

for a lay board of education. Frankly, I was never aware of the subtleties of this particular phase of the system until Committee deliberations took place. I was content to follow basically the Commission draft and make a general statement concerning education based on somewhat lofty concepts. However, after hearing the testimony offered, I have been convinced that the lay board staffed by fellow citizens appointed or elected throughout the states in case of local boards and appointed by the governor in the case of state boards is the preferable method of running school systems compared to any others that have been advanced throughout the years and throughout the country. The alternatives have proven to be unacceptable in the past. A single head responsible to the governor or local official fails in the words of the local government article to insulate public education from the risk of political influence. The executive articles supply the exception and the education article should supply such board that has been anticipated.

Again, both the Commission draft and the minority have recognized the value of boards for higher education by designating such in the constitution. We believe that the same should be done for elementary and secondary schools and the change from this concept should be affected by all the people on that same basis and not by legislative or executive act alone.

To argue that which is running well, need not be constitutionalized as is suggested in the minority report is somewhat begging the question. To say such is denying the trends toward centralized control which while desirable in other areas are grossly inconsistent with and totally repugnant to a free educational system. The effectiveness of the State Board of Education of this State was recently recognized in an editorial in the *Baltimore Sun*.

Moving to section 5, we now deal with the next part of the majority report in the local school boards. The Minority in this instance has again misquoted the Majority Report in support of its contention. The majority recommends an article to guarantee for all times a system of free public schools, not an organized system of inflexibility. It seems unbelievable to us that there can be any real opposition to the recognition of local boards of education that have been in existence in some parts of this State since 1826. I submit to you that they have passed the test of time and are not fleeting flights into fantasy. They have proven capable of the task of adjust-

ing themselves to many educational climates and educational philosophies. They are the system and not the way by which education is taught in itself.

The Committee has been unable to obtain any explicit proof that an elective or appointed board is superior to the other and either is more or less efficient, although a majority of witnesses spoke in favor of appointive boards. We would say that by express language the majority recommendation is that no local board be changed by the mere adoption of this constitution from its existing status. We have provided for such in our language. I might add an historical note at this point.

The first local boards of education created in this State in 1886 also provided that there should be a local referendum to determine the creation of these boards. We submit that in matters so basic to the educational system of the State the people should have the right to determine these. However, in order to insure this flexibility we have not looked into the existing system of boards but we have indeed permitted the change from an elective to an appointive board through the local government by a statewide act. We merely require that people of those subdivisions affected first be given the right to pass on such questions by referendum. It might well be argued that it would be possible under existing petition procedures for those that would be adopted locally. The majority believes, however, that the change proposed should be submitted first to the people for their approval in a system that has proven itself successful over the years rather than require a petition to stop such a proposed change.

Indeed, it is possible that some county may not include the general referendum provision in its local instrument of government, although it is not at all unlikely that the percentage of signatures required may be high or the time allocated for obtaining such be relatively short. Indeed, if a taxing measure is attached it may not be petitionable at all.

Furthermore, the choice of appointment by the governor for ones who are elected rather than appointed by local officials is designed to give the lay boards the maximum objectivity in assessing the educational needs of their county and presenting these needs based on impartiality to the elected officials who will decide on the funds which are available for allocation in light of the total needs—not merely on the needs of education alone. Such a balance, if it is