

MONTGOMERY COUNTY BOARD OF EDUCATION

Rockville, Maryland

November 13, 2012

MEMORANDUM

To: Members of the Board of Education

From: Laura Steinberg, Staff Assistant, Legislative and Inter-Governmental Relations

Subject: Recommended Positions on Education Legislation

This memorandum provides you information regarding proposed local legislation that would impact Montgomery County Public Schools (MCPS) and the Board of Education. Below is a summary and analysis of each bill as well as the web site where you can find the bill's full text.

MC 1-13

Montgomery County - Board of Education Districts - Town of Kensington in One District

Requested by Delegate Al Carr, Delegate Jeff Waldstreicher, and Senator Rich Madaleno

<http://www.montgomerycountydelegation.com/documents/MC1-13.pdf>

During last fall's special legislative session, the boundaries of the Montgomery County Board of Education five resident districts were redrawn. An unintended consequence of the new District 3/District 4 boundary has emerged regarding voting precincts in the Town of Kensington. Title 33 (Board of Elections), subtitle 15.02.02 of the Code of Maryland Regulations states a precinct must lie "wholly within a district" with no distinction made between an election and resident district. Because the BOE District 3/District 4 boundary now runs through the Town of Kensington, the Board of Elections divided the Town of Kensington into 2 voting precincts. Kensington residents prefer to continue their long standing tradition of voting in one location. Therefore, this bill has been introduced to redraw the District 3/District 4 boundary to accomplish that goal.

MC 7-13

Montgomery County Board of Education – Membership

Requested by Delegate Charles Barkley

<http://www.montgomerycountydelegation.com/documents/MC7-13.pdf>

Current law requires Maryland school systems with more than 100,000 students to have at least a nine member Board of Education, except for Montgomery County. This bill eliminates that exception by adding two at-large members. Additionally, the bill converts the five existing Board of Education (BOE) resident districts into five election districts. Board member terms would remain staggered with four members (two at-large and District 2 and District 4 members) elected in the presidential election cycle and five members (two at-large and District 1, District 3, and District 5 members) elected in the gubernatorial election cycle.

During the 2000 legislative session, a 16-member *Montgomery County School Board Composition Task Force* was legislatively authorized to study the authority, size, composition and responsibilities of the Montgomery County Board of Education. The Task Force discussed both adding two additional members to the Board of Education as well as converting resident districts to election districts. The Task Force rejected both concepts citing no immediate benefit to increased size as well as concern that electing Board of Education members only by voters in their district, rather than countywide, could lead to parochialism.

MC 8-13

Montgomery County – Board of Education – Compensation

Requested by Delegates Charles Barkley and Brian Feldman

<http://www.montgomerycountydelegation.com/documents/MC8-13stored10-9-12.pdf>

This bill would increase the annual compensation of Montgomery County Board of Education members from \$18,500 to \$25,000. The Board of Education president would continue to receive an additional \$4,000 annual compensation.

During the 2000 legislative session, the 16-member *Montgomery County School Board Composition Task Force* was legislatively authorized to study the authority, size, composition and responsibilities of the Montgomery County Board of Education. In discussing compensation, the Task Force identified several key issues including comparable compensation with other County boards and commissions as well the opportunity for any citizen, regardless of employment or income to be able to run for the Board. As a result, the Task Force recommended that compensation for Board members be increased from \$12,000 to \$18,500 annually. At that time, there had been no Board of Education member compensation increase since 1986.

MC 13-13

Montgomery County Board of Education - Student Member - Voting

Requested by Delegate Anne Kaiser

<http://www.montgomerycountydelegation.com/documents/MC13-13.pdf>

The position of student member of the Board of Education (SMOB) is established by the Annotated Code of Maryland, with rights varying from jurisdiction to jurisdiction. Some jurisdictions have SMOBs with extremely limited powers, while in at least one instance the SMOB has the same powers as the adult elected member of the Board.

This bill expands the Montgomery County SMOB's authority to vote on matters relating to collective bargaining, capital and operating budgets, as well as school closings, reopenings, and boundaries. The Montgomery County Board of Education has already expressed support for expanding the SMOB's voting rights to be equal to those of adult Board members except for voting on negative personnel matters.

I will continue to monitor proposed legislation throughout the 2012 legislative session and bring you recommended positions on those bills that will impact MCPS.

Attachments