

Testimony in support of SB0595 - Boards of Educati

Uploaded by: Richard KAP Kaplowitz

Position: FAV

SB0595_RichardKaplowitz_FAV

03/11/2026

Richard Keith Kaplowitz
Frederick, MD 21703

TESTIMONY ON SB#/0595- POSITION: FAVORABLE

County Boards of Education and Baltimore City Board of School Commissioners - Vacancy Procedures – Alterations

TO: Chair Feldman, Vice Chair Kagan and members of the Education, Energy, and the Environment Committee

FROM: Richard Keith Kaplowitz

My name is Richard Keith Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of SB#/0595, **County Boards of Education and Baltimore City Board of School Commissioners - Vacancy Procedures - Alterations**

This bill is an adjustment and clarification of procedures on replacement of members of Boards of Education and the Baltimore City Board of School Commissioners depending on when that vacancy occurs and any upcoming election date.

It will require each county board of education and the Baltimore City Board of School Commissioners to hold an election for a vacant elected board member position that occurs 55 days or more before the candidate filing deadline for a certain election; requiring each county board and the Baltimore City Board of School Commissioners to appoint a replacement for a vacant elected board member position that occurs 54 days or less before a certain candidate filing deadline for a certain election; etc.

I respectfully urge this committee to return a favorable report on SB#/0595.

Sen. Kagan SB595 Testimony.pdf

Uploaded by: Sen. Cheryl Kagan

Position: FAV

CHERYL C. KAGAN
Legislative District 17
Montgomery County

Vice Chair
Education, Energy, and
the Environment Committee

Joint Audit and Evaluation Committee

Joint Committee on Federal Relations



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

SB595 Testimony: Board of Education Vacancies
Senate Education, Energy, and Environment (and Elections!) Committee
Wednesday, March 11, 2026 1 PM

Maryland's county Boards of Education fill vacancies in vastly different ways.¹ Some allow the Governor, County Council, or County Commissioners to appoint replacements, while others leave it to the remaining Board members. This patchwork approach creates inconsistency; reduces transparency; and potentially injects partisan influence (or the appearance of it) onto these boards.

Having a *partisan* executive or legislative body fill a *nonpartisan* Board of Education seat is like letting a basketball referee be replaced by the home team's coach. They say it will be fair, but everyone will notice a lot more fouls called on the visiting team.

[SB595](#) would establish a clear, standardized way to fill vacancies on elected Boards of Education.

1. Vacancies occurring on or prior to 55 days before the filing deadline for the first regular Statewide Election during the term would trigger a Special Election held concurrently with the regular statewide elections.
 - This approach duplicates the timetable for filling legislative vacancies in [SB5](#), which passed the Senate 43-1.
2. Vacancies occurring after this time would be filled by the remaining Board members, who must:
 - Advertise the vacancy publicly;
 - Review candidate applications or resumes;
 - Conduct live-streamed public interviews;
 - Hold a public vote in a meeting; and

This bill maintains public confidence by establishing a uniform process for filling vacancies, protecting the integrity, transparency, and nonpartisan mission of our Boards.

I am offering two amendments to this bill:

1. Include considerations of diversity in appointments made by the remaining members of the Board.
2. Clarify that all appointed positions must follow the same vacancy-filling process.

¹The following five boards are hybrid-- composed of both elected and appointed members: Baltimore City, Baltimore County, Caroline County, Harford County, and Prince George's County. (Source: MD Association of Boards of Education)

Maryland Association of Boards of Education (MABE) is helping us to ensure that the considerations of our 24 counties are addressed.

I respectfully urge a favorable report on SB595 with amendments.

Procedures for Filling Board of Education Vacancies by County (SB595/HB140)

County	Apt'd by County Commissioners	Apt'd by County Council/Board	Apt'd by Governor	Apt'd by County Executive	Apt'd by Mayor	Nominee recommended by a Commission to the Gov.	Apt'd by voting County Board Members	County Council chooses procedure for filling vacancies
Baltimore City*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allegany	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anne Arundel	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Baltimore*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Calvert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Caroline*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carroll	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cecil	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Charles	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dorchester	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fredrick	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Garrett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Harford*	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Howard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Montgomery	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prince George's*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Queen Anne's	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
St. Mary's	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Somerset	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Talbot	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Washington	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wicomico	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Worcester	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Total	6	5	5	3	1	1	1	1
* = County with elected & appointed positions								

Testimony SB 595 - County Boards of Education and

Uploaded by: Dawana Sterrette

Position: UNF

**Testimony of the
Baltimore City Board of School Commissioners
In Opposition of
Senate Bill 595 - County Boards of Education and Baltimore City Board of School
Commissioners - Vacancy Procedures – Alterations**

March 11, 2026

The Baltimore City Board of School Commissioners understands that sponsors need to ensure that there are no vacancies on a public school board for an extended period of time. However, the current manner in which vacancies are filled in Baltimore City works appropriately.

This legislation, as written, would require an election if a person resigns more than 55 days prior to the candidate filing deadline. It also requires each county board and the Baltimore City Board of School Commissioners to appoint a replacement for a vacant elected board member position that occurs 54 days or less before a certain candidate filing deadline. Specifically for the Baltimore City School Board, our elections for the 2 elected members is citywide. Additionally, the school board is a hybrid school board, 2 elected from a citywide vote, 1 student board member elected from students in grades 9-12 and 9 appointed. The 9 appointed members have specific criteria in which to qualify to be on the board. That criteria is: a) four members must have high level management experience in large businesses, non-profits or government; b). three members must have high-level expertise in education; c). one member must have knowledge or experience in the Comer of children with disabilities; d). one member must be a parent of a student currently enrolled in City Schools; and e) one currently enrolled student member elected from students in grades 9-12).

For community involvement and transparency, currently, the Baltimore City Community Panel, comprised of the following community members makes a recommendation to the Mayor for any vacancies of an appointed or elected member. The community panel consists of:

The Baltimore Teachers Union

The Mayor's Office

The Baltimore City Council Education and Youth Committee

The Baltimore City Public School Administrators and Supervisors Association

The Maryland Alliance of Public Charter Schools

The Downtown Baltimore Family Alliance

A parent member of the PTA Council of Baltimore City

The Fund for Educational Excellence

The American Federation of State, County and Municipal Employees

The Associate Student Congress of Baltimore City
The American Civil Liberties Union
The Parent and Community Advisory Board; and
Disability Rights of Maryland

This cross section of individuals ensures that public voices are considered. Removing the Community Panel from selecting individuals, would then require school board members, who in Baltimore are strictly unpaid volunteers to sift through resumes, conduct interviews, which would be time consuming when the current mechanism is established to do this work. Or, in the alternative, the Human Capital Office would need to dedicate staff to sift through resumes and work with the school board to conduct interviews, which again is time consuming when there is already a mechanism in the law that establishes how to appoint vacancies.

Additionally, the current law for Baltimore City requires that any vacancies must be filled within 60 days, regardless of an elected or appointed member. This process ensures that vacancies do not exist for extended periods of time.

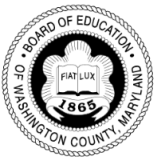
For the foregoing reasons, the Baltimore City Board of School Commissioners opposes Senate Bill 595 and urges an unfavorable report.

Dawana Merritt Sterrette, Esq.
Executive Director, Legislative and Government Affairs
Baltimore City Board of School Commissioners
443-250-0190

SB 595 OPPOSE WashCoBdEducation 3-11-26.pdf

Uploaded by: Jamie Brown

Position: UNF



BILL: Senate Bill 595
TITLE: County Boards of Education and Baltimore City Board of School Commissioners –
Vacancy Procedures - Alterations
HEARING DATE: March 11, 2026
POSITION: OPPOSE
COMMITTEE: Education, Energy, and the Environment Committee
CONTACT: Ms. Jamie Brown, Legislative Representative, 301-766-2946

The Washington County Board of Education opposes Senate Bill 595, which proposes changes to the process for filling vacancies on local boards of education.

Since 2008, vacancies on the Washington County Board of Education have been filled by the Board of County Commissioners through the Washington County School Board Nominating Commission, a system created at Washington County's request. (Education Article, §3-1301) Before that time, the Governor appointed individuals to fill vacancies; however, Washington County sought to shift this authority from the state to the local level. For this reason, the Board opposes Senate Bill 595.

A core value of the Washington County Board of Education is the preservation of governance authority for local boards of education. This principle guides the Board's opposition to any legislation or regulation that would diminish local control or limit budgetary discretion.

Senate Bill 595 would reduce this local authority by dismantling a process requested by Washington County nearly two decades ago—a process that has been successfully utilized twice since its enactment.

While the Washington County Board of Education strongly supports community involvement in elections and decision-making across the state, we believe that each county—and the City of Baltimore—should determine its own method for filling board vacancies. A uniform statewide system is neither necessary nor appropriate.

The Washington County Board of Education opposes Senate Bill 595 and requests the Ways and Means Committee issue an unfavorable report.

Thank you.

cc: Washington County Board of Education Members
Washington County Delegation to the Maryland General Assembly
Dr. David T. Sovine, Superintendent
Dr. Gary Willow, Deputy Superintendent
Mr. Jeffrey Proulx, Chief Operating Officer

SB 595 - Board Vacancies.pdf

Uploaded by: Sam Mathias

Position: UNF

BILL: Senate Bill 595
TITLE: County Boards of Education and Baltimore City Board of School Commissioners – Vacancy Procedures – Alterations
HEARING DATE: March 11, 2026
POSITION: UNFAVORABLE
COMMITTEE: Education, Energy, and the Environment
CONTACT: Sam Mathias, Legal & Policy Director (smathias@mabe.org)

The Maryland Association of Boards of Education (MABE), representing all the state’s local boards of education, **opposes Senate Bill 595, County Boards of Education and Baltimore City Board of School Commissioners – Vacancy Procedures – Alterations.**

SB 595 imposes a statewide vacancy process that has the potential to create delay, inefficiency, and disruption, while overriding democratically established local structures. The bill requires that for any board of education vacancy occurring more than 55 days before an election registration deadline, the vacant seat must be put to election at the next general election. For a board of education vacancy occurring fewer than 55 days from an election registration deadline, the board of education’s members appoint a replacement to fill the vacancy through the end of the term. Thus, in some circumstances, a vacancy would remain unfilled potentially for a year or more: between the time of a vacancy (if more than 55 days before an election registration deadline) and the time of the election itself. In other circumstances, a board would be required to complete an appointment process within 60 days. As a practical matter, this structure has the potential to produce undesirable results – significant delay in some cases, and rushed appointments for very short-term vacancies in others.

MABE recognizes the intent of this bill is to reduce partisanship from boards of education. Maryland law likewise reflects that goal, as it dictates that members of boards of education must be elected on a nonpartisan basis. See Md. Code. Ann., Elections Art. § 8-802(a)(1)(i). MABE strongly supports the principle that local boards of education should function as nonpartisan bodies focused on student outcomes and sound governance. However, addressing partisanship of local boards of education is not as simple as mandating more elections when vacancies arise, as Senate Bill 595 would do. MABE greatly appreciates the sponsor’s thoughtful engagement on this issue and the evident commitment to stakeholders as we continue to explore approaches that strengthen both school governance and nonpartisanship.

Each of Maryland’s 24 local boards of education operates under a governance structure set forth in its own section of the Education Article. These structures were developed over time through local legislation and democratic processes and reflect

different governmental arrangements of each county. As a result, board composition and election methods vary widely across the State. Some boards of education have a mix of at-large and regionally representative members. See, e.g., Charles County, Md. Code Ann., Ed. Art. § 3-501(a). Some boards have all at-large members. See., e.g., Frederick County, Md. Code. Ann., Ed. Art. § 3-5B-01(a). Others are structured such that each councilmanic district votes for its own representative on the school board. See., e.g., Dorchester County, Md. Code. Ann., Ed. Art. § 3-5A-02(b)(2). Others still are hybrid – a mix of appointed seats and elected seats; and boards have many different ways to fill vacancies.

These differing governance structures illustrate that there is no uniform electoral design that reliably prevents partisanship. Depending on the community, at-large elections, district-based (either councilmanic or separately drawn) elections, or hybrid systems with appointments and elections may each be viewed as promoting true representation of the community and driving local accountability. While board elections are formally nonpartisan, the practical reality is that elections can be (and sometimes still are) partisan in tone or effect regardless of the model used. The same is true for vacancies. The point being that mandating elections for vacancies does not necessarily advance the nonpartisan objective that the bill seeks to achieve.

Because board governance structures (and the election, appointment, and vacancy considerations of each board) were created through local legislative processes, MABE is concerned that applying a uniform voting requirement (or short-term internal appointments) to fill vacancies will not reduce or eliminate partisanship but will introduce mandated statewide policy on 24 governance structures each built and chosen differently than the others.

For these reasons, MABE opposes Senate Bill 595 and respectfully requests an unfavorable report.

SB0595 Howard Co BOE Testimony 031126 for EEE - Lo

Uploaded by: Staff Howard County

Position: UNF



**Board of Education of Howard County
Testimony Submitted to the Maryland Senate
Education, Energy, and the Environment Committee
March 11, 2026**

**Board of Education
of Howard County**

Jennifer Swickard Mallo, *Chair*

Meg Ricks., *Vice Chair*

Andrea Chamblee, Esq.

Linfeng Chen, Ph.D.

Jacky McCoy

Jolene Mosley

Antonia Watts

Erin Alistar
Student Member

William J. Barnes
*Superintendent,
Secretary/Treasurer*

**SB0595: UNFAVORABLE
County Boards of Education and Baltimore City Board of School
Commissioners - Vacancy Procedures – Alterations**

The Board of Education of Howard County (the Board) opposes **County Boards of Education and Baltimore City Board of School Commissioners - Vacancy Procedures – Alterations** as a mandate on a local process that creates additional operational and fiscal burdens on the Board and the Howard County Public School System (HCPSS).

SB0595 proposes a standardized legal framework for addressing vacancies on local boards of education across Maryland. The bill mandates that special elections be held to fill empty seats for elected members if the opening occurs early in a term, specifically before a designated filing deadline. For vacancies occurring late in a term or when no qualified candidate runs, the bill requires remaining board members to select a replacement through a process involving public advertisements, livestreamed interviews, and a formal public vote. Appointed positions must also be filled within a strict 60-day window. By repealing various local procedures, the bill intends to have local school systems throughout the state adhere to uniform requirements for maintaining board leadership and public accountability.

In Howard County specifically, under current procedures found in Education Article §3–701, if a vacancy occurs for an elected member, the County Executive of Howard County appoints a qualified individual to fill the seat, subject to confirmation by the County Council. SB0595 removes this power from the County Executive and the County Council. Instead, it mandates that vacancies be filled in accordance with a new uniform statewide procedure, which grants the remaining members of the local board the authority to select a replacement if an election is not triggered.

The criteria for when a vacancy must be filled by a public election rather than an appointment also change. Under current law, a successor is elected by the voters at the next general election only if the vacancy occurs before the date that is one year following the date of the member’s election. Under SB0595 an election is required if the vacancy occurs 55 days or more before the candidate filing deadline for the primary election held in the second year of the vacating member’s term. If the vacancy occurs 54 days or less before that deadline, or if no qualified candidate runs for the office, the board fills the vacancy by selection.



When filling a vacancy, the local board would be responsible for selecting a replacement through strict procedural steps as follows:

- Advertise the vacancy.
- Review submitted resumes.
- Conduct livestreamed interviews of all candidates.
- Hold a public vote to select the candidate.

Currently, Education Article §3–701 specifies that the County Executive should “endeavor to ensure that the county board reflects the race, gender, and ethnic diversity of the population” when making an appointment. SB0595 repeals this specific diversity provision for Howard County as part of the shift away from executive appointments.

The fiscal and operational impact of the new procedures outlined in SB0595 for Howard County would depend on a number of factors. The HCPSS Human Resources Office - which would likely handle the new process required given the Board does not have its own human resources office - has existing advertising and application resources that could be utilized similar to hiring for a new position within the school system. The volume of resumes received, however, would determine the amount of time needed by both internal staff and Board members to review resumes for initial interview selection and to conduct the interviews.

There could also be significant productivity costs in terms of extra Board meetings and resulting delays in normal Board business. The number of candidates being interviewed and whether they need to be held over a series of meeting dates and times would impact the extent of administrative costs including fees for livestreaming meetings. The increased obligations for Board members themselves to review resumes and conduct interviews within a 60-day timeframe could also present logistical challenges given many hold regular employment outside of their board responsibilities.

For these reasons, we urge an UNFAVORABLE report on SB0595 from this Committee.