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By: **Delegates Kittleman and Flanagan**  
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 **Education - Teachers' Probationary Employment**

3 FOR the purpose of altering the period of probationary employment for teachers.

4 BY repealing and reenacting, with amendments,  
5 Article - Education  
6 Section 6-202  
7 Annotated Code of Maryland  
8 (1997 Replacement Volume and 1997 Supplement)

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

11 **Article - Education**

12 6-202.

13 (a) (1) On the recommendation of the county superintendent, a county board  
14 may suspend or dismiss a teacher, principal, supervisor, assistant superintendent, or  
15 other professional assistant for:

16 (i) Immorality;

17 (ii) Misconduct in office, including knowingly failing to report  
18 suspected child abuse in violation of § 5-704 of the Family Law Article;

19 (iii) Insubordination;

20 (iv) Incompetency; or

21 (v) Willful neglect of duty.

22 (2) Before removing an individual, the county board shall send the  
23 individual a copy of the charges against him and give him an opportunity within 10  
24 days to request a hearing.

1           (3)     If the individual requests a hearing within the 10-day period:

2                   (i)     The county board promptly shall hold a hearing, but a hearing  
3 may not be set within 10 days after the county board sends the individual a notice of  
4 the hearing; and

5                   (ii)    The individual shall have an opportunity to be heard before the  
6 county board, in person or by counsel, and to bring witnesses to the hearing.

7           (4)     The individual may appeal from the decision of the county board to  
8 the State Board.

9           (5)     Notwithstanding any provision of local law, in Baltimore City the  
10 suspension and removal of assistant superintendents and higher levels shall be as  
11 provided by the personnel system established by the New Baltimore City Board of  
12 School Commissioners under § 4-313 of this article.

13   (b)     This section does not prohibit the State Board from adopting bylaws to  
14 provide for a probationary period of employment of [2] 3 years or less.

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