

Department of Legislative Services
Maryland General Assembly
2017 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1299
Ways and Means

(Howard County Delegation)

Education, Health, and Environmental Affairs

Howard County Board of Education - Elected School Board
Ho. Co. 11-17

This bill restructures the Howard County Board of Education from an eight-member board consisting of all at-large members to an eight-member board consisting of five members elected from each of the five councilmanic districts in the county and two at-large members, in addition to one student member.

The bill takes effect July 1, 2017.

Fiscal Summary

State Effect: The State Board of Elections can handle the bill's changes with existing budgeted resources. Revenues are not affected.

Local Effect: The Howard County Board of Elections can handle the bill's changes with existing budgeted resources. County expenditures and revenues are not otherwise affected.

Small Business Effect: None.

Analysis

Bill Summary: The members of councilmanic districts must be residents of their respective districts. If the boundary line of a council district is changed, the term of an incumbent member who no longer resides in the district because of the change is not affected for that term.

Once the bill fully takes effect, elected members of the board serve staggered four-year terms beginning on the first Monday in December after the member's election and until a successor is elected and qualifies.

The bill also clarifies that, when making an appointment to the board, the county executive must endeavor to ensure that the board reflects the race, gender, and ethnic diversity of the population of Howard County. Finally, the bill also specifies the dates on which the terms of current board members expire.

Current Law: The Howard County Board of Education consists of eight at-large elected members and one student member. Board members serve four-year terms.

Background: The Howard County School Board is 1 of 17 elected school boards in the State. There are 4 appointed school boards and 3 counties have hybrid boards. **Appendix – Local Boards of Education** shows the selection methods, terms of office, and membership of the 24 local boards of education.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Howard County; Department of Legislative Services

Fiscal Note History: First Reader - February 26, 2017
mm/hlb Third Reader - March 27, 2017
Revised - Amendment(s) - March 27, 2017

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Appendix – Local Boards of Education

School System	Number of Members	Term		Means of Selection ¹
Allegany	6	4 years	E	5 from county at large 1 student (nonvoting, one-year term)
Anne Arundel ²	9	5 years	A	3 from county at large 5 from legislative districts 1 student (one-year term)
Baltimore City ³	10	3 years	A	9 from city at large 1 student (one-year term)
Baltimore ⁴	12	5 years	A	4 from county at large 7 from councilmanic 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	11	4 years	E	5 from county at large 5 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 councilmanic districts 2 students (nonvoting, one-year term)
Frederick	8	4 years	E	7 from county at large 1 student (nonvoting, one-year term)
Garrett	6	4 years	E	2 from county at large 3 from commissioner districts 1 student (nonvoting, one-year term)

School System	Number of Members	Term		Means of Selection¹
Harford	11	4 years	A/E	6 elected from councilmanic districts 3 appointed from county at large 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 districts 1 student (one-year term)
Prince George's ⁵	14	4 years	A/E	9 elected from school board districts 4 appointed by county 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	9	4 years	E	7 from school board districts 2 students (nonvoting, one-year term)
Washington ⁶	8	4 years	E	7 from county at large 1 student (nonvoting, one-year term)
Wicomico ⁷	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; and A/E = Combined appointed by Governor and elected board, except in Prince George's County.

²There are three steps to being appointed and retained as a member of the Anne Arundel County Board of Education. First, the School Board Nominating Commission selects nominees who are recommended to the Governor as candidates for appointment to the Anne Arundel County Board of Education. The commission consists of 13 members – 3 appointed by the county executive, and 10 appointed from various county organizations. A board member begins serving immediately upon appointment; however, the board member must stand for “approval or rejection of the registered voters of the county” at the next general election. The board member is placed on the ballot, without opposition. If the voters retain the board member, he or she may complete the remainder of the 5-year term. If the voters reject the board member, the position becomes vacant and the process begins again. Chapters 177 and 178 of 2011, as well as an Opinion of the Attorney General (98 Op. Att’y Gen. 51 (May 22, 2013)), clarify that this three-step process applies not only to newly appointed board members, but also to incumbent board members seeking a second term.

³The nonstudent members of the Baltimore City Board of School Commissioners are jointly appointed by the Mayor of Baltimore City and the Governor from a list of qualified individuals submitted by the State Board of Education. Each member must be a resident of Baltimore City, and the membership must reflect the demographic diversity of Baltimore City. In addition, Chapter 723 of 2016 restructured the board to be a hybrid board with two members elected from the city at large, nine members jointly appointed by the Governor and the Mayor of Baltimore City, and one student member. The two elected board members will be elected at the general election in November 2022 and every four years thereafter.

⁴Chapters 480 and 481 of 2014 restructured 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 Governor, 7 nonpartisan members each elected from one of seven councilmanic districts, and a student member. The elected members will be elected at the general election in November 2018 and every four years thereafter. In addition, Chapters 480 and 481 of 2014 established the Baltimore County Nominating Commission. The commission is responsible for selecting eight nominees to be recommended to the Governor as qualified candidates for appointment to the Baltimore County Board of Education. The commission consists of 19 members of the county and must reflect the diversity of the county. Except in extenuating circumstances, the Governor must appoint members to the board of education from the list the nominating commission provides.

⁵Chapter 147 of 2013 altered the membership of the Prince George's County Board of Education by adding four appointed members to the existing elected board. The county executive appoints three members with certain experience requirements, and the county council appoints one member who must be a parent of a student in the county school system. If a seat held by an elected member becomes vacant, the county executive must appoint a qualified individual for the remainder of the term, with the appointment subject to rejection by a two-thirds vote of the county council.

⁶The Washington County Board of Education reports that the student member can only concur on votes and must abstain from certain matters.

⁷Chapter 169 of 2016, subject to referendum, required the restructuring of the Wicomico County Board of Education. In the 2016 general election, the county approved a fully elected board option, with five members each elected from one of the five councilmanic districts and two members elected from the county at large. Members will be elected at the general election in 2018 and every four years thereafter. The terms of board members who are in office on December 2, 2018, will expire on December 2, 2018.

Source: Annotated Code of Maryland, Education Article, Sections 3-101 through 3-1405; Local Boards of Education