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BILL: SB 99

TITLE: Open Meetings Act - County Boards of Education - Enhanced Requirements (Local Boards of Education Transparency Act)

DATE: February 4, 2026

POSITION: Favorable with Amendments

COMMITTEE: Education, Energy, and the Environment Committee

CONTACT: Mary Pat Fannon, Executive Director, PSSAM

The Public School Superintendents' Association of Maryland (PSSAM), on behalf of all twenty-four local school superintendents, **supports** Senate Bill 99 **with amendments**.

This bill makes local boards of education and the Baltimore City Board of School Commissioners subject to enhanced requirements under the Open Meetings Act. Specifically, it requires each local board of education and the Baltimore City Board of School Commissioners to make publicly available on its website the agenda and minutes of each meeting and a live video stream of each portion of a meeting held in open session. The bill also requires each local board of education and the Baltimore City board of School Commissioners to maintain on its website a complete and unedited archived video recording of each open meeting where video streaming was made available for a minimum of five years after the date of the meeting. *(Source: https://mgaleg.maryland.gov/2026RS/fnotes/bil_0009/sb0099.pdf)*

PSSAM is strongly supportive of the bill and appreciates the intent to expand transparency and public access to school board meetings. We respectfully **request consideration of three amendments** we believe would strengthen implementation, while preserving access for communities across the state.

Amendment 1: Mirror Existing Statutory Language for Meeting Locations

We request consideration of language for school board meetings that mirrors the existing statutory framework applied to the Maryland Transportation Authority (lines 25–30), which requires live video streaming only at the agency's headquarters.

Applying a similar approach to school boards would preserve public access while recognizing practical realities. Many districts intentionally hold meetings in community locations - such as town halls or listening sessions - that are not conducive to live streaming. For example, Frederick County regularly conducts community conversations outside of headquarters, and Anne Arundel County Public Schools hosts public budget hearings in two community locations to improve geographic access. These meetings fully comply with Open Meetings Act notice and participation requirements, but are not always live streamed. This amendment would ensure continued access for residents in less urban or more remote areas without discouraging boards from meeting in the community.

Amendment 2: Limited Authority to Remove Pornographic or Disruptive Content

We request narrowly tailored authority to permit the removal of clearly inappropriate or pornographic content from meeting recordings. While we do not support broad or discretionary editing rights, recent instances of “Zoom bombing”—including explicit sexual conduct captured on video—raise serious concerns about permanently memorializing such content.

We suggest exploring language that would allow limited removal of such material, paired with notification to or guidance from the Open Meetings Act Compliance Board. This approach would maintain transparency while protecting the integrity of the record and the public interest.

Amendment 3: Use of Third-Party Platforms to Satisfy Posting and Storage Requirements

Finally, we request clarification that posting meeting videos on third-party platforms such as YouTube may satisfy the posting requirement, provided that all retention timelines remain unchanged. This approach is already used by the General Assembly, MSDE, the Accountability and Implementation Board, and other State entities. In practice, third-party platforms are more accessible and user-friendly for the public, while also reducing technical and storage burdens for local boards.

PSSAM appreciates the sponsor and committee’s openness to these thoughtful adjustments that support transparency while ensuring the bill works effectively for all communities across Maryland.

For these reasons, PSSAM **supports** Senate Bill 99 with the **suggested amendments** above.