

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

House Bill 761
Ways and Means

(Delegate Owings, *et al.*)

Education Reform and State Accountability Act of 2004

This bill reconstitutes the State Board of Education (SBE) by changing it from an appointed to an elected board. At the 2006 general election, one member must be elected from each of the eight congressional districts in the State. Elected members serve staggered four-year terms and may not serve more than two consecutive terms. In addition to the elected members, the Governor must appoint two student members to SBE. Also at the 2006 general election, a State Superintendent of Schools must be elected. Like SBE, the State Superintendent serves a four-year term and may not serve more than two consecutive terms. Salaries for SBE members and the State Superintendent are set by the General Assembly. The number of Deputy State Superintendents for the Maryland State Department of Education (MSDE) is also reduced from three to two, and the Governor must appoint the two deputy superintendents.

The bill also diminishes the role of SBE and MSDE and elevates the autonomy of local boards of education. SBE and MSDE would serve in more of an advisory role.

Fiscal Summary

State Effect: General fund expenditures could increase beginning in FY 2007 to pay the salaries of elected SBE members. Revenues would not be affected.

Local Effect: Altering the selection process and statutory authority of SBE and the State Superintendent of Schools would not have a material effect on local finances.

Small Business Effect: None.

Analysis

Current Law: SBE consists of 11 regular members and one student member, all of whom are appointed by the Governor with the advice and consent of the Senate. Regular members serve staggered four-year terms and may not serve more than two full terms. SBE members serve without compensation but are entitled to reimbursement for travel expenses.

The State Superintendent of Schools is appointed by SBE and acts as the Chief Executive, Secretary, and Treasurer of SBE. The superintendent must be an experienced and competent educator, must be a graduate of an accredited college or university, must have at least two years of special academic and professional graduate preparation in an accredited college or university, and must have at least seven years of experience in teaching and administration. The State Superintendent serves a term of four years and earns the salary that is set by SBE.

MSDE is headed by SBE, and the State Superintendent, acting under the bylaws, rules, and regulations of SBE, is responsible for the administration of MSDE. MSDE is authorized to have up to three deputy State superintendents.

SBE determines the elementary and secondary education policies of the State. SBE must adopt bylaws, rules, and regulations for the administration of public schools. Through the State Superintendent, SBE must exercise general control and supervision over public schools and educational interests of the State. The State Superintendent must carry out the educational policies of SBE.

State Expenditures: The bill requires the General Assembly to set the salaries of SBE members and the State Superintendent of Schools. It is assumed that any change in the State Superintendent's salary would be minimal. SBE salaries, however, would represent new general fund expenditures since SBE members do not currently receive compensation. The compensation set by the General Assembly would begin midway through fiscal 2007 when the first elected SBE members would take office. The bill also reduces the number of deputy State superintendents, so a portion of the general fund expenditure increase could be offset by a minimal reduction in the salaries of deputy superintendents.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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