
By: **Delegate Heller**

Introduced and read first time: February 10, 2000

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - County Boards of Education - Meetings in Executive Session**

3 FOR the purpose of requiring a county board of education that meets in executive
4 session to provide timely public notice of the meeting; requiring a county board
5 that meets in executive session to reconvene in public session after the meeting
6 in executive session is concluded and to repeat the votes that were taken on
7 certain matters during the executive session; excluding certain actions taken in
8 executive session from the requirement for a public vote; and generally relating
9 to procedures and criteria governing meetings in executive session by county
10 boards of education and the repetition of those actions in a subsequent public
11 session.

12 BY repealing and reenacting, without amendments,
13 Article - Education
14 Section 4-107(a) through (c)
15 Annotated Code of Maryland
16 (1999 Replacement Volume)

17 BY repealing and reenacting, with amendments,
18 Article - Education
19 Section 4-107(d)
20 Annotated Code of Maryland
21 (1999 Replacement Volume)

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

24 **Article - Education**

25 4-107.

26 (a) Each county board shall hold an annual meeting on or as near as possible
27 to the second Tuesday in July, except that:

1 (1) In Allegany County, the annual meeting shall be held on the second
2 Tuesday of January;

3 (2) In Montgomery County, the annual meeting shall be held on or before
4 January 10;

5 (3) In Prince George's County, the annual meeting shall be held on the
6 first Monday in December;

7 (4) In St. Mary's County, the annual meeting shall be held following the
8 first Monday in December; and

9 (5) In Washington County, the annual meeting shall be held in
10 December, on or before the 16th day.

11 (b) A county board may hold any other meetings that its duties and business
12 require.

13 (c) Except as provided in Title 3 of this article, each county board, at its
14 annual meeting, shall elect a president and a vice-president from among its members
15 by means of an individually recorded vote.

16 (d) (1) All final actions of a county board shall be taken at a public meeting.
17 The minutes of the meeting shall be available to the public.

18 (2) (I) A county board may meet and deliberate in executive session if
19 the matter under consideration is:

20 [(i)] A. Land and site acquisitions; or

21 [(ii)] B. Personnel and labor relations.

22 (II) A COUNTY BOARD SHALL GIVE TIMELY NOTICE OF A MEETING
23 THAT IS TO BE HELD IN EXECUTIVE SESSION BY ADVISING THE PUBLIC OF THE TIME,
24 LOCATION, AND SUBJECT OF THE MEETING.

25 (III) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH,
26 IF A COUNTY BOARD TAKES A VOTE WHILE IN EXECUTIVE SESSION ON A MATTER
27 OTHER THAN LAND AND SITE ACQUISITIONS OR PERSONNEL AND LABOR RELATIONS,
28 THE COUNTY BOARD SHALL:

29 A. CONVENE IN PUBLIC SESSION IMMEDIATELY AFTER THE
30 EXECUTIVE SESSION IS CONCLUDED; AND

31 B. REPEAT THE VOTE THAT WAS TAKEN DURING THE
32 EXECUTIVE SESSION ON ANY MATTER OTHER THAN LAND AND SITE ACQUISITIONS
33 OR PERSONNEL AND LABOR RELATIONS.

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
35 October 1, 2000.