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By: **Harford County Delegation**

Introduced and read first time: February 13, 1998

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Harford County Board of Education - Hearing Examiner - Qualification**

3 FOR the purpose of providing that, in Harford County, the hearing examiner chosen  
4 by the County Board of Education for certain personnel issues is not required to  
5 be an attorney admitted to practice before the Maryland Court of Appeals.

6 BY repealing and reenacting, with amendments,  
7 Article - Education  
8 Section 6-203  
9 Annotated Code of Maryland  
10 (1997 Replacement Volume and 1997 Supplement)

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

13 **Article - Education**

14 6-203.

15 (a) This section applies only to the county boards of the following counties:

- 16 (1) Anne Arundel;  
17 (2) Baltimore;  
18 (3) Baltimore City;  
19 (4) Calvert;  
20 (5) Charles;  
21 (6) Harford;  
22 (7) Howard;  
23 (8) Montgomery; and

1 (9) Prince George's.

2 (b) (1) For all proceedings before a county board under §§ 4-205(c), 6-202,  
3 and 7-305 of this article, the county board may have the proceedings heard first by a  
4 hearing examiner.

5 (2) Notwithstanding any provision of local law, in Baltimore City the  
6 New Baltimore City Board of School Commissioners may have proceedings under §  
7 6-202 of this subtitle heard first by a hearing examiner.

8 (c) (1) Except in Anne Arundel County AND HARFORD COUNTY, the hearing  
9 examiner shall be an attorney admitted to practice before the Maryland Court of  
10 Appeals. In Anne Arundel County AND HARFORD COUNTY, the hearing examiner  
11 may, but need not, be an attorney.

12 (2) The hearing examiner shall be chosen by the county board.

13 (3) In Calvert and Charles Counties, the hearing examiner may not be  
14 the attorney to the county board or be connected in any way with that attorney.

15 (4) In Howard County, the hearing examiner may not be a partner or an  
16 employee of the law firm representing the Howard County Board of Education.

17 (d) The hearing examiner shall submit to the county board and appellant:

18 (1) A transcript of the proceedings and exhibits; and

19 (2) The hearing examiner's findings of fact, conclusions of law, and  
20 recommendation.

21 (e) Parties to the proceedings before the hearing examiner may make  
22 arguments before the county board.

23 (f) (1) After it reviews the record and the recommendation of the hearing  
24 examiner, the county board shall make a decision.

25 (2) The decision may be appealed to the State Board as provided in this  
26 article.

27 (g) Each county board shall adopt reasonable rules and regulations to regulate  
28 the proceedings before the hearing examiner.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
30 July 1, 1998.