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By: **Montgomery County Delegation**  
Introduced and read first time: February 11, 2000  
Assigned to: Ways and Means

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 23, 2000

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Montgomery County - Board of Education - Public Hearings on**  
3 **Transportation of Students**

4 FOR the purpose of requiring the Montgomery County Board of Education to hold a  
5 public hearing whenever it ~~meets to take action~~ hears an appeal relating to ~~the~~  
6 ~~transportation of students~~ bus stops and bus routes; ~~requiring that certain~~  
7 ~~notice be given of certain hearings~~; requiring that certain individuals be given  
8 the opportunity to testify and present their views at certain hearings; requiring  
9 that a decision on an appeal be made at a public hearing and that the individual  
10 vote of each member of the board be recorded on the public record; and generally  
11 relating to the Montgomery County Board of Education.

12 BY repealing and reenacting, with amendments,  
13 Article - Education  
14 Section 3-903  
15 Annotated Code of Maryland  
16 (1999 Replacement Volume)

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

19 **Article - Education**

20 3-903.

21 (a) All actions of the County Board shall be taken ~~after~~ **AT** a public meeting,  
22 the record of which shall be made public.

1 (b) This EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THIS  
2 section does not prohibit the County Board from meeting and deliberating in  
3 executive session provided that all action of the Board, together with the individual  
4 vote of each member, is contained in a public record.

5 ~~(C) (1) NOTWITHSTANDING SUBSECTION (B) OF THIS SECTION, THE COUNTY~~  
6 ~~BOARD MUST HOLD A PUBLIC HEARING WHENEVER IT MEETS TO TAKE ACTION~~  
7 ~~RELATING TO THE TRANSPORTATION OF STUDENTS.~~

8 ~~(2) THE HEARING SHALL BE HELD ON AT LEAST 10 DAYS' NOTICE,~~  
9 ~~PUBLISHED AT LEAST ONCE IN A NEWSPAPER OF GENERAL CIRCULATION IN THE~~  
10 ~~COUNTY.~~

11 ~~(3) ALL INTERESTED PERSONS SHALL BE GIVEN AN OPPORTUNITY TO~~  
12 ~~TESTIFY AND PRESENT THEIR VIEWS AT THE HEARING.~~

13 (C) IF THE COUNTY SUPERINTENDENT DENIES AN APPEAL OF A DECISION BY  
14 THE CHIEF OPERATING OFFICER OF THE COUNTY PUBLIC SCHOOLS TO ADD OR  
15 DELETE A SCHOOL BUS STOP OR TO ELIMINATE OR MOVE A SCHOOL BUS ROUTE, THE  
16 APPEAL TO THE COUNTY BOARD AND THE DECISION ON THE APPEAL SHALL BE  
17 GOVERNED BY THE FOLLOWING REQUIREMENTS:

18 (1) THE COUNTY BOARD SHALL HOLD A PUBLIC HEARING ON THE  
19 MATTER CONTAINED IN THE APPEAL;

20 (2) MEMBERS OF THE PUBLIC SHALL BE GIVEN A REASONABLE  
21 OPPORTUNITY TO TESTIFY AND PRESENT THEIR VIEWS AT THE HEARING; AND

22 (3) THE BOARD SHALL MAKE A DECISION ON THE APPEAL IN ITEM (1) OF  
23 THIS SUBSECTION AT A PUBLIC MEETING AND THE INDIVIDUAL VOTE OF EACH  
24 MEMBER SHALL BE RECORDED ON THE PUBLIC RECORD.

25 [(c)] (D) The affirmative vote of the members of the County Board for the  
26 passage of a motion by the County Board shall be:

27 (1) 5 members when the student member is voting; or

28 (2) 4 members when the student member is not voting.

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

