

**Department of Legislative Services**  
Maryland General Assembly  
2007 Session

**FISCAL AND POLICY NOTE**

Senate Bill 985 (Senators Hooper and Harris)  
Education, Health, and Environmental Affairs

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**Harford County Board of Education - Appeal of Decisions of the County Board**

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This bill alters the process for appealing decisions of the Harford County Superintendent of Schools regarding rules and regulations of the county board and the proper administration of the county public school system. Any decision of the superintendent that is appealed to the county board of education may be further appealed to the county council, which may vote on whether to hear the appeal. A final decision of the county council, including a decision not to hear an appeal, may then be appealed to the State Board of Education.

The bill takes effect October 1, 2007 and expires November 30, 2009.

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**Fiscal Summary**

**State Effect:** Any change in the State Board of Education's caseload of local appeals is not expected to affect the board's expenditures.

**Local Effect:** Expenditures by the Harford County Council could increase by an estimated \$20,000 annually for legal fees from FY 2008 through 2010. If the number of appeals heard by the council increases significantly over current levels, county expenditures could increase to add an administrative assistant to handle scheduling and other administrative duties.

**Small Business Effect:** None.

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## Analysis

**Current Law:** Each local superintendent of schools is responsible for deciding all controversies and disputes that involve the local board of education's rules and regulations and the proper administration of the local school system. A decision of a local superintendent may be appealed in writing to the county board of education within 30 days of the superintendent's decision. The decision may be further appealed in writing to the State Board of Education within 30 days of the local board's decision.

**State Expenditures:** The State Board of Education reports that it considers between 55 and 70 local appeals annually. In the last two years, the State board has heard a total of two appeals from Harford County. If appeals that would have come to the State board from Harford County are resolved by the county council, the board's caseload of local appeals would be reduced marginally, but not enough to expect a reduction in board expenditures. If the bill results in more appeals filed with the Harford County Council, and those cases are not resolved at the local level, the board's caseload of appeals could increase. Again, the potential increase is assumed to be small and could be absorbed within existing resources.

**Local Expenditures:** Harford County notes that, as a local body, more cases may be appealed to it than are normally appealed to the State board. Therefore, the county predicts that its expenditures could increase by \$104,000 for legal fees, advertising, and an administrative assistant to handle scheduling and other administrative duties.

The Department of Legislative Services (DLS) disagrees with this assessment and estimates that expenditures could increase by \$20,000 annually. Even if the number of cases appealed to the council doubles or triples, it is not likely to warrant a new position to handle administrative duties. Moreover, the bill gives the council discretion in deciding whether to hear an appeal, so it will be able to screen out appeals that lack merit. However, the council will need to establish procedures for reviewing and hearing appeals, for which it will need to hire a legal consultant and pay related legal fees. DLS estimates that those expenses will total approximately \$20,000.

If the number of appeals heard by the board far exceeds current levels, expenditures by the Harford County Council could increase by an additional \$57,000 for an administrative assistant to handle scheduling and other administrative duties.

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## Additional Information

**Prior Introductions:** None.

**Cross File:** None.

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

**Fiscal Note History:** First Reader - March 9, 2007  
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