

Chapter 466

(Senate Bill 428)

AN ACT concerning

Carroll County – Board of Education – Nonvoting Student Representative

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

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

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

Article – Education

3–401.

(a) The Carroll County Board consists of:

(1) Five voting members; [and]

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

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

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

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

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

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

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

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

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

(ii) On a general countywide ticket.

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

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

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

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

(i) Immorality;

(ii) Misconduct in office;

(iii) Incompetency; or

(iv) Willful neglect of duty.

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

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

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

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

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

(F) (1) THE STUDENT REPRESENTATIVE SHALL:

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

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

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

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

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

3-403.

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

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

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

Approved by the Governor, May 16, 2013.