

Department of Legislative Services
Maryland General Assembly
2007 Session

FISCAL AND POLICY NOTE
Revised

House Bill 619

(Delegate Kelly, *et al.*)

Ways and Means

Judicial Proceedings

Public Schools - County Superintendent of Schools - Notification of Criminal Charges

This bill requires a county superintendent of schools to notify the county board of education in writing of any criminal charges that are punishable by a period of incarceration brought against the superintendent. Upon notification that a superintendent faces criminal charges, the county board of education may suspend a superintendent with pay until the final disposition of those charges. In notifying the county board, the superintendent must provide copies of all charging documents. A superintendent's failure to report criminal charges to the local board is a misdemeanor offense subject to a fine not exceeding \$100 and revocation of the superintendent's professional license.

Fiscal Summary

State Effect: The criminal penalty provisions of this bill are not expected to materially affect State finances or operations.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: County superintendents are appointed by county boards of education to four-year terms, subject to the approval of the State Superintendent of Schools. With the exception of the Chief Executive Officer (CEO) for the Baltimore City Public School System (BCPSS), superintendents may be removed from office by the State

Superintendent for immorality, misconduct in office, insubordination, incompetency, or willful neglect of duty. County superintendents subject to removal by the State superintendent are entitled to a public hearing before the State Superintendent to defend themselves. The BCPSS CEO may be removed by the Baltimore City Board of School Commissioners.

Background: In August 2006, the former Superintendent of Prince George's County Public Schools was indicted by a federal grand jury on 16 felony counts. He pleaded not guilty and is awaiting trial. The Prince George's County Board of Education hired a new superintendent in summer 2006.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - March 2, 2007
mll/rhh Revised - Enrolled Bill - April 30, 2007

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