

Department of Legislative Services  
Maryland General Assembly  
2014 Session

FISCAL AND POLICY NOTE

House Bill 216  
Ways and Means

(Delegates McConkey and Sophocleus)

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Anne Arundel County - Superintendent of Schools - Compensation for Unused  
Leave on Termination of Employment

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This bill imposes restrictions on the amount of compensation that the Anne Arundel County Board of Education can provide to the county superintendent of schools for unused leave upon termination of employment. Pursuant to the bill, if the Anne Arundel County Board of Education compensates the county superintendent upon termination of employment for unused leave that the county superintendent earned while employed by the county, the computed and paid rate of compensation must be the same as for a certificated employee of the county board on termination of employment. "Leave" includes annual leave, compensatory leave, sick leave, and personal leave.

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Fiscal Summary

**State Effect:** None.

**Local Effect:** The bill's restrictions on payments for certain accrued leave may affect total compensation for future public school superintendents, but the effect is indeterminate. Local revenues are not affected.

**Small Business Effect:** None.

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Analysis

**Current Law:** The following provisions apply for each county with certain exceptions for Baltimore City and Prince George's County. Each county superintendent must devote full time to public school business and is entitled to compensation as set by the local board of education. The salary of a county superintendent may not be decreased during

the superintendent's term of office. A county superintendent serves for a four-year term, beginning July 1. The appointment of a county superintendent must be approved in writing by the State Superintendent of Schools.

**Background:** Anne Arundel County Public Schools (AACPS) advises that a teacher who leaves AACPS for employment in another local school system is not compensated for accumulated annual leave, though the other local school system may credit the teacher for the accumulated leave. According to the relevant negotiated agreement, Unit I certificated employees (including teachers and guidance counselors) of AACPS on or after July 1, 2009, who retire or resign with 15 or more years of service with AACPS are paid \$40 per day for unused sick leave earned in Anne Arundel County. According to the relevant negotiated agreement, Unit II certificated employees (including principals and vice principals) who retire from service with AACPS are paid \$65 per day for unused sick leave earned in Anne Arundel County.

Anne Arundel County indicates that a previous superintendent was compensated for leave accumulated while employed by another local school system. Upon termination of his contract, the former superintendent was paid \$95,060 for unused leave including \$63,924 for unused sick leave and \$31,137 for unused annual leave. The superintendent's contract included an annual salary of \$257,000. The Acting Superintendent receives \$197,100 in salary for an 11-month contract expiring June 30, 2014.

**Local Fiscal Effect:** Compensation packages for future Anne Arundel County public school superintendents may be affected because accrued leave credits that can be received as compensation upon termination of employment will be limited. However, any expenditure savings resulting from these restrictions may be (partially, fully, or more than fully) offset by base salary amounts for future Anne Arundel County public school superintendents that are higher than they might be without the specified restrictions.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Anne Arundel County, Maryland State Department of Education, Department of Legislative Services

**Fiscal Note History:** First Reader - February 17, 2014  
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