

February 15, 2022

Dear Members of the Committee:

I testify in support of SB 414 as the former vice chair of the Baltimore County Board of Education, an expert in corporate governance and a supporter of the principal of “majority will.”

As you know, this bill would do two things: Add a new member to the board and clarify that the board chair and vice chair should be elected by a majority of the members then-serving, rather than a majority of the seats that exist. Let me take each one in turn.

Adding a New Board Member

The reason to add a new member to the board is straightforward. The Baltimore County Board of Education currently has an even number of board members, 12. It is best practice for boards, be them for-profit or non-profit, to be served by an odd number of board members. This avoids deadlocks and inefficiencies. For example, during my time on the school board, we saw tie votes on a regular basis, and, as a result, members would bring the same motion over and over again to see if the tie could be broken.

Further, this new board member would help improve local representation. While this is a local county board, its appointees are solely appointed by the state governor. It only makes sense that the county executive should have at least one appointee, given that the education is the biggest priority and line item in the county.

Finally, this may well improve the coordination between the county government and school system, which is sorely needed.

Clarifying the Chair/Vice-Chair Voting Standard

Regarding the standard to elect the chair and vice chair, experience once again proves why this is necessary. For 2019, the board of education elected Kathleen Causey to serve as its chair. For 2020, the board of education voted 6-5 in favor of someone else to serve as its chair (the last member of the board had passed away and his seat was vacant at the time).

However, because 6 votes did not represent a majority of overall seats on the board (12), Ms. Causey retained her position as board chair and served another year – even though this was contrary to the will of a majority of board members.

This is inconsistent with customary board governance practices. But more importantly, it is undemocratic. And it led to even more conflict. This is simply not fair to the hundreds of thousands of stakeholders in our system. We need this common-sense change so this never happens again, which it very well could.

The chair and vice chair wield significant power over the board and system, and should be duly elected. Furthermore, to do otherwise arguably violates the law, for Section 3-2B-09 of the Education Article requires the board to “elect” a chair and vice chair each year.

For the reasons stated above, I respectfully request that you support SB 414.

Sincerely,

Nicholas C. Stewart, Former Vice Chair of the Baltimore County Board of Education