

BOARD OF EDUCATION OF HARFORD COUNTY
INFORMATIONAL BOARD REPORT
RECOMMENDATION ON NEW
BOARD POLICY 22-0018-000
APPEALS AND HEARINGS TO THE BOARD OF EDUCATION
DELETION OF CURRENT BOARD POLICY 22-0018-000
HEARINGS BEFORE THE BOARD OF EDUCATION OF HARFORD COUNTY OR THE
HEARING EXAMINER

OCTOBER 21, 2024

Background Information:

Among the Board policies maintained in the Board Policy Manual, is that entitled 22-00180000 Hearings Before the Board of Education of Harford County or the Hearing Examiner. This policy is intended to replace the current policy in its entirety.

Discussion:

The Board Policy Review Committee, under the guidance of Kimberly H. Neal, Esquire, General for Harford County Public Schools, has worked closely with the Board's attorney, Gregory A. Szoka, Esquire, to review and revise the current Board policy entitled Hearings Before the Board of Education of Harford County or the Hearing Examiner. With Mr. Szoka's guidance and direction, the committee has drafted a new policy and an accompanying procedure which will assist the staff of Harford County Public Schools and the public at large with regard to the steps to appeal a decision made by the Superintendent or a Superintendent designee when it is appropriate to appeal a decision. The proposed new policy also aligns with current Maryland law regarding appeals to the Board of Education of Harford County.

Attachments:

1. Proposed New Board Policy 22-0018-000 Appeals and Hearings to the Board of Education.

Superintendent's Recommendation:

For the foregoing reasons, the Superintendent recommends the following:

1. That the Board review for possible approval at a future meeting the proposed new policy entitled 22-0018-000 Appeals and Hearings to the Board of Education.

POLICY TITLE: APPEALS AND HEARINGS TO THE BOARD OF EDUCATION		
ADOPTION/EFFECTIVE DATE:	MOST RECENTLY AMENDED:	MOST RECENTLY REAFFIRMED:
POLICY/PROCEDURE MANUAL SUMMARY CATEGORY: School System Governance		

I. Purpose

The Annotated Code of Maryland, Education Article, Sections 4-205, 6-202, 6-203, and 7-305 govern all appeals to the Harford County Board of Education (the “Board”) of matters involving a final decision of the Superintendent or a recommendation by the Superintendent. In appeals taken pursuant to these sections of the Education Article, as well as under COMAR 13A.08.01.11, the Board is exercising its quasi-judicial authority on matters involving: the rules and regulations of the Board of the proper administration of the school system; suspension and dismissal of professional personnel; and extended suspension and expulsion of students. This policy, and its affiliated procedure, do not apply to: conferences or other informal investigations or proceedings where no formal ruling or decision is made; hearings and decisions governed by other procedures required by State or Federal Law, COMAR Title 13A (State Board of Education bylaws), or policies of the Board; or proceedings solely governed by provision of the negotiated agreements between the Board and its employee organizations. This policy affirms the Board’s commitment to compliance with the aforementioned laws and regulations.

II. Policy Statement

To ensure compliance with all applicable laws concerning a right to appeal, the Board has summarized the pertinent statutes and regulations in an affiliated procedure titled “Appeals and Hearings” and available at www.hcps.org/boe/policiesprocedures. The procedure outlines the matters that may be appealed, the timeline and associated requirements for noting an appeal, how the Board reviews and decides appeals, opportunities for appeals before a hearing examiner or an arbitrator, and other information intended to inform individuals of their appeal rights.

Board Approval Acknowledged By:

Sean W. Bulson, Ed.D., Superintendent

Policy Action Dates							
ACTION		DATE		ACTION		DATE	
Adopted							

Responsibility for Policy Maintenance & References	
LAST EDITOR/DRAFTER NAME: Gregory Szoka	JOB POSITION OF LAST EDITOR/DRAFTER: Board Counsel
PERSON RESPONSIBLE: Kimberly H. Neal	JOB POSITION OF PERSON RESPONSIBLE: General Counsel
DESIGNEE NAME: N/A	JOB POSITION OF DESIGNEE: N/A
POLICY NUMBER PRIOR TO NOVEMBER 1, 2005: School System Governance .01.22	
<i>THIS POLICY REPLACES 22-0018-000 TITLED HEARINGS BEFORE THE BOARD OF EDUCATION OF HARFORD COUNTY OR THE HEARING EXAMINER</i>	

LEGAL REFERENCES

All references are to specific federal or Maryland statutes or regulations. References are provided for convenience and informational purposes only and are not to be considered as exhaustive or as precluding Harford County Public Schools from relying upon any other statutes or regulations in support of a policy.