

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

House Bill 846 (Howard County Delegation)
Ways and Means

Howard County - County Superintendent of Schools - Termination of Contract
Ho. Co. 12-06

This bill authorizes the Howard County Board of Education to terminate the contract of the county superintendent of schools up to four months prior to the end of the superintendent's contract and appoint an interim superintendent as a replacement. If this authority is used, the superintendent is entitled to all compensation and benefits that would have been earned during the remainder of the contract. The compensation and benefits may be paid in a lump sum or in accordance with the schedule established in the contract.

Fiscal Summary

State Effect: None. The bill only impacts Howard County.

Local Effect: The bill would not have significant impact on the finances of Howard County or the county board of education.

Small Business Effect: None.

Analysis

Current Law: Local boards of education appoint local superintendents of schools to act as the executive officers of the boards. Superintendents' contracts must be four years and must begin on July 1. Superintendents must let their boards know if they want to be considered for reappointment by February 1 of the year in which their contracts expire, and local boards must take final action to reappoint superintendents by March 1. If a board does not reappoint its superintendent, it has until June 30 to appoint a new

superintendent. Superintendent appointments must be approved by the State Superintendent of Schools.

Local boards of education do not have the authority to remove their local superintendents. The State Superintendent may remove a local superintendent for immorality, misconduct in office, insubordination, incompetency, or willful neglect of duty. In practice, superintendents sometimes leave their posts prior to the end of their contracts, but these incidents are the result of contract buyouts.

Background: About two years ago, the Howard County Board of Education and the county superintendent of schools had a falling out that led to the board and the superintendent agreeing to a contract buyout. This bill establishes a procedure for terminating a superintendent's contract prior to the end of a contract or when a contract buyout agreement cannot be reached.

In October 2004, the Howard County Superintendent of Schools was earning an annual salary of \$199,000. According to data from the Maryland State Department of Education, salaries for local superintendents at that time ranged from \$105,000 to \$250,000, and the average superintendent salary was approximately \$153,000.

Local Fiscal Effect: The Howard County Board of Education currently has the authority to buy out county superintendents' contracts early if the board and superintendent can agree on the terms. This bill authorizes the board to terminate a superintendent's contract early, a power only the State Superintendent currently has, and clarifies the procedures that will be used when a contract buyout is initiated by the board. The bill is not expected to have a significant impact on local finances.

Additional Information

Prior Introductions: A similar bill with statewide application was introduced last year as HB 264. The bill received an unfavorable report from the House Committee on Ways and Means.

Cross File: None.

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

Fiscal Note History: First Reader - March 1, 2006
nas/rhh

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