

## Article - Education

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§4-116.

(a) (1) If there is a commission or agency with legal responsibility for county planning for land use, the county board shall:

- (i) Consult with the commission or agency; and
- (ii) Ask its advice in choosing land for a school site.

(2) The site shall conform as far as practicable to development plans for land use in the county.

(b) (1) If a county board gives preliminary approval of a school site, the county board shall hold a public hearing if:

- (i) It considers it desirable;
- (ii) 100 or more adult residents of the county petition in writing for a hearing; or
- (iii) The county commissioners or county council asks for a hearing.

(2) The hearing shall be held on at least 10 days' notice, published at least once in a newspaper of general circulation in the county, to give all interested persons an opportunity to present their views.

(3) Any petition by residents of the county shall be filed at the office of the county board within 15 days after the board gives preliminary approval of the site.

(4) If a hearing is held, minutes shall be kept and, after deliberation, the county board shall send the minutes of the hearing and its recommendation to the State Superintendent for use in making a decision on his approval of the site.

(5) A request for site approval may not be made to the State Superintendent by a county board until 15 days pass after its action recommending the site or, if a hearing is held, until after the hearing, whichever occurs last.

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