
By: **Montgomery County Delegation**
Introduced and read first time: February 6, 2002
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County - Board of Education - Student Member**
3 **MC 206-02**

4 FOR the purpose of prohibiting the student member of the Montgomery County Board
5 of Education from attending hearings on certain matters unless the Board
6 decides otherwise by a certain vote; prohibiting the student member of the
7 Board from voting on certain matters; and generally relating to the student
8 member of the Montgomery County Board of Education.

9 BY repealing and reenacting, without amendments,
10 Article - Education
11 Section 3-901(b)
12 Annotated Code of Maryland
13 (1999 Replacement Volume and 2001 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article - Education
16 Section 3-901(e)
17 Annotated Code of Maryland
18 (1999 Replacement Volume and 2001 Supplement)

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

21 **Article - Education**

22 3-901.

23 (b) The Montgomery County Board consists of:

24 (1) 5 elected members, each of whom resides in a different board of
25 education district;

26 (2) 2 elected members who may reside anywhere in the County; and

1 (3) 1 student member.

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

5 (2) The nomination and election process shall be as agreed on by the
6 County Board and the Montgomery County region of the Maryland Association of
7 Student Councils. This agreement shall include a process by which to replace one or
8 both of the final candidates if they are unable to proceed in the election. Any student
9 enrolled in a middle or high school in the Montgomery County public schools may:

10 (i) Nominate a student member candidate;

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

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

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

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

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

24 (i) Hearings [held under § 6-202(a) of this article] REGARDING
25 DISCIPLINARY ACTION AGAINST ANY EMPLOYEE OF THE SCHOOL SYSTEM; or

26 (ii) Collective bargaining.

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

29 (i) [§ 6-202(a) of this article] THE EMPLOYMENT, DISCIPLINING,
30 OR TERMINATION OF ANY EMPLOYEE OF THE SCHOOL SYSTEM;

31 (ii) Collective bargaining;

32 (iii) Capital and operating budgets; and

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

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

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2002.