

BILL: Senate Bill 222
TITLE: Appointment of County Superintendent of Schools –
Disapproval by State Superintendent of Schools
POSITION: SUPPORT
DATE: February 6, 2019
COMMITTEE: Education, Health and Environmental Affairs Committee
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE) supports Senate Bill 222. MABE supports this bill because it is consistent with MABE's support for the current legal framework establishing the roles and responsibilities of local boards of education and superintendents.

This bill would authorize the State Superintendent to disapprove an appointment of a county superintendent only if the appointee does not meet the qualifications specified in the current law governing local board hiring criteria. This bill is intended to clarify longstanding practice and help ensure that the review and approval process of the State Superintendent reflects the deliberative decision-making process of local boards in selecting their local superintendents.

A local board of education is charged with administering the operation of the schools within the boundaries of their district. A local board of education has tripartite jurisdiction and is thus charged with carrying out all three of the primary functions in the American system of government, namely executive, legislative and judicial roles. Each county board of education in Maryland is placed in control of educational matters within their county, and is directed to seek ways to promote the interests of the schools within their counties.

Among the major responsibilities of a county board of education is the appointment of a county superintendent of schools. The selection of a superintendent is conditioned on approval of the State Superintendent, who is charged with ensuring that the proposed local superintendent meets the state qualifications to hold such office.

A local superintendent has many duties under Maryland law. The local superintendent serves as the secretary, treasurer, and executive officer of each county school system. Unless the extension of their contract, salary, or the administration of the office of the local superintendent is under consideration by the county board, the local superintendent or their designee must attend all meetings of the county board and its committees. In the local superintendent's capacity as executive officer of the county board, the superintendent is required by to: conduct all correspondence; receive all reports from administrators and teachers; and see that all reports are made and submitted properly. A local superintendent must also prepare and submit to the county board for adoption the following: all reports required from the county board by the State Board or State Superintendent and the annual report to the people of the county.

In light of this array of responsibilities assigned by law to the local boards of education and local superintendents, and the priority of maintaining the local board's prerogative in hiring a qualified local superintendent, MABE supports this bill as consistent with codifying longstanding, reasonable practice.

For these reasons, MABE requests a favorable report on Senate Bill 222.