts 2, 4, 6, and 8 are elected in November 2016 and serve commencing on July 1, 2017.

Each elected school board member receives annual compensation of \$100 and a student member who completes a full term must be granted a \$100 higher education scholarship; school board members are also entitled to reimbursement for travel and other expenses as budgeted by the county. The bill alters school board terms from five to four years and sets term limits for elected school board members.

School Board Redistricting Commission for Baltimore County

The School Board Redistricting Commission for Baltimore County must be convened following each decennial census. The commission consists of:

- three members appointed by the chair of the Senate Delegation, one of whom must be a member of a minority party of the delegation;
- three members appointed by the chair of the House Delegation, one of whom must be a member of a minority party of the delegation; and
- one member appointed by the County Executive.

No elected government official may be appointed to the commission. The commission must elect a chair from among its members. The commission must endeavor to establish school board districts that, to the extent possible: are of substantially equal population such that no district is 3% above or below the ideal district size; are compact; are contiguous; enhance the opportunity for minority representation; are mindful of school attendance boundaries and feeder alignments; and keep communities of interest together.

The commission must complete its task as soon as practicable and report its findings and recommendations to the public. Thirty days after their release, the recommendations must take effect (unless otherwise directed by a judicial authority), and the commission for that census terminates.

Current Law: The Baltimore County Board of Education consists of 12 members appointed by the Governor: 1 member from each of the 7 councilmanic districts in the county, 4 from the county at-large, and 1 student member.

Members serve five-year terms, except the student member who serves a one-year term. With the approval of the Governor, the State Superintendent of Schools may remove a board member for immorality, misconduct in office, incompetency, willful neglect of duty, or failure to attend board meetings. If any of the members vacates the position, the Governor appoints a replacement.

Background: The Baltimore County Board of Education 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 **Appendix 1**.

Local Fiscal Effect: The transition from an appointed to an elected board results in two less members on the board beginning July 2015; five elected and four appointed members (plus the student member) from July 2015 to July 2017; and a board consisting of nine elected members, and one student member beginning July 2017. Baltimore County school expenditures increase by \$100 in fiscal 2013 through 2015 to fund the student scholarship. Expenditures decrease by \$18,000 annually in fiscal 2016 and 2017, assuming board members do not receive health insurance coverage from the public school system. If board members receive health insurance coverage, county expenditures may increase by up to \$53,500 in fiscal 2016 and 2017. **Exhibit 1** illustrates the potential annual change in county expenditures for fiscal 2016 through 2018.

Exhibit 1
Potential Annual Change in Baltimore County Expenditures

	<u>FY 2016-2017</u>	<u>FY 2018</u>
Board Member Salaries ¹	\$600	\$1,000
Payroll Taxes	40	72
Travel/Reimbursement Expenses	(18,600)	(18,600)
Health Insurance Coverage	71,500	128,700
Total – Without Health Insurance	(\$17,960)	(\$17,528)
Total – With Health Insurance	\$53,540	\$111,172

¹Includes the student member scholarship

Board Member Salaries

Elected members of the Baltimore County Board of Education will be entitled to an annual salary of \$100 (or a \$100 scholarship for a student member serving a one-year term). Since the board will include five elected members and one student member in July 2015, the annual cost for salaries in fiscal 2016 and 2017 will total \$600. The transition to an elected board will be complete in July 2017, resulting in a total of \$1,000 in salaries beginning in fiscal 2018.

Travel and Reimbursement Expenses

Under the bill, county school board members are also entitled to allowances for travel and other expenses, as provided in the county budget. The Baltimore County Public School System budget currently covers travel expenditures (including mileage and conference costs), membership dues, and other costs (such as supplies). In fiscal 2011, these costs totaled approximately \$112,000, or \$9,300 per member. Because the bill reduces the size of the board by two members, annual expenditures for travel and other expenditures decrease by approximately \$18,600 annually beginning in fiscal 2016.

Health Insurance Benefits

The bill does not indicate whether elected school board members will be eligible for health insurance. Baltimore County advises that health insurance costs per member would range from \$5,300 for an individual plan to \$14,300 for a family plan. If elected (nonstudent) board members are allowed health insurance coverage, annual health care expenditures beginning in fiscal 2018 would range from \$47,700 if all nonstudent board members select individual coverage to \$128,700 if all select family coverage. The costs would range from \$26,500 to \$71,500 beginning in fiscal 2016, since the board will only have five elected members. These costs would be substantially lower to the extent that board members opt out of health insurance coverage due to existing coverage or for other reasons.

Administrative and Election Costs

Baltimore County can staff the School Board Redistricting Commission established by the bill with minimal increase in expenditures which will be covered through existing resources. The establishment of nine school board election districts will result in additional voting precincts and ballot styles, the number of which will depend upon the particular district boundaries chosen and their relationship to existing voting districts in the county. Though some current polling places may be able to accommodate voters from new precincts in a dual use arrangement, new polling places may need to be established as well. Baltimore County advises that it uses government buildings for most of its polling places at no charge, but polling places not owned by the State or local government are presently paid \$250 each for a general election.

Additional election judges will also be required. Presently each judge is paid \$40 for mandatory training; chief judges are paid \$225; and regular judges are paid \$163. Baltimore County advises that a typical polling place requires two chief judges and four to five regular judges. This results in a cost of approximately \$1,450 in compensation to election judges per additional polling place made necessary by the bill.

Additional Information

Prior Introductions: None.

Cross File: SB 407 (Senators Zirkin and Jennings) - Education, Health, and Environmental Affairs.

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

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Appendix 1
Local Boards of Education in Maryland

School System	Number of Members	Term	Means of Selection¹
Allegany	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