
By: Montgomery County and Prince George's County Delegations

Introduced and read first time: January 31, 1997

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County and Prince George's County - School Board Election Districts -**
3 **Boundaries**
4 **MC/PG 5-97**

5 FOR the purpose of altering the boundaries of the school board districts for the election
6 of members to the Board of Education for Montgomery County and for the election
7 of the members to the Board of Education for Prince George's County.

8 BY repealing and reenacting, with amendments,
9 Article - Education
10 Section 3-901 and 3-1001
11 Annotated Code of Maryland
12 (1997 Replacement Volume)

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

15 **Article - Education**

16 3-901.

17 (a) In this subtitle, the following words have the meanings indicated:

18 (1) "Elected member" means 1 of the 7 elected and voting members of the
19 Montgomery County Board or a member appointed to fill a vacancy of 1 of these 7
20 members.

21 (2) "Board of Education District" means a geographic area of Montgomery
22 County in which an elected member of the Montgomery County Board of Education must
23 be a legal resident. The geographic area of each district is described in subsection (f) of
24 this section. Each district shall be substantially equal in population, and the districts shall
25 be reapportioned on the basis of each decennial census of the United States.
26 Reapportioned districts shall become effective for the term of office commencing after
27 the first regular primary election held at least 15 months after the official report on
28 population is received by the State from the Bureau of the Census.

29 (b) The Montgomery County Board consists of:

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1 (1) 5 elected members, each of whom resides in a different board of
2 education district;

3 (2) 2 elected members who may reside anywhere in the county; and

4 (3) 1 student member.

5 (c) An elected member of the County Board shall be a registered voter of
6 Montgomery County.

7 (d) Members of the Montgomery County Board shall be elected at the general
8 election every 2 years as required by subsection (f) of this section.

9 (e) (1) The student member shall be a bona fide resident of Montgomery
10 County and a regularly enrolled junior or senior year student from a Montgomery County
11 public high school.

12 (2) The nomination and election process shall be as agreed on by the
13 County Board and the Montgomery County region of the Maryland Association of
14 Student Councils. This agreement shall include a process by which to replace one or both
15 of the final candidates if they are unable to proceed in the election. Any student enrolled
16 in grades 7 through 12 in the Montgomery County public schools may:

17 (i) Nominate a student member candidate;

18 (ii) Vote for delegates from the student's school, who in turn vote in a
19 nominating convention to reduce to 2 the number of candidates for student Board
20 member if there are 3 or more candidates; and

21 (iii) Vote directly for 1 of the 2 remaining student Board member
22 candidates.

23 (3) The candidate receiving the second highest number of votes in the direct
24 election shall become the alternate student member. The alternate shall serve if the
25 student member is unable to complete his elected term.

26 (4) Except as provided in paragraphs (5), (6), and (7) of this subsection, the
27 student member has the same rights and privileges of an elected member.

28 (5) Unless invited to attend by the affirmative vote of a majority of the
29 County Board, the student member may not attend an executive session that relates to:

30 (i) Hearings held under § 6-202(a) of this article; or

31 (ii) Collective bargaining.

32 (6) As provided in paragraph (7) of this subsection, the student member
33 shall vote on all matters except those relating to:

34 (i) § 6-202(a) of this article;

35 (ii) Collective bargaining;

36 (iii) Capital and operating budgets; and

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1 (iv) School closings, reopenings, and boundaries.

2 (7) On a majority vote of the elected members, the Board may determine,
3 on a case by case basis, whether a matter under consideration is covered by the
4 exclusionary provisions listed in paragraph (6) of this subsection.

5 (f) (1) Each elected member serves for a term of 4 years beginning on
6 December 1 after the member's election and until a successor is elected and qualifies.
7 The terms of elected members are staggered as required by the terms of the members
8 serving on the County Board as of July 1, 1978 so that 4 members are elected in
9 gubernatorial election years and 3 members are elected in presidential election years.

10 (2) Elected members of the County Board shall be elected by the voters of
11 the entire county.

12 (3) (i) Of the 3 members elected in 1992 and every 4 years thereafter, 1
13 shall reside in Board of Education District 2 and 1 shall reside in Board of Education
14 District 4. The third member may reside in any part of the county.

15 (ii) Of the 4 members elected in 1990 and every 4 years thereafter, 1
16 shall reside in Board of Education District 1, 1 shall reside in Board of Education District
17 3, and 1 shall reside in Board of Education District 5. The fourth member may reside in
18 any part of the county.

19 (iii) The descriptions of board of education districts in this subsection
20 refer to the geographical boundaries of:

21 1. The election districts as they existed as of April 1, 1990; and

22 2. The precincts:

23 A. As reviewed and certified by the Montgomery County Board
24 of Supervisors of Elections or its designees, before the precinct boundaries were reported
25 to the U.S. Bureau of the Census as part of the 1990 Census Redistricting Data Program;
26 and

27 B. As those precinct lines are specifically shown on the P.L.
28 94-171 census block maps provided by the U.S. Bureau of the Census and as reviewed
29 and corrected by the Maryland Office of Planning.

30 (iv) Board of Education District 1 consists of all of Election Districts 1,
31 2, 3, 11, and 12; Precinct 3 in Election District 6; and Precincts 1, 2, 5, 7, 8, 9, 10, 11, 12,
32 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 in Election District 9.

33 (v) Board of Education District 2 consists of Precincts 1, 2, 3, 5, 6, 7, 9,
34 12, 13, 14, 16, 17, 18, 20, 21, 22, 23, 25, 29, 30, 32, and 33 in Election District 4; Precincts
35 1, 2, 4, 5, and 6 in Election District 6; Precincts 3, 6, 13, and 16 in Election District 9;
36 Precincts 1, 2, 3, 4, 5, 6, 8, 9, 11, 12, and 13 in Election District 10; and Precincts 35, 37,
37 43, 45, 51, 52, and 60 in Election District 13.

38 (vi) Board of Education District 3 consists of Precincts 4, 8, 10, 11, 15,
39 24, 26, 27, 28, and 31 in Election District 4; all of Election District 7; Precincts 7 and 10

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1 in Election District 10; and Precincts 3, 7, 16, 26, 27, 34, 38, 39, 40, and 62 in Election
2 District 13.

3 (vii) Board of Education District 4 consists of Precincts 4 and 14 in
4 Election District 5; and Precincts 1, 2, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21,
5 22, 23, 24, 25, 28, 29, 30, 31, 32, 33, 36, 41, 42, 44, 47, 48, 50, 53, 55, 56, 57, 58, 59, [and]
6 63, 67, AND 68 in Election District 13.

7 (viii) Board of Education District 5 consists of Precinct 19 in Election
8 District 4; Precincts 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, and 20 in Election
9 District 5; Precincts 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 in Election District 8; Precincts 4 and
10 14 in Election District 9; and Precincts 46, 49, 54, and 64 in Election District 13.

11 (4) (i) The student member serves for a term of 1 year beginning on July
12 1 after his election.

13 (ii) The student member shall be replaced for the remainder of the
14 term by the alternate student member if the student member:

15 1. Resigns or otherwise is unable to complete the term; or

16 2. Is removed under the provisions of subsection (g) of this
17 section.

18 (iii) The elected members of the County Board shall select a student to
19 complete the remainder of the term if the student member is replaced as provided in
20 subparagraph (ii) of this paragraph and the alternate member:

21 1. Resigns or otherwise is unable to complete the term; or

22 2. Is removed under the provisions of subsection (g) of this
23 section.

24 (5) The remaining members of the County Board shall select a qualified
25 individual to fill any vacancy on the elected Board for the remainder of that term and
26 until a successor is elected and qualifies.

27 (6) (i) Subject to subparagraph (ii) of this paragraph, an elected County
28 Board member shall forfeit the office if the member fails to reside in the board of
29 education district from which the member was elected.

30 (ii) If the failure to continue to reside in the district is caused by an
31 alteration in the board of education district boundaries because of reapportionment, the
32 member may complete the term for which the member was elected.

33 (iii) In the event of a vacancy caused by a member who is required to
34 reside in a particular board of education district, the person appointed to fill the vacancy
35 shall reside in the same district at the time of appointment and while filling out the
36 unexpired term.

37 (g) (1) The Montgomery County Council may remove a member of the County
38 Board for:

39 (i) Immorality;

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1 (ii) Misconduct in office;

2 (iii) Incompetency; or

3 (iv) Willful neglect of duty.

4 (2) Before removing a member, the County Council shall provide the
5 member a copy of the charges against him and give him an opportunity within 10 days to
6 request a hearing.

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

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

11 (ii) The member shall have an opportunity to be heard publicly before
12 the County Council in the member's own defense, in person or by counsel.

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

15 3-1001.

16 (a) When the description of a school board district in this section refers to an
17 election district, it refers to the Prince George's County election district or precinct as
18 reviewed and certified by the Prince George's County Board of Supervisors of Elections
19 prior to their submission to the United States Bureau of the Census and on April 1, 1990.

20 (b) School board district I consists of:

21 (1) Election district 1, precincts 1 through 5;

22 (2) Election district 10, precincts 1 through 10; and

23 (3) Election district 21, precincts 4, 5, and 14.

24 (c) School board district II consists of:

25 (1) Election district 14, precincts 2 and 8;

26 (2) Election district 16, precincts 1 through 5;

27 (3) Election district 19, precincts 1 and 2; and

28 (4) Election district 21, precincts 1, 2, 3, and 6 through 13.

29 (d) School board district III consists of:

30 (1) Election district 17, precincts [1 through 15] 1, 2, 3, AND 5 THROUGH
31 15;

32 (2) Election district 19, precinct 3; and

33 (3) Election district 21, precinct 15.

34 (e) School board district IV consists of:

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1 (1) Election district 2, precincts 1 through 9;

2 (2) Election district 13, precinct 2;

3 (3) Election district 18, precincts 3 and 5;

4 (4) Election district 19, precincts 4 and 5;

5 (5) Election district 20, precincts 1, 2, 3, 6, and 7;

6 (6) Election district 21, precinct 16; and

7 (7) That part of election district 20, precinct 9 that is generally north of a
8 line that runs along the center of Electric Avenue from Glenn Dale Road to Walnut
9 Avenue, thence along the center of Walnut Avenue to Maryland Street, thence along the
10 center of Maryland Street to Lincoln Avenue, thence along the center of Lincoln Avenue
11 to Crescent Avenue, thence along the center of Crescent Avenue to Elm Street, thence
12 along the center of Elm Street to Baltimore Lane, thence along the center of Baltimore
13 Lane to Annapolis Road.

14 (f) School board district V consists of:

15 (1) Election district 3, precincts 1, 2, and 3;

16 (2) Election district 7, precincts 1 through 8;

17 (3) Election district 14, precincts 1 and 3 through 7;

18 (4) Election district 20, precinct 5;

19 (5) That part of election district 20, precinct 9 that is generally south of a
20 line that runs along the center of Electric Avenue from Glenn Dale Road to Walnut
21 Avenue, thence along the center of Walnut Avenue to Maryland Street, thence along the
22 center of Maryland Street to Lincoln Avenue, thence along the center of Lincoln Avenue
23 to Crescent Avenue, thence along the center of Crescent Avenue to Elm Street, thence
24 along the center of Elm Street to Baltimore Lane, thence along the center of Baltimore
25 Lane to Annapolis Road;

26 (6) That part of election district 7, precinct 9 that is generally south and east
27 of a line that runs along the center of the Northeast Branch from Central Avenue to the
28 western branch tributary, thence along the center of the western branch tributary to Old
29 Enterprise Road, thence along the center of Old Enterprise Road to Chesterton Drive,
30 thence along the center of Chesterton Drive to Blaketon Street, thence along the center
31 of Blaketon Street to Hunterton Street, thence along the center of Hunterton Street to
32 Chesterton Drive, thence along the center of Chesterton Drive to Middleham Drive,
33 thence along the center of Middleham Drive to West Branch Drive, thence along the
34 center of West Branch Drive to Kettering Drive; and

35 (7) (i) That part of election district 15, precinct 2 that is generally east of
36 a line that runs along the center of Ritchie Branch from Darcy Road to a point that is
37 generally east of the intersection of Ritchboro Road and Tulip Avenue; thence along an
38 imaginary line to Ritchboro Road; thence along the center of Ritchboro Road to Forest
39 Park Drive, thence along the center of Forest Park Drive to Ritchie Road; and

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1 (ii) That part of election district 15, precinct 2 that is south of a line
 2 that runs along the center of the Ritchie Road spur from Ritchie Marlboro Road to
 3 Ritchie Road.

4 (iii) That part of election district 15, precinct 2 that is generally north
 5 and east of a line that runs along the center of Washington Avenue from Darcy Road to
 6 Douglas Avenue; thence along the center of Douglas Avenue to Sansbury Road; thence
 7 along the center of Sansbury Road to Darcy Road.

8 (g) School board district VI consists of:

9 (1) Election district 6, precinct 20;

10 (2) Election district 13, precincts 1, 3 through 8, 10, and 11;

11 (3) Election district 18, precincts 1, 2, 4, 6, 7, 8, and 10;

12 (4) Election district 20, precincts 4 and 8;

13 (5) That part of election district 7, precinct 9 that is generally north and
 14 west of a line that runs along the center of the northeast branch from Central Avenue to
 15 the Western Branch Tributary, thence along the center of the Western Branch Tributary
 16 to Old Enterprise Road, thence along the center of Old Enterprise Road to Chesterton
 17 Drive, thence along the center of Chesterton Drive to Blaketon Street, thence along the
 18 center of Blaketon Street to Hunterton Street, thence along the center of Hunterton
 19 Street to Chesterton Drive, thence along the center of Chesterton Drive to Middleham
 20 Drive, thence along the center of Middleham Drive to West Branch Drive, thence along
 21 the center of West Branch Drive to Kettering Drive; and

22 (6) (i) That part of election district 15, precinct 2 that is generally west of
 23 a line that runs along the center of Ritchie Branch from Darcy Road to a point that is
 24 generally east of the intersection of Ritchboro Road and Tulip Avenue, thence along an
 25 imaginary line to Ritchboro Road; thence along the center of Ritchboro Road to Forest
 26 Park Drive; thence along the center of Forest Park Drive to Ritchie Road; and

27 (ii) That part of election district 15, precinct 2 that is north of a line
 28 that runs along the center of the Ritchie Road spur from Ritchie Marlboro Road to
 29 Ritchie Road.

30 (h) School board district VII consists of:

31 (1) Election district 6, precincts 1, 3 through 7, 10, 11, 12, 15 through 19, 21,
 32 and 22;

33 (2) Election district 9, precinct 3; and

34 (3) That part of election district 15, precinct 2 that is generally south and
 35 west of a line that runs along the center of Washington Avenue from Darcy Road to
 36 Douglas Avenue, thence along the center of Douglas Avenue to Sansbury Road, thence
 37 along the center of Sansbury Road to Darcy Road.

38 (i) School board district VIII consists of:

39 (1) Election district 6, precincts 2, 8, 9, 13, and 14; and

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1 (2) Election district 12, precincts 1 through 14.

2 (j) School board district IX consists of:

3 (1) Election district 4, precinct 1;

4 (2) Election district 5, precincts 1 through 6;

5 (3) Election district 8, precinct 1;

6 (4) Election district 9, precincts 1, 2, and 4 through 9;

7 (5) Election district 11, precincts 1 and 2; and

8 (6) Election district 15, precincts 1 and 3.

9 (k) (1) Beginning in 1981, there shall be a redistricting every 10 years based on
10 the latest U.S. census data.

11 (2) The school board districts shall be divided into three groups:

12 (i) Group I consists of school board districts I, IV, and VII;

13 (ii) Group II consists of school board districts II, V, and VIII; and

14 (iii) Group III consists of school board districts III, VI, and IX.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 July 1, 1997.