

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

House Bill 1527
Ways and Means

(Howard County Delegation)

**Education - Howard County - Complaints Involving Staff of the County
Superintendent of Schools
Ho. Co. 21-05**

This bill authorizes the Howard County Board of Education to investigate and decide all controversies and disputes that involve staff who report directly to the county's superintendent of schools. An appeal of the board's decision may be filed with the State Superintendent of Schools within 30 days after a decision by the board. The State superintendent must refer the appeal to a local board of education in a county that adjoins Howard County, and the Howard County Board of Education must bear the costs of the appeal.

Fiscal Summary

State Effect: None.

Local Effect: The Howard County Board of Education would incur additional costs with each appeal that is heard by another board of education.

Small Business Effect: None.

Analysis

Current Law: Each local superintendent of schools decides all controversies and disputes that involve the rules and regulations of the local board of education and the proper administration of the public school system. On the recommendation of the local superintendent, a local board of education may suspend or dismiss a teacher, principal,

supervisor, or other professional assistant for immorality, misconduct in office, insubordination, incompetency, or willful neglect of duty. The local board of education does not have the authority to initiate an investigation of school system personnel.

Background: In December 2003, two members of the cabinet for the Howard County Superintendent of Schools were accused of grade tampering. Around the same time, there was a public fallout between the county's board of education and the superintendent, who had statutory authority over the personnel. The incident revealed a potential concern about the discipline of school system personnel when the superintendent and board of education are not acting in unison. The Howard County superintendent at the time of the grade changing incident has since agreed to a contract buyout, and a new superintendent is now managing the school system.

Local Expenditures: The Howard County Board of Education would be responsible for the cost of staff appeals heard by boards of education in surrounding jurisdictions. Under current law, personnel matters are typically heard in the county with existing personnel and resources. Therefore, each appeal would represent an increase in county board of education expenditures. Assuming the authority to investigate the superintendent's staff is not used very frequently, the bill would not have a significant impact on board of education or county finances.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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