

# SENATE BILL 985

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71r3190

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By: **Senators Hooper and Harris**

Introduced and read first time: March 1, 2007

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Harford County Board of Education – Appeal of Decisions of the County**  
3 **Board**

4 FOR the purpose of providing that a decision of the Harford County Board of  
5 Education may be appealed to the Harford County Council under certain  
6 circumstances; authorizing the County Council to determine whether to  
7 consider an appeal; providing that a final decision of the County Council may be  
8 appealed to the State Board of Education; providing for the termination of this  
9 Act; and generally relating to an appeal of a decision rendered by the Harford  
10 County Board of Education.

11 BY repealing and reenacting, with amendments,  
12 Article – Education  
13 Section 4–205  
14 Annotated Code of Maryland  
15 (2006 Replacement Volume)

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 4–205.

20 (a) In addition to the other powers granted and duties imposed under this  
21 article, the county superintendent has the powers and duties set forth in this section.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) The county superintendent may administer oaths to witnesses in all  
2 appeals or cases that come before the county board.

3 (c) (1) Subject to the authority of the State Board under § 2–205(e) of this  
4 article, each county superintendent shall explain the true intent and meaning of:

5 (i) The school law; and

6 (ii) The applicable bylaws of the State Board.

7 (2) Subject to the provisions of § 6–203 and Title 6, Subtitle 4 of this  
8 article and without charge to the parties concerned, each county superintendent shall  
9 decide all controversies and disputes that involve:

10 (i) The rules and regulations of the county board; and

11 (ii) The proper administration of the county public school  
12 system.

13 (3) (I) **[A] SUBJECT TO PARAGRAPH (II) OF THIS SUBSECTION,**  
14 **A decision of a county superintendent may be appealed to the county board if taken in**  
15 **writing within 30 days after the decision of the county superintendent. The decision**  
16 **may be further appealed to the State Board if taken in writing within 30 days after**  
17 **the decision of the county board.**

18 (II) **1. IN HARFORD COUNTY, A DECISION OF THE**  
19 **COUNTY SUPERINTENDENT MAY BE APPEALED TO THE COUNTY BOARD IF**  
20 **TAKEN IN WRITING WITHIN 30 DAYS AFTER THE DECISION OF THE COUNTY**  
21 **SUPERINTENDENT.**

22 **2. A DECISION OF THE COUNTY BOARD MAY BE**  
23 **APPEALED TO THE HARFORD COUNTY COUNCIL IF TAKEN IN WRITING WITHIN**  
24 **30 DAYS AFTER THE DECISION OF THE COUNTY BOARD.**

25 **3. BY MAJORITY VOTE, THE COUNTY COUNCIL, IN**  
26 **ITS SOLE DISCRETION, MAY DECIDE WHETHER TO CONSIDER THE APPEAL.**

27 **4. A FINAL DECISION OF THE COUNTY COUNCIL MAY**  
28 **BE FURTHER APPEALED TO THE STATE BOARD IF TAKEN IN WRITING WITHIN 30**  
29 **DAYS AFTER THE DECISION OF THE COUNTY COUNCIL.**

1 (d) A contract made by a county board is not valid without the written  
2 approval of the county superintendent.

3 (e) (1) Acting as the executive officer of the county board, the county  
4 superintendent shall:

5 (i) Conduct all correspondence;

6 (ii) Receive all reports from principals and teachers; and

7 (iii) See that all reports are made and submitted properly.

8 (2) The county superintendent shall prepare and submit to the county  
9 board for adoption:

10 (i) All reports required of the county board by the State Board  
11 or the State Superintendent; and

12 (ii) The annual report to the people of the county required by §  
13 5-111(b) of this article.

14 (f) The county superintendent:

15 (1) Shall advise teachers as to their further study and professional  
16 improvement;

17 (2) Shall develop a program of in-service training for all public school  
18 personnel; and

19 (3) May require attendance at an institution of higher education for  
20 future certification and professional improvement instead of in-service training.

21 (g) The county superintendent and his professional assistants shall:

22 (1) Visit the schools;

23 (2) Observe their management and instruction;

24 (3) Give suggestions for their improvement;

25 (4) Consult with and advise principals and teachers; and

1                   (5) Try in every way to awaken public interest and improve  
2 educational conditions in the county.

3                   (h) In accordance with the applicable rules and regulations of the State  
4 Board, the county superintendent periodically shall:

5                   (1) Evaluate the program of instruction in the public schools of the  
6 county; and

7                   (2) Report his findings and recommendations to the county board.

8                   (i) The county superintendent shall prepare and recommend for adoption by  
9 the county board:

10                   (1) Curriculum guides;

11                   (2) Courses of study;

12                   (3) Resource material; and

13                   (4) Other teaching aids.

14                   (j) (1) The county superintendent shall prepare lists of the following  
15 items needed by the schools:

16                               (i) Textbooks;

17                               (ii) Supplementary readers;

18                               (iii) Materials of instruction;

19                               (iv) Visual and auditory aids;

20                               (v) Stationery and school supplies; and

21                               (vi) School furniture, equipment, and apparatus.

22                   (2) The county superintendent shall recommend the purchase and  
23 distribution of these items by the county board.

24                   (k) The county superintendent shall:

1           (1) Take the initiative in the preparation and presentation of the  
2 annual school budget; and

3           (2) Seek in every way to secure adequate funds from local authorities  
4 for the support and development of the public schools in the county.

5           (1) (1) The county superintendent shall recommend to the county board:

6                           (i) Condemnation of any school building that is unsanitary and  
7 unfit for use; and

8                           (ii) Any repairs of or the purchase and sale of land, school sites,  
9 or buildings.

10           (2) Subject to the provisions of § 2-303(f) of this article that relate to  
11 approval by the State Superintendent, the county superintendent shall prepare all  
12 plans and specifications for remodeling an old building or constructing a new building.

13           (3) The county superintendent shall recommend to traffic safety  
14 officials of the State Highway Administration or of the county appropriate locations for  
15 posting flashing caution signs at or near the site of:

16                           (i) A school;

17                           (ii) School construction; or

18                           (iii) School condemnation.

19           (m) The county superintendent shall provide the clerical help that is needed  
20 to issue work permits in accordance with § 3-206 of the Labor and Employment  
21 Article.

22           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 October 1, 2007. It shall remain effective for a period of 2 years and 2 months and, at  
24 the end of November 30, 2009, with no further action required by the General  
25 Assembly, this Act shall be abrogated and of no further force and effect.