

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 465

(Delegate Washington)

Ways and Means

Education, Health, and Environmental Affairs

State Superintendent of Schools - Qualifications and Senate Confirmation

This emergency bill requires the State Superintendent of Schools to be appointed by the State Board of Education with the advice and consent of the Senate. The State Superintendent may not be a current member of the State board or have been a member at any time during the year immediately preceding the appointment.

Fiscal Summary

State Effect: The Maryland State Department of Education (MSDE) finances are not altered.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The State Superintendent is appointed by the State board for a term of four years beginning on July 1 after the Superintendent's appointment and serves until a successor is appointed and qualifies. If there is a vacancy in the office, the State board must appoint a new Superintendent to fill the vacancy for the remainder of the unexpired term. The State board must fix the Superintendent's salary and pay it from the appropriation for expenses and maintenance of MSDE.

The State Superintendent must (1) be an experienced and competent educator; (2) be a graduate of an accredited college or university; (3) have at least two years of special

academic and professional graduate preparation in an accredited college or university; and (4) have at least seven years of experience in teaching and administration.

The State board may remove the Superintendent for immorality, misconduct in office, insubordination, incompetency, or willful neglect of duty. Before removing the Superintendent, the State board must send the Superintendent a copy of the charges against the Superintendent and give the Superintendent an opportunity within 10 days to request a hearing. If the Superintendent requests a hearing within the 10-day period, the State board must hold a hearing, but a hearing may not be set within 10 days after the State board sends the Superintendent a notice of the hearing. In addition, the Superintendent must have an opportunity to be heard publicly before the State board in the Superintendent's own defense, in person or by counsel.

Additional Information

Prior Introductions: HB 1634 of 2020 passed the House with amendments and was referred to the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken on the bill.

Designated Cross File: None.

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

Fiscal Note History: First Reader - February 1, 2021
rh/rhh Third Reader - February 26, 2021

Analysis by: Scott P. Gates

Direct Inquiries to:
(410) 946-5510
(301) 970-5510