
By: **Senators Kittleman and Stoltzfus**
Introduced and read first time: February 1, 2002
Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Certificated Employees - Probationary Employment**

3 FOR the purpose of altering the period of probationary employment for certain
4 certificated employees; providing for the extension of the probationary period
5 under certain circumstances; assigning a mentor during a certain year of the
6 probationary period; altering a certain requirement that the State Board of
7 Education adopt certain regulations; and generally relating to the probationary
8 period of employment for certain certificated employees.

9 BY repealing and reenacting, with amendments,
10 Article - Education
11 Section 6-202
12 Annotated Code of Maryland
13 (2001 Replacement Volume)

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

16 **Article - Education**

17 6-202.

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

21 (i) Immorality;

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

24 (iii) Insubordination;

25 (iv) Incompetency; or

26 (v) Willful neglect of duty.

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

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

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

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

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

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

16 (b) (1) Except as provided in paragraph (2) of this subsection, the
17 probationary period of employment of a certificated employee in a public school
18 system shall cover a period of [2] 3 years from the date of employment and shall
19 consist of a 1-year employment contract that may be renewed by the county board.

20 (2) (i) A probationary period for a certificated employee in a public
21 school system may be extended for a [third] FOURTH year from the date of
22 employment if the certificated employee does not qualify for tenure at the end of the
23 [second] THIRD year based on established performance evaluation criteria and the
24 employee demonstrates a strong potential for improvement.

25 (ii) If the probationary period of a certificated employee is extended
26 as provided in this paragraph, a mentor shall be assigned to the employee and the
27 employee shall be evaluated at the end of the [third] FOURTH year based on
28 established performance evaluation criteria.

29 (3) The State Board shall adopt regulations that implement the
30 provisions of paragraphs (1) and (2) of this subsection and define the scope of a
31 mentoring program that will be aligned with the [2-year] 3-YEAR probationary
32 period and the 1-year extension as provided in paragraph (2) of this subsection.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
34 effect October 1, 2002.