

Chapter 405

(House Bill 191)

AN ACT concerning

~~Washington County – Appointment of Superintendent of Schools – Exemption~~
County Superintendents of Schools – Reappointment Exemption in Washington
County and Recruitment Recommendations

FOR the purpose of exempting the Washington County Board of Education from certain requirements for the appointment and reappointment of a Washington County Superintendent of Schools; requiring the State Superintendent of Schools, on or before a certain date, to submit certain recommendations to the Governor and the General Assembly; and generally relating to ~~the Washington County Superintendent of Schools~~ county superintendents of schools.

BY repealing and reenacting, with amendments,
Article – Education
Section 4–201
Annotated Code of Maryland
(2014 Replacement Volume and 2014 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Education

4–201.

(a) (1) This section does not apply to Baltimore City.

(2) Subsections (b), (c), (d), and (f) of this section do not apply in Prince George’s County.

(3) SUBSECTIONS (B)(2) AND (3) OF THIS SECTION DO NOT APPLY IN WASHINGTON COUNTY.

(b) (1) The term of a county superintendent is 4 years beginning on July 1. A county superintendent continues to serve until a successor is appointed and qualifies.

(2) By February 1 of the year in which a term ends, the county superintendent shall notify the county board whether the superintendent is a candidate for reappointment.

(3) In the year in which a term begins, the county board shall appoint a county superintendent between February 1 and June 30. However, if the county board decides to reappoint the incumbent superintendent, the county board shall take final action at a public meeting no later than March 1 of that year.

(4) If a county board is unable to appoint a county superintendent by July 1 of a year in which a term begins, the provisions of subsection (d) of this section apply.

(c) (1) An individual may not be appointed as county superintendent unless he:

(i) Is eligible to be issued a certificate for the office by the State Superintendent;

(ii) Has graduated from an accredited college or university; and

(iii) Has completed 2 years of graduate work at an accredited college or university, including public school administration, supervision, and methods of teaching.

(2) The appointment of a county superintendent is not valid unless approved in writing by the State Superintendent.

(3) If the State Superintendent disapproves an appointment, he shall give his reasons for disapproval in writing to the county board.

(d) If a vacancy occurs in the office of county superintendent, the county board shall appoint an interim county superintendent who serves until July 1 after his appointment.

(e) (1) The State Superintendent may remove a county superintendent for:

(i) Immorality;

(ii) Misconduct in office;

(iii) Insubordination;

(iv) Incompetency; or

(v) Willful neglect of duty.

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

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

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

(ii) The county superintendent shall have an opportunity to be heard publicly before the State Superintendent in the county superintendent's own defense, in person or by counsel.

(f) On notification of pending criminal charges against a county superintendent as provided under § 4-206 of this subtitle, the county board may suspend the county superintendent with pay until the final disposition of the criminal charges.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before November 1, 2015, the State Superintendent of Schools shall submit recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly on ways to improve the recruitment and retention of county superintendents of schools in the State.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ July 1, 2015.

Approved by the Governor, May 12, 2015.