

Somerset County Public Schools

W.David Bromwell
Superintendent of Schools
Tracie Bartemy
Director of Schools



Board Members
Matthew Lankford, Chairman
Andrew Gleason, Vice Chairman
Mary Beth Bozman
William McInturff
John Robertson

General Assembly
LEGISLATIVE SESSION 2026
Subtitle 12 AMENDMENTS

ON BEHALF OF THE SOMERSET COUNTY BOARD OF EDUCATION

Dear Members,

Somerset County (SC) is the only county in Maryland which has not had regular, ordinary and customary updates to its Subtitle 12 of the Maryland Education Article. Somerset County Board of Education has 5 voting members. Maryland Blueprint brought many changes and finally SCBOE has an opportunity to update old subsections of Subtitle 12 accordingly.

This subtitle has only 4 subtitles:

- 1) 3-1201 Membership
- 2) 3-1202 Chairman
- 3) 3-1203 Compensation and expenses
- 4) 3-1204 Meetings

3-1201. Membership

Most subsections of the Somerset County Education Article, Subtitle 12 have not been updated since 1996.

Since 1996 most Maryland counties incorporated into their education article presence, participation, attendance and roles of selected Student Board Representatives.

Somerset County had student representatives sitting, preparing and attending our meetings but they are not even mentioned in the Subtitle 12 and technically without statutory authority to attend regular board meetings.

The proposed change is the local Board's desire to recognize Student Representatives attending our meetings. To remedy this omission, SCBOE wishes to incorporate Student Representatives as Board Advisors and reference them as such into the subsection 3-1201 to comply and conform with all other neighboring Eastern Shore counties who updated their Subtitles over 20 years ago.

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Furthermore, Somerset County recognizes wisdom in the Subtitle 14 of the Maryland Education Article of the neighboring Worcester County specifically their section 3-1401(g) Vacancies and wishes to incorporate the same statutory language to wit: 3-1401(g)(1) The county commissioners shall appoint a new member to fill any vacancy on the county board of education for the remainder of that term and until a successor is elected and qualifies; (2) A resident of the district in which a vacancy exists may apply to the county commissioners to fill the vacancy.

This language would ensure local commissioners' continued involvement, efficiency and cooperation with the local Board of Education. In a small county like Somerset or Worcester, most commissioners know best suitable candidates who could fill the vacancies swiftly and would ensure operations of the Board without due delay. In 2025 one of our Board members, Mr. Ford resigned in April and his vacancy (currently within authority of the Governor) has not been filled since November 2025. From April through November, we had 4 members and often have difficulty in obtaining majority. To avoid such and similar disruptions, our desire is to defer the appointment of vacancies to our local Commissioners.

3-1203. Compensation and expenses

This subsection has not been updated since 1998.

Somerset County is the poorest county in Maryland. Its current compensation for the Board members is \$2700 per year and for the Chairperson \$3000 per year.

Somerset County Board of Education should be equalized with all other local Eastern Shore counties as far as the stipend to the Board members for the basic purposes of respect for the office and public school education.

Proposed legislation is only \$5,000 per year for the members and \$6,000 for the Chairperson.

3-1204. Meetings.

This section has not been reviewed since 1996.

Under current section of Maryland Education Article §3-1204 the Somerset County Board of Education is unable to lawfully conclude their executive session without violating Maryland Education law.

Specifically, §3-1204 states that:

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- (a) “all final actions of the county board shall be taken at a public meeting. The board shall keep a formal record of each public meeting and
- b) Executive session – this section does not prohibit the board from meeting and deliberating in executive session **provided that all action is taken at a public meeting.** (1979, ch.567, §2; 1996, ch 10, §16).

The Board must vote to enter into the executive closed session and to conclude their meeting and go to the public open session. However, the Board is unable to vote in the executive closed session under this subsection since **all final actions** taken have to be taken at a public meeting. This technicality has always been overlooked until recently.

§3-1204 of Subtitle 12 Somerset County is inconsistent with Maryland Open Meetings Act

Open Meetings Act provides rules of parliamentary procedure and affords certain limited and enumerated exceptions under General Provisions §3-305. Somerset County Board of Education has not violated Maryland Open Meetings Act and the Attorney General for Open Meetings Act Compliance Board issued numerous well written decisions explaining requirements for compliance.

However, §3-1204 does not allow the Board to take final action and vote in closed session for any reason, including but not limited to confidential matters with their attorney such as: offers to settle disputes, counter offers, strategic decisions regarding Labor Union negotiations etc. Somerset County Board of Education cannot enter, debate and vote based on recommendation of their attorney on any confidential matter. Furthermore, Somerset County cannot discuss and vote in closed session for the Labor Negotiations, terminations of specific employees which would bring their names into public light or public scorn. Enumerated exceptions under Open Meetings Act are currently not available for Somerset County. We are the only public body in Maryland that cannot follow Maryland Open Meetings Act as written because by doing so we would be in violation of provision 3-1204 of Maryland Education Article.

For an example: the language in the similar section for Talbot County (§3-12A-05) states:

- (a) In general – the County board shall meet at least once each month
- (b) Actions to be public: - Except for those actions authorized by subsection (c) of this section, all actions of the county board shall be taken at a public meeting and a record of the meeting and all actions shall be made public;
- (c) **Executive session – The County Board may take actions in executive session in accordance with §3-305 of the General Provisions Article (2005.ch.524 §4;2014,ch.104, §2).**

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The same language is found in Worcester County §3-1405. Meetings

- (a) Frequency – The county board shall meet at least once each month
- (b) Actions to be public – Except for those actions authorized by subsection (c) of this section, all actions of the county board shall be taken at a public meeting and a record of the meeting and all actions shall be made public.
- (c) Executive session – The county board may take actions in executive session in accordance with §10-508 of the State Government Article.

Queen Anne’s County Education Article does not have a similar section and Queen Anne County school board meetings are governed under the General Provisions Article – Open Meetings Act.

Somerset County Board of Education wishes to remedy this inconsistency with the Maryland Open Meetings Act and amend their section 3-1204 to comply with Maryland Open Meetings Act.

Somerset County Board of Education wishes to extend gratitude to all members of the Maryland General Assembly who are instrumental in fixing archaic and inconsistent subsections.

With this testimony we are remedying a long overdue obligation to fix Somerset County Public School system in all areas: Our gratitude goes to our students, parents, Maryland Board of Education, Maryland State Superintendent Dr. Wright and our new Superintendent Mr. Bromwell who have supported these efforts refresh, update and improve our current legal framework.

We are especially grateful to Senator Mary Beth Carozza and Delegate Kevin Anderson for bringing this issue to light and before the Maryland General Assembly.

Respectfully,

Mathew Lankford, Chairman
Andrew Gleason, Vice Chairman