

# HOUSE BILL 1324

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8lr0707

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By: **Howard County Delegation**

Introduced and read first time: February 9, 2018

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Howard County Board of Education – Superintendent of Schools – Term Length**

3 **Ho. Co. 11–18**

4 FOR the purpose of providing that, in Howard County, the Howard County Board of  
5 Education shall determine the length of the term of the county superintendent of  
6 schools, subject to a certain limitation; and generally relating to the term of the  
7 Howard County Superintendent of Schools.

8 BY repealing and reenacting, with amendments,

9 Article – Education

10 Section 4–201

11 Annotated Code of Maryland

12 (2014 Replacement Volume and 2017 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

15 **Article – Education**

16 4–201.

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

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

20 (3) [Subsections (b)(2) and (3)] **SUBSECTION (B)(3) AND (4)** of this section  
21 [do] **DOES** not apply in Washington County.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(4) SUBSECTION (B)(1)(I) OF THIS SECTION DOES NOT APPLY IN**  
2 **HOWARD COUNTY.**

3           (b) (1) **(I) [The] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**  
4 **PARAGRAPH, THE** term of a county superintendent is 4 years beginning on July 1.

5                           **(II) IN HOWARD COUNTY, THE COUNTY BOARD SHALL**  
6 **DETERMINE THE LENGTH OF THE TERM OF THE COUNTY SUPERINTENDENT, NOT TO**  
7 **EXCEED 4 YEARS.**

8           **(2)** A county superintendent continues to serve until a successor is  
9 appointed and qualifies.

10                   **[(2)] (3)** By February 1 of the year in which a term ends, the county  
11 superintendent shall notify the county board whether the superintendent is a candidate for  
12 reappointment.

13                   **[(3)] (4)** In the year in which a term begins, the county board shall  
14 appoint a county superintendent between February 1 and June 30. However, if the county  
15 board decides to reappoint the incumbent superintendent, the county board shall take final  
16 action at a public meeting no later than March 1 of that year.

17                   **[(4)] (5)** If a county board is unable to appoint a county superintendent  
18 by July 1 of a year in which a term begins, the provisions of subsection (d) of this section  
19 apply.

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

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

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

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

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

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

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

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

- 2 (i) Immorality;
- 3 (ii) Misconduct in office;
- 4 (iii) Insubordination;
- 5 (iv) Incompetency; or
- 6 (v) Willful neglect of duty.

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

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

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

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

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

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
23 1, 2018.