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**By: Montgomery County Delegation**

Introduced and read first time: January 31, 1997

Assigned to: Ways and Means

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Committee Report: Favorable

House action: Adopted

Read second time: March 14, 1997

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CHAPTER \_\_\_\_

1 AN ACT concerning

2 **Montgomery County - Board of Education - Election of Student Member**

3 **MC 711-97**

4 FOR the purpose of altering a provision relating to the election of the student member of  
5 the Montgomery County Board of Education to allow all students in public middle  
6 and high schools in Montgomery County to vote for the student member; and  
7 providing for a delayed effective date.

8 BY repealing and reenacting, with amendments,

9 Article - Education

10 Section 3-901(e)

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

20 (2) The nomination and election process shall be as agreed on by the  
21 County Board and the Montgomery County region of the Maryland Association of  
22 Student Councils. This agreement shall include a process by which to replace one or both  
23 of the final candidates if they are unable to proceed in the election. Any student enrolled

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1 in [grades 7 through 12] A MIDDLE OR HIGH SCHOOL in the Montgomery County  
2 public schools may:

3 (i) Nominate a student member candidate;

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

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

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

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

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

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

17 (ii) Collective bargaining.

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

20 (i) § 6-202(a) of this article;

21 (ii) Collective bargaining;

22 (iii) Capital and operating budgets; and

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

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

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 July 1, 1998.

