
By: **Montgomery County Delegation**
Introduced and read first time: February 11, 2000
Assigned to: Ways and Means

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 23, 2000

CHAPTER 164

1 AN ACT concerning

2 **Montgomery County - Board of Education - Public Hearings on**
3 **Transportation of Students**

4 FOR the purpose of requiring the Montgomery County Board of Education to hold a
5 public hearing whenever it ~~meets to take action~~ hears an appeal relating to ~~the~~
6 ~~transportation of students~~ bus stops and bus routes; ~~requiring that certain~~
7 ~~notice be given of certain hearings~~; requiring that certain individuals be given
8 the opportunity to testify and present their views at certain hearings; requiring
9 that a decision on an appeal be made at a public hearing and that the individual
10 vote of each member of the board be recorded on the public record; and generally
11 relating to the Montgomery County Board of Education.

12 BY repealing and reenacting, with amendments,
13 Article - Education
14 Section 3-903
15 Annotated Code of Maryland
16 (1999 Replacement Volume)

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

19 **Article - Education**

20 3-903.

21 (a) All actions of the County Board shall be taken ~~after~~ **AT** a public meeting,
22 the record of which shall be made public.

1 (b) This EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THIS
2 section does not prohibit the County Board from meeting and deliberating in
3 executive session provided that all action of the Board, together with the individual
4 vote of each member, is contained in a public record.

5 ~~(C) (1) NOTWITHSTANDING SUBSECTION (B) OF THIS SECTION, THE COUNTY~~
6 ~~BOARD MUST HOLD A PUBLIC HEARING WHENEVER IT MEETS TO TAKE ACTION~~
7 ~~RELATING TO THE TRANSPORTATION OF STUDENTS.~~

8 ~~(2) THE HEARING SHALL BE HELD ON AT LEAST 10 DAYS' NOTICE,~~
9 ~~PUBLISHED AT LEAST ONCE IN A NEWSPAPER OF GENERAL CIRCULATION IN THE~~
10 ~~COUNTY.~~

11 ~~(3) ALL INTERESTED PERSONS SHALL BE GIVEN AN OPPORTUNITY TO~~
12 ~~TESTIFY AND PRESENT THEIR VIEWS AT THE HEARING.~~

13 (C) IF THE COUNTY SUPERINTENDENT DENIES AN APPEAL OF A DECISION BY
14 THE CHIEF OPERATING OFFICER OF THE COUNTY PUBLIC SCHOOLS TO ADD OR
15 DELETE A SCHOOL BUS STOP OR TO ELIMINATE OR MOVE A SCHOOL BUS ROUTE, THE
16 APPEAL TO THE COUNTY BOARD AND THE DECISION ON THE APPEAL SHALL BE
17 GOVERNED BY THE FOLLOWING REQUIREMENTS:

18 (1) THE COUNTY BOARD SHALL HOLD A PUBLIC HEARING ON THE
19 MATTER CONTAINED IN THE APPEAL;

20 (2) MEMBERS OF THE PUBLIC SHALL BE GIVEN A REASONABLE
21 OPPORTUNITY TO TESTIFY AND PRESENT THEIR VIEWS AT THE HEARING; AND

22 (3) THE BOARD SHALL MAKE A DECISION ON THE APPEAL IN ITEM (1) OF
23 THIS SUBSECTION AT A PUBLIC MEETING AND THE INDIVIDUAL VOTE OF EACH
24 MEMBER SHALL BE RECORDED ON THE PUBLIC RECORD.

25 [(c)] (D) The affirmative vote of the members of the County Board for the
26 passage of a motion by the County Board shall be:

27 (1) 5 members when the student member is voting; or

28 (2) 4 members when the student member is not voting.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2000.

