

# SENATE BILL 667

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By: **Senators McFadden and Pugh**

Introduced and read first time: February 2, 2007

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Education – Personnel – Criminal Convictions**

3 FOR the purpose of requiring the State Board of Education to adopt certain  
4 regulations that prohibit certain county boards of education from hiring certain  
5 certificated employees who have been convicted of certain crimes under certain  
6 circumstances; requiring certain county boards to dismiss certain individuals  
7 who have been convicted of certain crimes; and generally relating to the hiring  
8 and dismissal of individuals who have been convicted of certain crimes.

9 BY repealing and reenacting, with amendments,  
10 Article – Education  
11 Section 6–113 and 6–202(a)(1)  
12 Annotated Code of Maryland  
13 (2006 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 6–113.

18 The State Board shall adopt regulations that prohibit a county board from  
19 knowingly hiring, as a **CERTIFICATED OR** noncertificated employee, any individual  
20 who has been convicted of a crime involving:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1           (1)    An offense under § 3–307 of the Criminal Law Article;
- 2           (2)    Child sexual abuse under § 3–602 of the Criminal Law Article, or  
3 an offense under the laws of another state that would constitute child sexual abuse  
4 under § 3–602 of the Criminal Law Article if committed in this State; or
- 5           (3)    A crime of violence as defined in § 14–101 of the Criminal Law  
6 Article, or an offense under the laws of another state that would be a violation of  
7 § 14–101 of the Criminal Law Article if committed in this State.

8 6–202.

9           (a)    (1)    (I)    On the recommendation of the county superintendent, a  
10 county board may suspend or dismiss a teacher, principal, supervisor, assistant  
11 superintendent, or other professional assistant for:

12                       [(i)] 1.       Immorality;

13                       [(ii)] 2.       Misconduct in office, including knowingly failing to  
14 report suspected child abuse in violation of § 5–704 of the Family Law Article;

15                       [(iii)] 3.       Insubordination;

16                       [(iv)] 4.       Incompetency; or

17                       [(v)] 5.       Willful neglect of duty.

18                       (II)   A COUNTY BOARD SHALL DISMISS A TEACHER,  
19 PRINCIPAL, SUPERVISOR, ASSISTANT SUPERINTENDENT, OR OTHER  
20 PROFESSIONAL ASSISTANT WHO HAS BEEN CONVICTED OF A CRIME INVOLVING:

21                               1.    AN OFFENSE UNDER § 3–307 OF THE CRIMINAL  
22 LAW ARTICLE;

23                               2.    CHILD SEXUAL ABUSE UNDER § 3–602 OF THE  
24 CRIMINAL LAW ARTICLE, OR AN OFFENSE UNDER THE LAWS OF ANOTHER  
25 STATE THAT WOULD CONSTITUTE CHILD SEXUAL ABUSE UNDER § 3–602 OF THE  
26 CRIMINAL LAW ARTICLE IF COMMITTED IN THIS STATE; OR

27                               3.    A CRIME OF VIOLENCE AS DEFINED IN § 14–101  
28 OF THE CRIMINAL LAW ARTICLE, OR AN OFFENSE UNDER THE LAWS OF

1 **ANOTHER STATE THAT WOULD BE A VIOLATION OF § 14-101 OF THE CRIMINAL**  
2 **LAW ARTICLE IF COMMITTED IN THIS STATE.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 2007.