

**Department of Legislative Services**  
Maryland General Assembly  
2011 Session

**FISCAL AND POLICY NOTE**

House Bill 539  
Ways and Means

(Montgomery County Delegation)  
Education, Health, and Environmental Affairs

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**Montgomery County Board of Education - Student Member - Voting  
MC 7-11**

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This bill repeals certain voting rights exceptions for the student member of the Montgomery County Board of Education so that the student member is required to vote on matters relating to capital and operating budgets; school closings, reopenings, and boundaries; and collective bargaining. The bill also authorizes the student member to attend executive sessions that relate to collective bargaining.

The bill takes effect July 1, 2011.

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** None. Expanding the voting rights of the student member of the Montgomery County Board of Education does not affect local finances.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** Unless invited by the affirmative vote of a majority of the Montgomery County Board of Education, the student member may not attend an executive session that relates to collective bargaining or certain personnel hearings. The student member must vote on all matters before the board except those relating to:

- grounds and procedures for suspension or dismissal of teachers, principals, and other professional personnel;

- collective bargaining;
- capital and operating budgets; and
- school closings, reopening, and boundaries.

**Background:** As shown in **Exhibit 1**, the majority of the 24 local school systems in Maryland have statutory provisions for the inclusion of student members on their school boards. Of the 18 local school systems with provisions for student members, 12 have nonvoting student members, 5 have student members with limited voting rights, and 1 has a student member with full voting rights.

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**Exhibit 1**  
**Local Boards of Education**  
**Statutory Authority for Student Membership and Voting Rights**

<b>County</b>	<b>Student Member(s)</b>	<b>Voting Rights</b>
Allegany	1	Nonvoting
Anne Arundel	1	Full voting
Baltimore City	1	Limited voting
Baltimore	1	Limited voting
Calvert	1	Nonvoting
Caroline	0	
Carroll	0	
Cecil	1	Nonvoting
Charles	1	Nonvoting
Dorchester	2	Nonvoting
Frederick	1	Nonvoting
Garrett	1	Nonvoting
Harford	1	Nonvoting
Howard	1	Limited voting
Kent	0	
Montgomery	1	Limited voting
Prince George's	1	Limited voting
Queen Anne's	2	Nonvoting
St. Mary's	1	Nonvoting
Somerset	0	
Talbot	1	Nonvoting
Washington	0	
Wicomico	0	
Worcester	3	Nonvoting

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### **Additional Information**

**Prior Introductions:** HB 857 of 2010 passed the House and received a hearing in the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken.

**Cross File:** None.

**Information Source(s):** Montgomery County, Department of Legislative Services

**Fiscal Note History:** First Reader - February 18, 2011  
ncs/hlb

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