
By: **Howard County Delegation**

Introduced and read first time: February 8, 2006

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County - County Superintendent of Schools - Termination of**
3 **Contract**
4 **Ho. Co. 12-06**

5 FOR the purpose of authorizing the Howard County Board of Education to terminate
6 the contract of the county superintendent of schools under certain
7 circumstances; establishing certain requirements for terminating the contract of
8 the county superintendent under certain circumstances; making certain stylistic
9 changes; and generally relating to terminating the contract of the Howard
10 County Superintendent of Schools.

11 BY repealing and reenacting, with amendments,
12 Article - Education
13 Section 4-201(b), (c), and (d)
14 Annotated Code of Maryland
15 (2004 Replacement Volume and 2005 Supplement)

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

18 **Article - Education**

19 4-201.

20 (b) (1) The term of a county superintendent is 4 years beginning on July 1.
21 [A] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, A county
22 superintendent continues to serve until a successor is appointed and qualifies.

23 (2) By February 1 of the year in which a term ends, the county
24 superintendent shall notify the county board whether the superintendent is a
25 candidate for reappointment.

26 (3) (I) In the year in which a term begins, the county board shall
27 appoint a county superintendent between February 1 and June 30.

1 (II) [However, if] IF the county board decides to reappoint the
2 incumbent superintendent, the county board shall take final action at a public
3 meeting no later than March 1 of that year.

4 (III) IN HOWARD COUNTY, IF THE COUNTY BOARD DECIDES TO SEEK
5 A CANDIDATE FOR COUNTY SUPERINTENDENT OTHER THAN THE INCUMBENT
6 COUNTY SUPERINTENDENT, THE COUNTY BOARD SHALL COMPLY WITH THE
7 PROVISIONS SET FORTH IN PARAGRAPH (5) OF THIS SUBSECTION.

8 (4) If a county board is unable to appoint a county superintendent by
9 July 1 of a year in which a term begins, the provisions of subsection (d) of this section
10 apply.

11 (5) (I) IN HOWARD COUNTY, IN THE YEAR IN WHICH A TERM BEGINS,
12 IF THE COUNTY BOARD DECIDES TO SEEK A CANDIDATE OTHER THAN THE
13 INCUMBENT COUNTY SUPERINTENDENT, AFTER MARCH 1 THE COUNTY BOARD MAY:

14 1. TERMINATE THE CONTRACT WITH THE INCUMBENT
15 COUNTY SUPERINTENDENT; AND

16 2. APPOINT AN INTERIM COUNTY SUPERINTENDENT.

17 (II) IF THE COUNTY BOARD TERMINATES THE CONTRACT OF AN
18 INCUMBENT COUNTY SUPERINTENDENT UNDER THIS SUBPARAGRAPH:

19 1. THE INCUMBENT COUNTY SUPERINTENDENT SHALL BE
20 ENTITLED TO ALL COMPENSATION AND BENEFITS TO WHICH THE INCUMBENT
21 COUNTY SUPERINTENDENT WOULD HAVE BEEN ENTITLED IF THE CONTRACT HAD
22 NOT BEEN TERMINATED; AND

23 2. THE COUNTY BOARD MAY PAY COMPENSATION AND
24 BENEFITS TO WHICH THE INCUMBENT COUNTY SUPERINTENDENT IS ENTITLED IN A
25 LUMP SUM OR ACCORDING TO THE SCHEDULE ESTABLISHED IN THE CONTRACT
26 WITH THE INCUMBENT COUNTY SUPERINTENDENT.

27 (c) (1) An individual may not be appointed as county superintendent unless
28 [he] THE INDIVIDUAL:

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

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

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

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

1 (3) If the State Superintendent disapproves an appointment, [he] THE
2 STATE SUPERINTENDENT shall give [his] THE reasons for disapproval in writing to
3 the county board.

4 (d) If a vacancy occurs in the office of county superintendent, the county board
5 shall appoint an interim county superintendent who serves until July 1 after [his]
6 THE appointment.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2006.