F1 7lr3716

By: Delegates Atterbeary and Ebersole

Introduced and read first time: February 22, 2017 Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 Education - County Boards of Education - Removal of County Superintendents

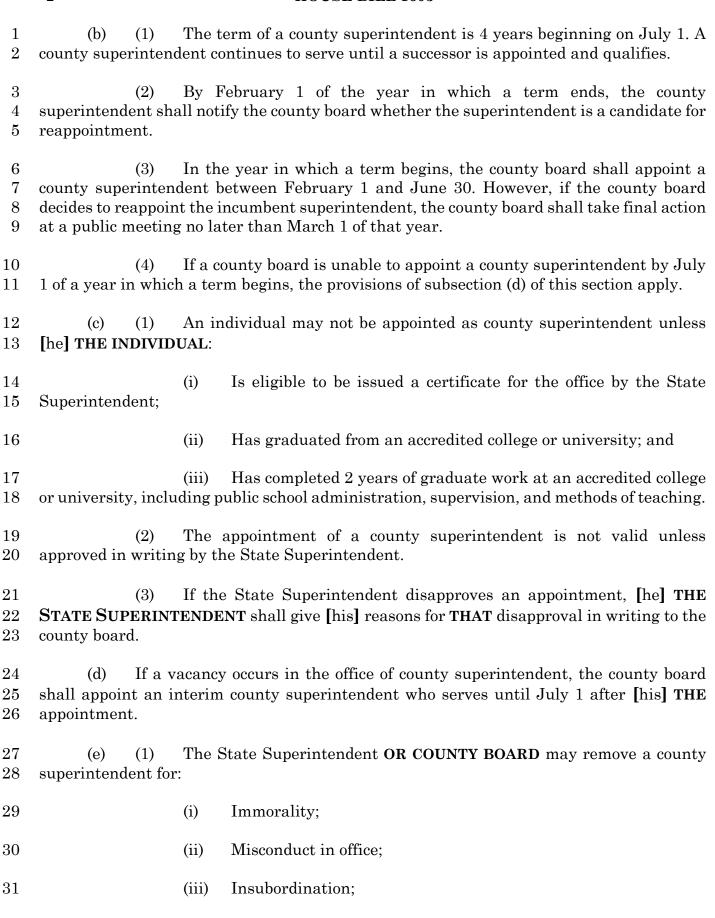
- FOR the purpose of authorizing certain county boards of education to remove certain county superintendents of schools for certain reasons; requiring certain county boards to send certain notice, provide a certain opportunity, and hold a certain hearing under certain circumstances; requiring certain county superintendents to be compensated in a certain manner under certain circumstances; making stylistic changes; and generally relating to the removal of a county superintendent by a county board of education.
- 10 BY repealing and reenacting, with amendments,
- 11 Article Education
- 12 Section 4–201
- 13 Annotated Code of Maryland
- 14 (2014 Replacement Volume and 2016 Supplement)
- 15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 16 That the Laws of Maryland read as follows:
- 17 Article Education
- 18 4–201.
- 19 (a) (1) This section does not apply to Baltimore City.
- 20 (2) Subsections (b), (c), (d), and (f) of this section do not apply in Prince
- 21 George's County.
- 22 (3) Subsections (b)(2) and (3) of this section do not apply in Washington
- 23 County.



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(iv)

Incompetency; or



1	(v) Willful neglect of duty.
2 3 4 5	(2) Before removing a county superintendent, the State Superintendent OR COUNTY BOARD shall send the county superintendent a copy of the charges against the county superintendent and give the county superintendent an opportunity within 10 days to request a hearing.
6 7	(3) If the county superintendent requests a hearing within the 10-day period:
8 9 10	(i) The State Superintendent OR COUNTY BOARD promptly shall hold a hearing, but a hearing may not be set within 10 days after the State Superintendent OR COUNTY BOARD sends the county superintendent a notice of the hearing; and
11 12 13	(ii) The county superintendent shall have an opportunity to be heard publicly before the State Superintendent OR COUNTY BOARD in the county superintendent's own defense, in person or by counsel.
14 15	(4) A COUNTY SUPERINTENDENT REMOVED UNDER THIS SUBSECTION SHALL BE COMPENSATED:
16 17	(I) SUBJECT TO THE TERMS OF THE CONTRACT BETWEEN THE COUNTY SUPERINTENDENT AND THE COUNTY BOARD; OR
18 19	(II) IF NO SUCH TERMS EXIST, FOR THE REMAINDER OF THE COUNTY SUPERINTENDENT'S TERM.
20 21 22	(f) On notification of pending criminal charges against a county superintendent as provided under § 4–206 of this subtitle, the county board may suspend the county superintendent with pay until the final disposition of the criminal charges.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

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October 1, 2017.