

# SENATE BILL 940

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2lr3161

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By: **Senator Hough**

Introduced and read first time: February 13, 2022

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **County Superintendents of Schools – Powers – Approval of Legal Settlements**

3 FOR the purpose of providing that a legal settlement made by a county board of education  
4 must be approved in writing by the county superintendent of schools to be valid; and  
5 generally relating to powers of county superintendents of schools.

6 BY repealing and reenacting, with amendments,  
7 Article – Education  
8 Section 4–205  
9 Annotated Code of Maryland  
10 (2018 Replacement Volume and 2021 Supplement)

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

### Article – Education

14 4–205.

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

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

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

21 (i) The school law; and

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

6           (3) A decision of a county superintendent may be appealed to the county  
7 board if taken in writing within 30 days after the decision of the county superintendent.  
8 The decision may be further appealed to the State Board if taken in writing within 30 days  
9 after the decision of the county board.

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

12          **(E) A LEGAL SETTLEMENT MADE BY A COUNTY BOARD IS NOT VALID**  
13 **WITHOUT THE WRITTEN APPROVAL OF THE COUNTY SUPERINTENDENT.**

14          ~~[(e)]~~ **(F)** (1) Acting as the executive officer of the county board, the county  
15 superintendent shall:

16           (i) Conduct all correspondence;

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

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

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

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

23           (ii) The annual report to the people of the county required by §  
24 5–111(b) of this article.

25          ~~[(f)]~~ **(G)** The county superintendent:

26           (1) Shall advise teachers as to their further study and professional  
27 improvement;

28           (2) Shall develop a program of in–service training for all public school  
29 personnel; and



1 (v) Stationery and school supplies; and

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

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

5 **[(k)] (L)** The county superintendent shall:

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

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

10 **[(l)] (M)** (1) The county superintendent shall recommend to the county board:

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

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

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

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

21 (i) A school;

22 (ii) School construction; or

23 (iii) School condemnation.

24 **[(m)] (N)** The county superintendent shall provide the clerical help that is needed  
25 to issue work permits in accordance with § 3–206 of the Labor and Employment Article.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
27 1, 2022.