

HOUSE BILL 716

F3

7lr1533

By: **Delegates Beidle, McMillan, and Sophocleus**

Introduced and read first time: February 2, 2017

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County – Board of Education – Selection of Members**

3 FOR the purpose of requiring that, beginning with a certain election, certain members of
4 the Anne Arundel County Board of Education be elected by councilmanic districts
5 and a certain member be elected at large; repealing certain provisions of law
6 governing the appointment of members of the county board; establishing the
7 composition of the county board; providing for the residency requirements, terms of
8 office, and filling of a vacancy in the office of certain members of the county board;
9 establishing certain procedures for the election of certain members of the county
10 board; renaming the School Board Nominating Commission of Anne Arundel County
11 to be the School Board Appointment Commission of Anne Arundel County; altering
12 the membership, purpose, and duties of the Commission; providing for the term of
13 office of a certain member of the Commission; repealing certain provisions of law
14 relating to the approval or rejection of the retention of certain members by county
15 voters in a certain general election; requiring the affirmative vote of a certain
16 number of members for the approval of any action by the county board; altering the
17 compensation of the members of the county board; providing for the removal of, and
18 hearings and appeal procedures for, certain members of the county board; altering
19 the manner of filling a vacancy in the office of certain members of the county board;
20 repealing certain provisions of law establishing and relating to the School Board
21 Appointment Commission of Anne Arundel County; providing for the expiration of
22 the terms of certain appointed members of the county board; making certain
23 conforming changes; providing for the application of this Act; providing for the
24 effective dates of this Act; and generally relating to the election of the members of
25 the Anne Arundel County Board of Education.

26 BY renumbering

27 Article – Education

28 Section 3–2A–01 through 3–2A–10, respectively, and the subtitle “Subtitle 2A.

29 Baltimore County”

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 to be Section 3-2B-01 through 3-2B-10, respectively, and the subtitle "Subtitle 2B.
2 Baltimore County"
3 Annotated Code of Maryland
4 (2014 Replacement Volume and 2016 Supplement)
- 5 BY repealing and reenacting, with amendments,
6 Article – Education
7 Section 3-108(a), 3-110, and 3-114(a)
8 Annotated Code of Maryland
9 (2014 Replacement Volume and 2016 Supplement)
- 10 BY repealing and reenacting, without amendments,
11 Article – Education
12 Section 3-114(g) and (h)
13 Annotated Code of Maryland
14 (2014 Replacement Volume and 2016 Supplement)
- 15 BY adding to
16 Article – Education
17 Section 3-2A-02, 3-2A-03, 3-2A-06, and 3-2A-08 to be under the new subtitle
18 "Subtitle 2A. Anne Arundel County"
19 Annotated Code of Maryland
20 (2014 Replacement Volume and 2016 Supplement)
- 21 BY repealing and reenacting, without amendments,
22 Article – Education
23 Section 3-2B-01(a)
24 Annotated Code of Maryland
25 (2014 Replacement Volume and 2016 Supplement)
26 (As enacted by Section 1 of this Act)
- 27 BY repealing and reenacting, with amendments,
28 Article – Education
29 Section 3-2B-01(b)(2)
30 Annotated Code of Maryland
31 (2014 Replacement Volume and 2016 Supplement)
32 (As enacted by Section 1 of this Act)
- 33 BY repealing and reenacting, with amendments,
34 Article – Education
35 Section 3-2A-03(c)
36 Annotated Code of Maryland
37 (2014 Replacement Volume and 2016 Supplement)
38 (As enacted by Section 2 of this Act)
- 39 BY repealing
40 Article – Education

1 Section 3-2A-04
2 Annotated Code of Maryland
3 (2014 Replacement Volume and 2016 Supplement)
4 (As enacted by Section 2 of this Act)

5 BY adding to
6 Article – Education
7 Section 3-2A-04
8 Annotated Code of Maryland
9 (2014 Replacement Volume and 2016 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
11 That Section(s) 3-2A-01 through 3-2A-10, respectively, and the subtitle “Subtitle 2A.
12 Baltimore County” of Article – Education of the Annotated Code of Maryland be
13 renumbered to be Section(s) 3-2B-01 through 3-2B-10, respectively, and the subtitle
14 “Subtitle 2B. Baltimore County”.

15 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
16 as follows:

17 **Article – Education**

18 3-108.

19 (a) (1) Except as provided in paragraph (2) of this subsection, the Governor
20 shall appoint the members of each county board from the residents of that county.

21 (2) The members of the following county boards of education shall be
22 selected as follows:

23 (i) The Baltimore City Board of School Commissioners in
24 accordance with § 3-108.1 of this subtitle;

25 (ii) The Harford County Board of Education in accordance with §
26 3-6A-01 of this title;

27 (iii) The Caroline County Board of Education in accordance with §
28 3-3A-02 of this title; **AND**

29 [(iv) The Anne Arundel County Board of Education in accordance with
30 § 3-110 of this subtitle; and]

31 [(v)] **(IV)** The county boards of education in the counties listed in §
32 3-114 of this subtitle in accordance with the provisions of that section.

33 3-114.

1 (a) In the following counties, the members of the county board shall be elected:

2 (1) Allegany;

3 **(2) ANNE ARUNDEL;**

4 **[(2)] (3)** Calvert;

5 **[(3)] (4)** Carroll;

6 **[(4)] (5)** Cecil;

7 **[(5)] (6)** Charles;

8 **[(6)] (7)** Dorchester;

9 **[(7)] (8)** Frederick;

10 **[(8)] (9)** Garrett;

11 **[(9)] (10)** Howard;

12 **[(10)] (11)** Kent;

13 **[(11)] (12)** Montgomery;

14 **[(12)] (13)** Queen Anne's;

15 **[(13)] (14)** St. Mary's;

16 **[(14)] (15)** Somerset;

17 **[(15)] (16)** Talbot;

18 **[(16)] (17)** Washington;

19 **[(17)] (18)** Wicomico; and

20 **[(18)] (19)** Worcester.

21 (g) An individual subject to the authority of the county board may not serve as a
22 member of the county board. At the time of filing a certificate of candidacy for election to a
23 county board, a person shall certify to the local board of supervisors of elections whether or
24 not the person is subject to the authority of the county board. The Governor may not issue
25 a commission of election to a person who has certified affirmatively and who is elected to a

1 county board until the member—elect offers proof that the member—elect is no longer subject
2 to the authority of the county board.

3 (h) The election of the county boards shall be held as provided in Subtitles 2
4 through 14 of this title and the Election Law Article.

5 **SUBTITLE 2A. ANNE ARUNDEL COUNTY.**

6 **[3-110.] 3-2A-01.**

7 (a) **[(1)]** The Anne Arundel County Board **OF EDUCATION** consists of **[9]**
8 members who shall be appointed as follows:

9 (i) 3 from the county at large;

10 (ii) 1 each from legislative districts 30, 31, 32, 33, and that portion
11 of legislative district 21 that lies within Anne Arundel County; and

12 (iii) 1 student member.

13 (2) Except for the student member, the Governor shall appoint a member
14 of the county board from a list of nominees submitted by the School Board Nominating
15 Commission of Anne Arundel County as provided in subsection (b) of this section.]:

16 **(1) EIGHT NONPARTISAN ELECTED MEMBERS; AND**

17 **(2) ONE STUDENT MEMBER.**

18 **(B) THE EIGHT ELECTED MEMBERS SHALL BE ELECTED AS FOLLOWS:**

19 **(1) ONE MEMBER FROM EACH OF THE SEVEN COUNCILMANIC**
20 **DISTRICTS IN THE COUNTY, ELECTED BY THE VOTERS OF THAT DISTRICT; AND**

21 **(2) ONE MEMBER AT LARGE, ELECTED BY THE VOTERS OF THE**
22 **COUNTY.**

23 **(C) THE STUDENT MEMBER SHALL BE SELECTED IN ACCORDANCE WITH §**
24 **3-2A-05 OF THIS SUBTITLE.**

25 **(D) (1) EACH MEMBER OF THE COUNTY BOARD MUST BE A RESIDENT OF**
26 **ANNE ARUNDEL COUNTY.**

27 **(2) A MEMBER WHO NO LONGER RESIDES IN ANNE ARUNDEL COUNTY**
28 **MAY NOT CONTINUE AS A MEMBER OF THE COUNTY BOARD.**

1 **(3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A**
2 **MEMBER FROM A COUNCILMANIC DISTRICT WHO DOES NOT MAINTAIN RESIDENCY**
3 **IN THAT DISTRICT MAY NOT CONTINUE AS A MEMBER OF THE COUNTY BOARD AND**
4 **THE OFFICE SHALL BE DEEMED VACANT.**

5 **(II) IF THE BOUNDARY LINE OF A COUNCILMANIC DISTRICT IS**
6 **CHANGED, THE TERM OF AN INCUMBENT MEMBER OF THE COUNTY BOARD WHO NO**
7 **LONGER RESIDES IN THAT COUNCILMANIC DISTRICT BECAUSE OF THE CHANGE IS**
8 **NOT AFFECTED DURING THAT TERM.**

9 **3-2A-02.**

10 **(A) THE ELECTED MEMBERS OF THE COUNTY BOARD SHALL BE ELECTED AT**
11 **A GENERAL ELECTION IN ACCORDANCE WITH § 3-2A-03 OF THIS SUBTITLE AND**
12 **TITLE 8, SUBTITLE 8 OF THE ELECTION LAW ARTICLE.**

13 **(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN ELECTED**
14 **MEMBER OF THE COUNTY BOARD SERVES FOR A TERM OF 4 YEARS BEGINNING ON**
15 **THE FIRST MONDAY IN DECEMBER AFTER THE MEMBER'S ELECTION AND UNTIL A**
16 **SUCCESSOR IS ELECTED AND QUALIFIES.**

17 **(2) THE TERM OF OFFICE OF EACH MEMBER ELECTED AT THE**
18 **GENERAL ELECTION IN 2018 IS 6 YEARS.**

19 **(C) EACH ELECTED MEMBER OF THE COUNTY BOARD:**

20 **(1) IS ELIGIBLE FOR REELECTION FOR A SECOND CONSECUTIVE**
21 **TERM IN ACCORDANCE WITH THE PROVISIONS OF THIS SUBTITLE; BUT**

22 **(2) MAY NOT BE ELECTED TO SERVE ON THE COUNTY BOARD FOR**
23 **MORE THAN TWO CONSECUTIVE TERMS.**

24 **3-2A-03.**

25 **(A) AT THE GENERAL ELECTION FOR THE ELECTED MEMBERS OF THE**
26 **COUNTY BOARD, THE BALLOT SHALL PROVIDE:**

27 **(1) THE VOTERS OF A COUNCILMANIC DISTRICT WITH THE CHOICE TO**
28 **CAST A VOTE "FOR" A CANDIDATE FOR ELECTION FROM THAT DISTRICT ONLY; AND**

29 **(2) BEGINNING WITH THE GENERAL ELECTION IN 2020, ALL VOTERS**
30 **THE CHOICE TO CAST A VOTE "FOR" A CANDIDATE FOR ELECTION FROM THE**
31 **COUNTY AT LARGE.**

1 **(B) AFTER THE ELECTION RESULTS ARE CERTIFIED, THE STATE BOARD OF**
2 **ELECTIONS SHALL DECLARE FOR EACH DISTRICT WHETHER A CANDIDATE HAS BEEN**
3 **ELECTED.**

4 **(C) IN ANY ELECTION, IF NO CANDIDATE FILES A CERTIFICATE OF**
5 **CANDIDACY FOR THE OFFICE OR IF NO INDIVIDUAL OTHERWISE QUALIFIES TO HAVE**
6 **THE INDIVIDUAL'S NAME PLACED ON THE BALLOT, THE SCHOOL BOARD**
7 **APPOINTMENT COMMISSION OF ANNE ARUNDEL COUNTY SHALL APPOINT A**
8 **QUALIFIED INDIVIDUAL TO FILL THAT VACANCY NO LATER THAN 30 DAYS AFTER THE**
9 **GENERAL ELECTION.**

10 **3-2A-04.**

11 **[(b)] (A) (1) [(i)]** There is a School Board **[Nominating] APPOINTMENT**
12 **Commission of Anne Arundel County.**

13 **[(ii)] (2)** The purpose of the Commission is to select **[nominees to**
14 **be recommended to the Governor as qualified candidates for appointment to] AND**
15 **APPOINT QUALIFIED INDIVIDUALS TO FILL VACANCIES ON** the Anne Arundel County
16 **Board of Education.**

17 **[(iii)] (3)** The Commission shall hold at least two public hearings on
18 the **[selection of nominees] CANDIDATES** before **[recommending to the Governor nominees**
19 **for] MAKING AN** appointment to the county board.

20 **[(2)] (B) (1)** The Commission consists of the following 13 members:

21 (i) **[Three] TWO** members appointed by the County Executive of
22 Anne Arundel County from the county at large:

23 1. One of whom shall be a parent of a child enrolled in the
24 Anne Arundel County public school system; and

25 2. No more than one of whom may be a current employee of
26 Anne Arundel County;

27 (ii) One member appointed by the Teachers Association of Anne
28 Arundel County;

29 (iii) One member appointed by the Annapolis and Anne Arundel
30 County Chamber of Commerce;

31 (iv) One member appointed by the Anne Arundel County Community
32 College Board of Trustees;

1 (v) One member appointed by the Association of Educational
2 Leaders (AEL);

3 (vi) Two members appointed by the Anne Arundel County Council of
4 Parent Teacher Associations who may not:

5 1. Be affiliated with a teachers' union or association; or

6 2. Be a current employee of Anne Arundel County;

7 (vii) One member appointed by the Anne Arundel County Branch of
8 the National Association for the Advancement of Colored People (NAACP);

9 (viii) One member appointed by CASA de Maryland;

10 (ix) One member appointed by the Anne Arundel Special Education
11 Citizens' Advisory Committee who is a parent of a child with special needs in the Anne
12 Arundel County public school system; [and]

13 (x) Beginning June 1, 2016, and every 2 years thereafter, one
14 member appointed by a chamber of commerce based in Anne Arundel County on a rotating
15 basis in the following order:

16 1. The West Anne Arundel County Chamber of Commerce;

17 2. The Northern Anne Arundel County Chamber of
18 Commerce;

19 3. The Southern Anne Arundel Chamber of Commerce;

20 4. The Greater Crofton Chamber of Commerce; and

21 5. The Greater Severna Park and Arnold Chamber of
22 Commerce; AND

23 **(XI) ONE MEMBER DESIGNATED BY THE CHESAPEAKE**
24 **REGIONAL ASSOCIATION OF STUDENT COUNCILS WHO IS A STUDENT ENROLLED IN**
25 **THE ANNE ARUNDEL COUNTY PUBLIC SCHOOL SYSTEM.**

26 ~~[(3)] (2)~~ (i) Each member of the Commission must be a resident of
27 Anne Arundel County.

28 (ii) Except for the members appointed under paragraph ~~[(2)(ii) and~~
29 ~~(v)] (1)(II) AND (V)~~ of this subsection, a member of the Commission may not be a current
30 employee of a county school board.

1 [(4) (3)] (i) The Commission shall select a chair from among its
2 members.

3 (ii) The term of the chair of the Commission is 2 years.

4 [(5) (4)] (i) Except as provided in subparagraph (ii) of this paragraph,
5 the term of a member of the Commission is 4 years.

6 (ii) 1. The term of a member appointed by a chamber of
7 commerce under paragraph [(2)(x)] (1)(X) of this subsection is 2 years.

8 2. **THE TERM OF A MEMBER DESIGNATED BY THE**
9 **CHESAPEAKE REGIONAL ASSOCIATION OF STUDENT COUNCILS UNDER**
10 **PARAGRAPH (1)(XI) OF THIS SUBSECTION IS 1 YEAR.**

11 (iii) A member may be reappointed but may not serve more than 8
12 years.

13 [(6) (C)] The Anne Arundel County Board of Education shall provide staff
14 for the Commission.

15 [(7) (i) (D)] (1) The affirmative vote of at least eight members of the
16 Commission is required for the approval of any action.

17 [(ii) (2)] A member of the Commission may not vote by proxy.

18 [(8) (i) (E)] (1) The Commission shall require each applicant for
19 [nomination] APPOINTMENT to complete an application that includes:

20 [1.] (I) The full name and address of the individual;

21 [2.] (II) Any former name used by the individual;

22 [3.] (III) A statement as to whether the individual has any
23 conviction for a crime that:

24 [A.] 1. Relates to the responsibilities of a member of the
25 county board; and

26 [B.] 2. Has not been expunged or otherwise shielded;

27 [4.] (IV) A statement as to whether the individual has been
28 adjudged bankrupt or insolvent; and

1 **[5.] (V)** A declaration that the statements made in the
2 application are true, correct, and complete to the best of the individual's knowledge and
3 belief.

4 **[(ii)] (2)** The Commission shall consult the Maryland Judiciary
5 Case Search to verify the statements made by the applicant under [subparagraph (i) of this
6 paragraph] **PARAGRAPH (1) OF THIS SUBSECTION.**

7 **[(9)** Beginning January 1, 2008, for each nomination to the county board,
8 the Commission shall submit to the Governor a list of nominees that contains:

9 (i) At least two names for each vacancy; or

10 (ii) If there are fewer than two applicants for a vacancy, the number
11 of names that is equal to the number of applicants for the vacancy.

12 (c) (1) Following the appointment of a member of the Anne Arundel County
13 Board of Education by the Governor, a member may serve for the remainder of the
14 member's term, as provided in § 3-108(c) of this subtitle, subject to the approval or rejection
15 of the registered voters of the county at the next general election.

16 (2) A member of the county board is eligible for nomination and
17 reappointment for a second consecutive term in accordance with the provisions of
18 subsections (a) and (b) of this section.

19 (3) (i) The approval or rejection of a member of the county board by the
20 registered voters of the county provided for in subparagraph (ii) of this paragraph shall be
21 a vote for the member's retention or removal.

22 (ii) On receipt of the notice required under § 5-301(h) of the Election
23 Law Article, the name of the member of the county board shall be placed on the appropriate
24 ballot and shown, without opposition, and the voters shall vote for or against the member's
25 retention as a member of the county board.

26 (4) If the voters reject the retention of the member, or the vote is tied:

27 (i) The position shall become vacant 10 days after certification of the
28 election returns;

29 (ii) The member shall resign from the county board effective 10 days
30 after certification of the election returns; and

31 (iii) The member may not continue to serve on the county board.]

32 **(F) AN INDIVIDUAL WHO TAKES OFFICE TO FILL A VACANCY FOR AN**
33 **ELECTED OR APPOINTED MEMBER OF THE COUNTY BOARD SERVES FOR THE**

1 REMAINDER OF THE TERM FOR WHICH THE APPOINTMENT WAS MADE AND UNTIL A
2 SUCCESSOR IS ELECTED OR APPOINTED.

3 **3-2A-05.**

4 [(d) (1)] (A) The student member shall:

5 [(i)] (1) Be a regularly enrolled senior year student of good
6 character and in good standing in an Anne Arundel County public high school;

7 [(ii)] (2) Be selected in the student's junior year by a method
8 selected by the Chesapeake Regional Association of Student Councils of Anne Arundel
9 County;

10 [(iii) 1.] (3) (I) Serve a term of 1 year; and

11 [2.] (II) Continue to serve after graduation and until a
12 successor is appointed and qualifies.

13 [(2)] (B) If a vacancy in the position of the student member occurs during
14 the term of the student member, the Chesapeake Regional Association of Student Councils
15 shall:

16 [(i)] (1) Conduct a special election at its next general meeting; and

17 [(ii)] (2) By utilizing the same method that it used to select the
18 previous student member of the board, select another student member to fill the vacancy.

19 [(e) A board member who does not maintain the residency qualification shall be
20 replaced as a member.

21 (f) If the boundary line of a legislative district changes, an incumbent member of
22 the county board who, because of the change, no longer resides in the legislative district
23 from which the member was appointed may complete the term.]

24 **3-2A-06.**

25 **THE AFFIRMATIVE VOTE OF AT LEAST FIVE MEMBERS OF THE COUNTY BOARD**
26 **IS REQUIRED FOR THE APPROVAL OF ANY ACTION.**

27 **3-2A-07.**

28 [(g) (1)] (A) The [President] **PRESIDENT** of the [Anne Arundel County Board
29 of Education] **COUNTY BOARD** is entitled to receive [\$8,000] **\$10,000** annually as
30 compensation, **THE VICE PRESIDENT IS ENTITLED TO RECEIVE \$9,000 ANNUALLY AS**

1 **COMPENSATION**, and, except for the student member, the other board members are
2 entitled to receive [~~\$6,000~~] **\$8,000** each annually as compensation.

3 ~~[(2)]~~ **(B)** A student member who completes a full term on the **COUNTY**
4 board shall be granted a scholarship of \$6,000 to be applied toward the student's higher
5 education costs.

6 **3-2A-08.**

7 **(A) THE STATE BOARD MAY REMOVE AN ELECTED OR APPOINTED MEMBER**
8 **OF THE COUNTY BOARD FOR ANY OF THE FOLLOWING REASONS:**

9 **(1) IMMORALITY;**

10 **(2) MISCONDUCT IN OFFICE;**

11 **(3) INCOMPETENCY;**

12 **(4) WILLFUL NEGLECT OF DUTY; OR**

13 **(5) FAILURE TO ATTEND, WITHOUT GOOD CAUSE, AT LEAST 75% OF**
14 **THE SCHEDULED MEETINGS OF THE COUNTY BOARD IN ANY 1 CALENDAR YEAR.**

15 **(B) BEFORE REMOVING A MEMBER, THE STATE BOARD SHALL SEND THE**
16 **MEMBER A COPY OF THE CHARGES AGAINST THE MEMBER AND GIVE THE MEMBER**
17 **AN OPPORTUNITY TO REQUEST A HEARING WITHIN 10 DAYS.**

18 **(C) IF THE MEMBER REQUESTS A HEARING WITHIN THE 10-DAY PERIOD:**

19 **(1) THE STATE BOARD PROMPTLY SHALL HOLD A HEARING, BUT A**
20 **HEARING MAY NOT BE SET WITHIN 10 DAYS AFTER THE STATE BOARD SENDS THE**
21 **MEMBER A NOTICE OF THE HEARING; AND**

22 **(2) THE MEMBER SHALL HAVE AN OPPORTUNITY TO BE HEARD**
23 **PUBLICLY BEFORE THE STATE BOARD IN THE MEMBER'S OWN DEFENSE IN PERSON**
24 **OR BY COUNSEL.**

25 **(D) A MEMBER REMOVED UNDER THIS SECTION HAS THE RIGHT TO A DE**
26 **NOVO REVIEW OF THE REMOVAL BY THE CIRCUIT COURT FOR ANNE ARUNDEL**
27 **COUNTY.**

28 **3-2B-01.**

29 **(a) The Baltimore County Board of Education consists of:**

1 (1) Seven nonpartisan elected members;

2 (2) Four appointed members; and

3 (3) One student member.

4 (b) (2) (i) The seven elected members shall be elected at a general election
5 in accordance with [§ 3-2A-02] § 3-2B-02 of this subtitle.

6 (ii) The four appointed members shall be appointed by the Governor
7 from a list of nominees submitted by the Baltimore County School Board Nominating
8 Commission as provided in [§ 3-2A-03] § 3-2B-03 of this subtitle:

9 1. On the expiration of the term of an incumbent appointed
10 member within 30 days after the general election; or

11 2. Within the 30-day period otherwise required under this
12 subtitle.

13 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
14 as follows:

15 Article – Education

16 3-2A-03.

17 (c) In any election, if no candidate files a certificate of candidacy for the office or
18 if no individual otherwise qualifies to have the individual's name placed on the ballot, the
19 [School Board Appointment Commission of Anne Arundel County] **REMAINING MEMBERS**
20 **OF THE COUNTY BOARD** shall appoint a qualified individual to fill that vacancy no later
21 than 30 days after the general election.

22 [3-2A-04.

23 (a) (1) There is a School Board Appointment Commission of Anne Arundel
24 County.

25 (2) The purpose of the Commission is to select and appoint qualified
26 individuals to fill vacancies on the Anne Arundel County Board of Education.

27 (3) The Commission shall hold at least two public hearings on the
28 candidates before making an appointment to the county board.

29 (b) (1) The Commission consists of the following 13 members:

- 1 (i) Two members appointed by the County Executive of Anne
2 Arundel County from the county at large:
- 3 1. One of whom shall be a parent of a child enrolled in the
4 Anne Arundel County public school system; and
- 5 2. No more than one of whom may be a current employee of
6 Anne Arundel County;
- 7 (ii) One member appointed by the Teachers Association of Anne
8 Arundel County;
- 9 (iii) One member appointed by the Annapolis and Anne Arundel
10 County Chamber of Commerce;
- 11 (iv) One member appointed by the Anne Arundel County Community
12 College Board of Trustees;
- 13 (v) One member appointed by the Association of Educational
14 Leaders (AEL);
- 15 (vi) Two members appointed by the Anne Arundel County Council of
16 Parent Teacher Associations who may not:
- 17 1. Be affiliated with a teachers' union or association; or
18 2. Be a current employee of Anne Arundel County;
- 19 (vii) One member appointed by the Anne Arundel County Branch of
20 the National Association for the Advancement of Colored People (NAACP);
- 21 (viii) One member appointed by CASA de Maryland;
- 22 (ix) One member appointed by the Anne Arundel Special Education
23 Citizens' Advisory Committee who is a parent of a child with special needs in the Anne
24 Arundel County public school system;
- 25 (x) Beginning June 1, 2016, and every 2 years thereafter, one
26 member appointed by a chamber of commerce based in Anne Arundel County on a rotating
27 basis in the following order:
- 28 1. The West Anne Arundel County Chamber of Commerce;
- 29 2. The Northern Anne Arundel County Chamber of
30 Commerce;
- 31 3. The Southern Anne Arundel Chamber of Commerce;

1 4. The Greater Crofton Chamber of Commerce; and

2 5. The Greater Severna Park and Arnold Chamber of
3 Commerce; and

4 (xi) One member designated by the Chesapeake Regional Association
5 of Student Councils who is a student enrolled in the Anne Arundel County public school
6 system.

7 (2) (i) Each member of the Commission must be a resident of Anne
8 Arundel County.

9 (ii) Except for the members appointed under paragraph (1)(ii) and
10 (v) of this subsection, a member of the Commission may not be a current employee of a
11 county school board.

12 (3) (i) The Commission shall select a chair from among its members.

13 (ii) The term of the chair of the Commission is 2 years.

14 (4) (i) Except as provided in subparagraph (ii) of this paragraph, the
15 term of a member of the Commission is 4 years.

16 (ii) 1. The term of a member appointed by a chamber of
17 commerce under paragraph (1)(x) of this subsection is 2 years.

18 2. The term of a member designated by the Chesapeake
19 Regional Association of Student Councils under paragraph (1)(xi) of this subsection is 1
20 year.

21 (iii) A member may be reappointed but may not serve more than 8
22 years.

23 (c) The Anne Arundel County Board of Education shall provide staff for the
24 Commission.

25 (d) (1) The affirmative vote of at least eight members of the Commission is
26 required for the approval of any action.

27 (2) A member of the Commission may not vote by proxy.

28 (e) (1) The Commission shall require each applicant for appointment to
29 complete an application that includes:

30 (i) The full name and address of the individual;

- 1 (ii) Any former name used by the individual;
- 2 (iii) A statement as to whether the individual has any conviction for
3 a crime that:
- 4 1. Relates to the responsibilities of a member of the county
5 board; and
- 6 2. Has not been expunged or otherwise shielded;
- 7 (iv) A statement as to whether the individual has been adjudged
8 bankrupt or insolvent; and
- 9 (v) A declaration that the statements made in the application are
10 true, correct, and complete to the best of the individual's knowledge and belief.

11 (2) The Commission shall consult the Maryland Judiciary Case Search to
12 verify the statements made by the applicant under paragraph (1) of this subsection.

13 (f) An individual who takes office to fill a vacancy for an elected or appointed
14 member of the county board serves for the remainder of the term for which the appointment
15 was made and until a successor is elected or appointed.]

16 **3-2A-04.**

17 **THE REMAINING MEMBERS OF THE COUNTY BOARD SHALL SELECT A**
18 **QUALIFIED INDIVIDUAL TO FILL ANY VACANCY IN THE OFFICE OF AN ELECTED**
19 **MEMBER OF THE COUNTY BOARD FOR THE REMAINDER OF THE TERM AND UNTIL A**
20 **SUCCESSOR IS ELECTED AND QUALIFIES.**

21 SECTION 4. AND BE IT FURTHER ENACTED, That:

22 (a) (1) The terms of the following appointed members of the Anne Arundel
23 County Board of Education who are in office on the effective date of this Act, or their
24 successors, shall expire at the end of December 2, 2018:

25 (i) the member appointed from the county at large whose term is
26 scheduled to expire June 30, 2017;

27 (ii) the member appointed from that portion of legislative district 21
28 that lies within Anne Arundel County whose term is scheduled to expire June 30, 2017;

29 (iii) the member appointed from the county at large whose term is
30 scheduled to expire June 30, 2018; and

1 (iv) the member appointed from legislative district 32 whose term is
2 scheduled to expire June 30, 2018.

3 (2) The members elected from councilmanic districts 1, 4, 5, and 7 at the
4 general election in November 2018 shall succeed the appointed members whose terms
5 expire under paragraph (1) of this subsection and shall each serve for a term of 6 years
6 beginning December 3, 2018, until a successor is elected and qualifies.

7 (b) (1) The terms of the following appointed members of the Anne Arundel
8 County Board of Education who are in office on the effective date of this Act, or their
9 successors, shall expire at the end of December 6, 2020:

10 (i) the member appointed from the county at large whose term is
11 scheduled to expire June 30, 2019;

12 (ii) the members appointed from legislative districts 30 and 31
13 whose terms are scheduled to expire June 30, 2020; and

14 (iii) the member appointed from legislative district 33 whose term is
15 scheduled to expire June 30, 2021.

16 (2) The members elected from councilmanic districts 2, 3, and 6 and the
17 one member elected at large at the general election in November 2020 shall succeed the
18 appointed members whose terms expire under paragraph (1) of this subsection and shall
19 each serve for a term of 4 years beginning December 7, 2020, until a successor is elected
20 and qualifies.

21 SECTION 5. AND BE IT FURTHER ENACTED, That, pursuant to Article III, § 35
22 of the Maryland Constitution, this Act may not be construed to extend or apply to the salary
23 or compensation of the president, vice president, or other nonstudent members of the Anne
24 Arundel County Board of Education while serving in a term of office beginning before the
25 effective date of this Act, but the provisions of this Act concerning the salary or
26 compensation of the president, vice president, or other nonstudent members of the Anne
27 Arundel County Board of Education shall take effect at the beginning of the next following
28 term of office. This limitation does not apply to an individual appointed or elected after the
29 effective date of this Act to fill out an unexpired term.

30 SECTION 6. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take
31 effect November 1, 2020.

32 SECTION 7. AND BE IT FURTHER ENACTED, That, except as provided in Section
33 6 of this Act, this Act shall take effect June 1, 2017.