

SB 644 - State Officials-Appointments-Senate Advic

Uploaded by: Dove, Tina

Position: FAV

Testimony in Support of Senate Bill 644

State Officials—Appointments—Advice and Consent of the Senate

Senate Health, Education, and Environmental Affairs Committee

March 3, 2021

1:00 pm

Tina N. Dove, M.Ed.

Government Relations

The Maryland State Education Association supports Senate Bill 644, legislation that would (among other things) require the State Superintendent of Schools be appointed by the State Board of Education with the advice and consent of the Maryland Senate.

MSEA represents 75,000 educators and school employees who work in Maryland's public schools, teaching and preparing our 896,837 students for careers and jobs of the future. MSEA also represents 39 local affiliates in every county across the state of Maryland, and our parent affiliate is the 3 million-member National Education Association (NEA).

As we grapple with the immeasurable challenges resulting from the global COVID-19 pandemic, the significant changes to education policy and funding in our state that will be enacted should the veto of the Blueprint for Maryland's Future be overturned, and the impact brought by the retirement of the current state superintendent, MSEA members are clear: the choice of the next state superintendent is critically important. We believe very strongly that this person needs to be someone with extensive educational experience—in the classroom, the school building, and the district office—who has a proven track record of being a strong, effective leader who knows and understands how to bring about policy and regulatory change as well as how best to successfully implement said change at all levels of education. To be successful, the next state superintendent of schools must possess the theoretical knowledge and practical experience which will enable them to effectively serve as the lead educator in our state. This leader will also have to command the confidence, trust and respect of the rank-and-file educators across the state, the bureaucratic staff inherited at the Department, and the elected officials and members of the public. Senate Bill 644 puts Maryland on the definitive path toward ensuring our



state's next educational leader is well qualified and best suited to lead our state through that which lies ahead.

At a time when we've seen the recent departure of the most unqualified individual ever to lead the U.S. Department of Education, and when the current membership of the State Board of Education (with the exception of the appointed teacher and parent members) being composed predominantly of advocates for private, religious, and home-schools who lack any first-hand experience teaching or leading in public schools, it has never been more important to ensure that our state's chief public education advocate and leader be someone with impeccable education experience and credentials, proven educational leadership skills, and unwavering support for Maryland's public schools and public school educators. Incorporating the Senate into the approval process for our future school superintendent is not only reasonable and sound policy, it is fully compatible with the process currently utilized for appointing the leaders of other principle state agencies that comprise the Governor's executive leadership team, all of whom must also be appointed with the advice and consent of the Senate.

With the enactment of the Blueprint for Maryland's Future, our state is about to embark upon an historic, multifaceted implementation process—one that will involve educators across the state; various local and state elected officials and agencies; and a significant amount of state and federal tax dollars. This is a consequential endeavor. MSEA unequivocally believes that the educator selected to lead our state department of education and our local school system leaders, educators, and staff possess impeccable credentials, have a track record of effectiveness as both an educator and a leader, and have the full faith and confidence of our state elected officials. We are confident that the passage of this legislation will help make this a reality. **For this reason, we urge a favorable report on Senate Bill 644.**

SB644_ Gubernatorial & Board Appts Testimony Exec

Uploaded by: Kagan, Sen. Cheryl

Position: FAV



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

SB644: State Officials - Appointments - Advice and Consent of the Senate
Education, Health, & Environmental Affairs Committee | Wednesday, March 3, 2021

Cabinet secretaries serve at the pleasure of the Governor and do not have a “performance review” after their initial appointment. They serve after being interviewed by the Executive Nominations Committee and approved by the full Senate. Regardless of their qualifications, they may not be sufficiently responsive, thoughtful, or collaborative. Additionally, to “serve at the pleasure of the Governor” could mean a tenure of **up to 8 years**.

There are other key agency positions that also lack oversight and accountability. Two examples are the State Administrator for the State Board of Elections (SBE) and the State Superintendent of Maryland State Department of Education (MSDE) do not have to appear before the Executive Nominations Committee at all-- whether for initial appointment or any type of “check-in.”

Beginning on January 1, 2023 (the next Governor), [SB644](#) would require reappointment for:

- Cabinet Secretaries at the start of a Governor’s second term;
- State Administrator of Elections every 5 years; and
- State Superintendent of Schools every 4 years.

A typical employee meets with a supervisor for a yearly evaluation. Members of the General Assembly and local offices are “reviewed” every four years at the ballot box. Bringing appointees before the Senate after four (or five for SBE) years will ensure that once appointed gives the legislature the opportunity for more accountability.

This concept is not new-- similar legislation ([SB1075](#) - Sens. Miller/Frosh) was introduced in 2006 to require reappointment for cabinet secretaries when a Governor is elected for a second term. Additionally, [Sen. Simonaire introduced SB221](#) in 2018, which would have required a term limit and reappointment for the State Administrator of Elections. SB644 combines these past efforts to provide needed oversight.

I urge a favorable report of SB644.

SB 644 - OPP SBOE - State Officials - Appointments

Uploaded by: Hands, Zachary

Position: UNF



Maryland State Board of Education

200 WEST BALTIMORE ST. / BALTIMORE, MD 21201-2595 / (410) 767-0467

March 3, 2021

Senator Paul G. Pinsky
Chair, Education, Health, and Environmental Affairs Committee
11 Bladen St.
Annapolis, MD 21401

RE: **Senate Bill 644** - State Officials – Appointments – Advice and Consent of the Senate

Dear Chair Pinsky:

The Maryland State Board of Education (State Board) submits this letter in opposition to Senate Bill (SB) 644 - State Officials – Appointments – Advice and Consent of the Senate, which would, among other things, require the State Superintendent of Schools to be appointed with the advice and consent of the Senate. The State Board is particularly concerned about the bill's potential adverse unintended consequences that would require the State Board to only be able to offer an "*acting*" conditional State Superintendent position pending confirmation by the Senate.

If the Senate objects to the State Board's selected Superintendent and fails to confirm the appointment, the State Board's appointee would be unable to continue serving in office leaving the State with an educational leadership vacuum in this time of transition implementing the complex and transformative Blueprint legislation. This impacts our current superintendent search process. While we all can agree that hiring an exceptional State Superintendent has to be one of the State's top priorities, we fear the enactment of the law and the uncertainty that a candidate would be confirmed will discourage top candidates from applying for the position.

Unlike recruiting for other senior professionals who apply to job postings, exceptional superintendent candidates tend not to seek out opportunities because they already have well respected positions in their current communities. Opportunities find them. Our executive search firm has warned us that the COVID-19 burnout factor among superintendents at all levels will make this year's search even more competitive. As a result, top candidates may have two or more firm job offers in hand. These top candidates tend to conduct their own thorough due diligence reviews of the prospective position, opportunities and challenges, and stability and readiness of the state board and elected officials to take part in and achieve extremely challenging transformative education reform. These top candidates are trying to determine if they can be successful in the prospective job assignment.

SB 644 is already having an impact on the decision-making of top candidates.

Several prospective top candidates, who have not made a decision on whether to apply for our position, have asked our executive search firm the following questions:

- If their selection occurs after the legislature adjourns, how long would they have to wait for Senate confirmation? What would be their interim employment status?

- Because they are already fully employed, would their names be made public during the recruitment and Senate confirmation processes?

Unfortunately, we can not speed up the current process to produce a prospective candidate for Senate confirmation before this legislative session adjourns on April 12th. As a result, the State Board would only be able to offer an “*acting*” employment position pending Senate confirmation, which may not occur until next year’s legislative session. Another complicating factor is that, by law, the State Superintendent must begin his or her term on July 1st. This means that we would be asking an exceptional superintendent candidate to leave his/her current employment, perhaps relocate his/her family and accept an “*acting*” position for several months with no guarantee of Senate confirmation. In addition, the candidate’s name will obviously be made public before he/she has a firm employment offer.

Is unnecessary and redundant in its attempt to provide a new system of checks and balances and ensure the selection of a high quality State Superintendent

Every member appointed to the State Board must be confirmed by the Senate of Maryland. This requirement already puts legislative oversight into the process of selecting the State Superintendent. State Board members are carefully vetted, with consideration of each individual’s character, personal and professional accomplishments, community involvement and ability to make a positive impact on the State’s public education system. The additional level of confirmation required by SB 644 is redundant and will impede the State Board’s ability to make timely decisions on behalf of Maryland and its public school students.

The General Assembly has rightfully entrusted the State Board as the oversight arm of MSDE and invested the State Board “with the last word on any matter concerning educational policy or the administration of the system.” This includes the appointment of the State Superintendent. It is worth noting that, for over 100 years, the State Board has successfully recruited and engaged exceptional individuals to provide leadership for the State and MSDE without the advice and consent of the Senate. The quality and caliber of the State Superintendents selected by the State Board has resulted in Maryland’s long standing reputation as a national leader in public education.

For the reasons stated above, the State Board respectfully urges your committee to give **SB 644** an unfavorable report.

For additional information or questions, please contact Zachary Hands at Zachary.Hands1@maryland.gov or 410-767-0504.

Sincerely,



Clarence C. Crawford
President, Maryland State Board of Education

cc: Karen B. Salmon, Ph.D., State Superintendent of Schools
Zachary Hands