



**Board of Education of Howard County
Testimony Submitted to the Maryland Senate
Education, Energy, and the Environment Committee
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**Board of Education
of Howard County**

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SB0595: UNFAVORABLE

**County Boards of Education and Baltimore City Board of School
Commissioners - Vacancy Procedures – Alterations**

The Board of Education of Howard County (the Board) opposes **County Boards of Education and Baltimore City Board of School Commissioners - Vacancy Procedures – Alterations** as a mandate on a local process that creates additional operational and fiscal burdens on the Board and the Howard County Public School System (HCPSS).

SB0595 proposes a standardized legal framework for addressing vacancies on local boards of education across Maryland. The bill mandates that special elections be held to fill empty seats for elected members if the opening occurs early in a term, specifically before a designated filing deadline. For vacancies occurring late in a term or when no qualified candidate runs, the bill requires remaining board members to select a replacement through a process involving public advertisements, livestreamed interviews, and a formal public vote. Appointed positions must also be filled within a strict 60-day window. By repealing various local procedures, the bill intends to have local school systems throughout the state adhere to uniform requirements for maintaining board leadership and public accountability.

In Howard County specifically, under current procedures found in Education Article §3–701, if a vacancy occurs for an elected member, the County Executive of Howard County appoints a qualified individual to fill the seat, subject to confirmation by the County Council. SB0595 removes this power from the County Executive and the County Council. Instead, it mandates that vacancies be filled in accordance with a new uniform statewide procedure, which grants the remaining members of the local board the authority to select a replacement if an election is not triggered.

The criteria for when a vacancy must be filled by a public election rather than an appointment also change. Under current law, a successor is elected by the voters at the next general election only if the vacancy occurs before the date that is one year following the date of the member’s election. Under SB0595 an election is required if the vacancy occurs 55 days or more before the candidate filing deadline for the primary election held in the second year of the vacating member’s term. If the vacancy occurs 54 days or less before that deadline, or if no qualified candidate runs for the office, the board fills the vacancy by selection.



When filling a vacancy, the local board would be responsible for selecting a replacement through strict procedural steps as follows:

- Advertise the vacancy.
- Review submitted resumes.
- Conduct livestreamed interviews of all candidates.
- Hold a public vote to select the candidate.

Currently, Education Article §3–701 specifies that the County Executive should “endeavor to ensure that the county board reflects the race, gender, and ethnic diversity of the population” when making an appointment. SB0595 repeals this specific diversity provision for Howard County as part of the shift away from executive appointments.

The fiscal and operational impact of the new procedures outlined in SB0595 for Howard County would depend on a number of factors. The HCPSS Human Resources Office - which would likely handle the new process required given the Board does not have its own human resources office - has existing advertising and application resources that could be utilized similar to hiring for a new position within the school system. The volume of resumes received, however, would determine the amount of time needed by both internal staff and Board members to review resumes for initial interview selection and to conduct the interviews.

There could also be significant productivity costs in terms of extra Board meetings and resulting delays in normal Board business. The number of candidates being interviewed and whether they need to be held over a series of meeting dates and times would impact the extent of administrative costs including fees for livestreaming meetings. The increased obligations for Board members themselves to review resumes and conduct interviews within a 60-day timeframe could also present logistical challenges given many hold regular employment outside of their board responsibilities.

For these reasons, we urge an UNFAVORABLE report on SB0595 from this Committee.