

BILL: House Bill 330
TITLE: Education – County Boards of Education – County Superintendent Contracts
POSITION: OPPOSE
DATE: February 14, 2019
COMMITTEE: Ways and Means Committee
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE) opposes House Bill 330, because it would inappropriately interfere with the contractual relationship between local superintendents and local boards of education.

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 highly qualified local superintendent based on terms negotiated between the respective board and superintendent, MABE opposes this bill.

For these reasons, MABE requests an unfavorable report on House Bill 330.