

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE

House Bill 777 (Delegate McDonough)
Ways and Means

Baltimore County - Board of Education - Selection of Members

This bill restructures the Baltimore County Board of Education from a 12-member appointed board, including 1 student member, to a 12-member board consisting of 4 at-large members appointed by the county executive; 7 members each elected from one of seven council districts (school board districts), and a student member. The bill alters the date of expiration for the terms of certain members. The restructured board begins January 7, 2019. Every four years at the general gubernatorial election one member will be elected from each of seven council districts. Additional members are appointed within 90 days of the election or of a vacancy on the board. The bill repeals the voting rights of the student member of the county board.

The bill takes effect July 1, 2014.

Fiscal Summary

State Effect: General fund expenditures for the State Board of Elections increase minimally beginning in FY 2019 to cover the creation of additional election ballot styles.

Local Effect: Local election costs increase minimally beginning in FY 2019 to cover the local share of creating and disseminating additional election ballot styles.

Small Business Effect: None.

Analysis

Bill Summary: An elected member of the Baltimore County school board must reside in the school board district and be a registered voter in the county for three years prior to beginning the term of office. 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 the district as a result of the change may serve the remainder of the current term.

The State Board of Education may remove a board member for immorality, misconduct in office, incompetency, willful neglect of duty, or failure to attend 75% of board meetings in a calendar year without good cause. The board member must 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 bill alters school board terms from five to four years and sets term limits for school board members. At its first meeting in January of each year, the county board must elect a president and vice president from among its members.

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. The student member may vote on all matters except those relating to suspension and dismissal of specified school personnel; collective bargaining; capital and operating budgets; and school closings, reopening, and boundaries.

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 four appointed school boards in the State. There are 17 elected school boards in the State and three counties have hybrid boards including both elected and appointed members. **Appendix – Local Boards of Education** shows the selection methods, terms of office, and membership of the 24 local boards of education.

State Fiscal Effect: Costs associated with generating several new ballot styles for elections in Baltimore County, beginning in fiscal 2019, will be shared with the county government.

Local Fiscal Effect: Baltimore County board of elections costs increase minimally to cover the county share of costs associated with generating new ballot styles for elections and for printing and mailing of ballots, beginning in fiscal 2019.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - February 24, 2014
mam/hlb

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Appendix – Local Boards of Education

<u>School System</u>	<u>Number of Members</u>	<u>Term</u>	<u>Means of Selection¹</u>	
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	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)

<u>School System</u>	<u>Number of Members</u>	<u>Term</u>		<u>Means of Selection¹</u>
Harford	11	4 years	A/E	6 elected from council districts 3 appointed 1 superintendent <i>ex officio</i> (nonvoting) 1 student (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	14	4 years	A/E	9 elected from school board districts 4 appointed 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. In Prince George's County, 3 members appointed by the County Executive and 1 member appointed by the county council.

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