

SENATE BILL 71

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5lr1327
CF HB 191

By: ~~Senator Edwards~~ Senators Edwards, Montgomery, and Serafini

Introduced and read first time: January 23, 2015

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: February 23, 2015

CHAPTER _____

1 AN ACT concerning

2 ~~Reappointment of Washington County Superintendent~~ Superintendents of
3 Schools – Reappointment Exemption in Washington County and Recruitment
4 Recommendations

5 FOR the purpose of exempting the Washington County Board of Education from certain
6 requirements for the appointment and reappointment of a Washington County
7 Superintendent of Schools; requiring the State Superintendent of Schools, on or
8 before a certain date, to submit certain recommendations to the Governor and the
9 General Assembly; and generally relating to ~~the Washington County Superintendent~~
10 of Schools county superintendents of schools.

11 BY repealing and reenacting, with amendments,
12 Article – Education
13 Section 4–201
14 Annotated Code of Maryland
15 (2014 Replacement Volume and 2014 Supplement)

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

18 Article – Education

19 4–201.

20 (a) (1) This section does not apply to Baltimore City.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2) Subsections (b), (c), (d), and (f) of this section do not apply in Prince
2 George's County.

3 **(3) SUBSECTIONS (B)(2) AND (3) OF THIS SECTION DO NOT APPLY IN**
4 **WASHINGTON COUNTY.**

5 (b) (1) The term of a county superintendent is 4 years beginning on July 1. A
6 county superintendent continues to serve until a successor is appointed and qualifies.

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

10 (3) In the year in which a term begins, the county board shall appoint a
11 county superintendent between February 1 and June 30. However, if the county board
12 decides to reappoint the incumbent superintendent, the county board shall take final action
13 at a public meeting no later than March 1 of that year.

14 (4) If a county board is unable to appoint a county superintendent by July
15 1 of a year in which a term begins, the provisions of subsection (d) of this section apply.

16 (c) (1) An individual may not be appointed as county superintendent unless
17 he:

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

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

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

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

25 (3) If the State Superintendent disapproves an appointment, he shall give
26 his reasons for disapproval in writing to the county board.

27 (d) If a vacancy occurs in the office of county superintendent, the county board
28 shall appoint an interim county superintendent who serves until July 1 after his
29 appointment.

30 (e) (1) The State Superintendent may remove a county superintendent for:

31 (i) Immorality;

1 (ii) Misconduct in office;

2 (iii) Insubordination;

3 (iv) Incompetency; or

4 (v) Willful neglect of duty.

5 (2) Before removing a county superintendent, the State Superintendent
6 shall send the county superintendent a copy of the charges against the county
7 superintendent and give the county superintendent an opportunity within 10 days to
8 request a hearing.

9 (3) If the county superintendent requests a hearing within the 10-day
10 period:

11 (i) The State Superintendent promptly shall hold a hearing, but a
12 hearing may not be set within 10 days after the State Superintendent sends the county
13 superintendent a notice of the hearing; and

14 (ii) The county superintendent shall have an opportunity to be heard
15 publicly before the State Superintendent in the county superintendent's own defense, in
16 person or by counsel.

17 (f) On notification of pending criminal charges against a county superintendent
18 as provided under § 4-206 of this subtitle, the county board may suspend the county
19 superintendent with pay until the final disposition of the criminal charges.

20 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before November 1,
21 2015, the State Superintendent of Schools shall submit recommendations to the Governor
22 and, in accordance with § 2-1246 of the State Government Article, the General Assembly
23 on ways to improve the recruitment and retention of county superintendents of schools in
24 the State.

25 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 ~~October~~ July 1, 2015.