

SENATE BILL 428

F1

3lr1468
CF HB 319

By: **Carroll County Senators**

Introduced and read first time: January 30, 2013

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: March 11, 2013

CHAPTER _____

1 AN ACT concerning

2 **Carroll County – Board of Education – Nonvoting Student Representative**

3 FOR the purpose of adding a nonvoting student representative to the Carroll County
4 Board of Education; requiring the student representative to meet certain
5 qualifications; specifying the term of the student representative; requiring that
6 the student representative advise the County Board on certain matters;
7 prohibiting the student representative from attending an executive session of
8 the County Board unless invited to attend by an affirmative vote by a majority
9 of the County Board; specifying that only voting members of the County Board
10 are subject to certain provisions; specifying that only voting members of the
11 County Board may receive certain compensation; and generally relating to the
12 Carroll County Board of Education.

13 BY repealing and reenacting, with amendments,
14 Article – Education
15 Section 3–401 and 3–403
16 Annotated Code of Maryland
17 (2008 Replacement Volume and 2012 Supplement)

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

20 **Article – Education**

21 3–401.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) The Carroll County Board consists of:

2 (1) Five voting members; [and]

3 **(2) SUBJECT TO SUBSECTION (F) OF THIS SECTION, ONE**
4 **NONVOTING STUDENT REPRESENTATIVE; AND**

5 **[(2)](3)** The County Commissioners, who are nonvoting ex officio
6 members.

7 (b) A candidate elected to the county board shall be a resident and registered
8 voter of Carroll County. Any member who no longer resides in Carroll County may not
9 continue as a member of the board.

10 (c) (1) **[Members] VOTING MEMBERS** of the Carroll County Board shall
11 be elected as follows:

12 (i) Two members of the board shall be elected in the November
13 general election of 1994 and every 4 years thereafter;

14 (ii) Two members of the county board shall be elected in the
15 November general election of 1996 and every 4 years thereafter; and

16 (iii) One member of the county board shall be elected in the
17 November general election of 1998 and every 4 years thereafter.

18 (2) **[Members] VOTING MEMBERS** of the county board shall be
19 elected:

20 (i) At a general election as required by this section; and

21 (ii) On a general countywide ticket.

22 (d) (1) Each **VOTING** member serves for a term of 4 years beginning the
23 first Monday in December immediately following the **VOTING** member's election and
24 until a successor is elected and qualifies. The terms of the **VOTING** members are
25 staggered as required for the elections to the county board in subsection (c)(1) of this
26 section.

27 (2) The Governor shall appoint a new **VOTING** member to fill any
28 vacancy on the board for the remainder of that term and until a successor is elected
29 and qualifies.

1 (3) A **VOTING** member of the county board as of October 1, 1993, and
2 any **VOTING** member appointed to fill a vacancy in an unexpired term of such
3 member, shall hold office during his term and until a successor is elected and qualifies.

4 (e) (1) The State Board may remove a **VOTING** member of the county
5 board for:

6 (i) Immorality;

7 (ii) Misconduct in office;

8 (iii) Incompetency; or

9 (iv) Willful neglect of duty.

10 (2) Before removing a **VOTING** member, the State Board shall send
11 the member a copy of the charges against him and give him an opportunity within 10
12 days to request a hearing.

13 (3) If the **VOTING** member requests a hearing within the 10-day
14 period:

15 (i) The State Board promptly shall hold a hearing, but a
16 hearing may not be set within 10 days after the State Board sends the member a
17 notice of the hearing; and

18 (ii) The **VOTING** member shall have an opportunity to be heard
19 publicly before the State Board in his own defense, in person or by counsel.

20 (4) A **VOTING** member removed under this subsection has the right to
21 a de novo review of the removal by the Circuit Court for Carroll County.

22 **(F) (1) THE STUDENT REPRESENTATIVE SHALL:**

23 **(I) BE AN ELEVENTH OR A TWELFTH GRADE STUDENT IN**
24 **THE CARROLL COUNTY PUBLIC SCHOOL SYSTEM ELECTED BY THE HIGH**
25 **SCHOOL STUDENTS OF THE COUNTY IN ACCORDANCE WITH PROCEDURES**
26 **ESTABLISHED BY THE SCHOOL SYSTEM;**

27 **(II) BE A STUDENT GOVERNMENT ASSOCIATION**
28 **REPRESENTATIVE AT THE STUDENT'S HIGH SCHOOL;**

29 **(III) SERVE FOR 1 YEAR BEGINNING ON JULY 1 AFTER THE**
30 **ELECTION OF THE STUDENT REPRESENTATIVE; AND**

1 **(IV) ADVISE THE COUNTY BOARD ON THE THOUGHTS AND**
2 **FEELINGS OF STUDENTS IN CARROLL COUNTY PUBLIC SCHOOLS.**

3 **(2) UNLESS INVITED TO ATTEND BY AN AFFIRMATIVE VOTE OF A**
4 **MAJORITY OF THE COUNTY BOARD, THE STUDENT REPRESENTATIVE MAY NOT**
5 **ATTEND AN EXECUTIVE SESSION OF THE COUNTY BOARD.**

6 3-403.

7 (a) The president of the county board is entitled to receive \$7,500 annually
8 as compensation and the other **VOTING** members are entitled to receive \$6,500 each
9 annually as compensation.

10 (b) The compensation of the president and the **VOTING** members described
11 in subsection (a) of this section shall be paid in four equal quarterly installments.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 July 1, 2013.

Approved:

_____ Governor.

_____ President of the Senate.

_____ Speaker of the House of Delegates.