

HB0619/833729/1

BY: Senator Greenip

AMENDMENTS TO HOUSE BILL 619
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after the second “Schools” insert “and Principals”.

On page 2, in line 1, after “superintendent” insert “or a principal”; in line 5, after “superintendents” insert “and principals”; and in line 8, after “4-201(e)” insert “and 6-202”.

AMENDMENT NO. 2

On page 3, after line 23, insert:

“6-202.”

(a) (1) On the recommendation of the county superintendent, a county board may suspend or dismiss a teacher, principal, supervisor, assistant superintendent, or other professional assistant for:

(i) Immorality;

(ii) Misconduct in office, including knowingly failing to report suspected child abuse in violation of § 5-704 of the Family Law Article;

(iii) Insubordination;

(iv) Incompetency; or

(v) Willful neglect of duty.

(Over)

(2) Before removing an individual, the county board shall send the individual a copy of the charges against him and give him an opportunity within 10 days to request a hearing.

(3) If the individual requests a hearing within the 10-day period:

(i) The county board promptly shall hold a hearing, but a hearing may not be set within 10 days after the county board sends the individual a notice of the hearing; and

(ii) The individual shall have an opportunity to be heard before the county board, in person or by counsel, and to bring witnesses to the hearing.

(4) The individual may appeal from the decision of the county board to the State Board.

(5) Notwithstanding any provision of local law, in Baltimore City the suspension and removal of assistant superintendents and higher levels shall be as provided by the personnel system established by the Baltimore City Board of School Commissioners under § 4-313 of this article.

(6) ON NOTIFICATION OF PENDING CRIMINAL CHARGES AGAINST A PRINCIPAL AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE COUNTY BOARD MAY SUSPEND THE PRINCIPAL WITH PAY UNTIL THE FINAL DISPOSITION OF THE CRIMINAL CHARGES.

(b) (1) Except as provided in paragraph (2) of this subsection, the probationary period of employment of a certificated employee in a public school system shall cover a period of 2 years from the date of employment and shall consist of a 1-year employment contract that may be renewed by the county board.

(2) (i) A probationary period for a certificated employee in a public school system may be extended for a third year from the date of employment if the certificated employee does not qualify for tenure at the end of the second year based on established performance evaluation criteria and the employee demonstrates a strong potential for improvement.

(ii) If the probationary period of a certificated employee is extended as provided in this paragraph, a mentor shall be assigned to the employee and the employee shall be evaluated at the end of the third year based on established performance evaluation criteria.

(3) The State Board shall adopt regulations that implement the provisions of paragraphs (1) and (2) of this subsection and define the scope of a mentoring program that will be aligned with the 2-year probationary period and the 1-year extension as provided in paragraph (2) of this subsection.

(C) (1) A PRINCIPAL SHALL IMMEDIATELY NOTIFY THE COUNTY BOARD IN WRITING OF ANY CRIMINAL CHARGES THAT ARE PUNISHABLE BY A PERIOD OF INCARCERATION BROUGHT AGAINST THE PRINCIPAL.

(2) THE NOTIFICATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE A COPY OF ALL CHARGING DOCUMENTS SERVED ON THE PRINCIPAL OR THE PRINCIPAL'S COUNSEL.

(3) ANY PRINCIPAL WHO VIOLATES PARAGRAPHS (1) AND (2) OF THIS SUBSECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$100 AND REVOCATION OF ANY PROFESSIONAL CERTIFICATION ISSUED BY THE DEPARTMENT."