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

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 15, 2002

CHAPTER _____

1 AN ACT concerning

2 **Montgomery County - Board of Education Districts - Redistricting**
3 **MC 205-02**

4 FOR the purpose of redistricting the board of education districts of Montgomery
5 County; specifying certain boundaries of board of education districts within
6 certain precinct boundaries; and generally relating to redistricting of the
7 Montgomery County Board of Education Districts.

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

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

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

1

Article - Education

2 3-901.

3 (a) (1) In this subtitle the following words have the meanings indicated.

4 (2) "Elected member" means 1 of the 7 elected and voting members of the
5 Montgomery County Board or a member appointed to fill a vacancy of 1 of these 7
6 members.7 (3) "Board of Education District" means a geographic area of
8 Montgomery County in which an elected member of the Montgomery County Board of
9 Education must be a legal resident. The geographic area of each district is described
10 in subsection (f) of this section. Each district shall be substantially equal in
11 population, and the districts shall be reapportioned on the basis of each decennial
12 census of the United States. Reapportioned districts shall become effective for the
13 term of office commencing after the first regular primary election held at least 15
14 months after the official report on population is received by the State from the
15 Bureau of the Census.

16 (b) The Montgomery County Board consists of:

17 (1) 5 elected members, each of whom resides in a different board of
18 education district;

19 (2) 2 elected members who may reside anywhere in the county; and

20 (3) 1 student member.

21 (f) (1) Each elected member serves for a term of 4 years beginning on
22 December 1 after the member's election and until a successor is elected and qualifies.
23 The terms of elected members are staggered as required by the terms of the members
24 serving on the County Board as of July 1, 1978 so that 4 members are elected in
25 gubernatorial election years and 3 members are elected in presidential election years.26 (2) Elected members of the County Board shall be elected by the voters of
27 the entire county.28 (3) (i) Of the 3 members elected in 1992 and every 4 years thereafter,
29 1 shall reside in Board of Education District 2 and 1 shall reside in Board of
30 Education District 4. The third member may reside in any part of the county.31 (ii) Of the 4 members elected in 1990 and every 4 years thereafter,
32 1 shall reside in Board of Education District 1, 1 shall reside in Board of Education
33 District 3, and 1 shall reside in Board of Education District 5. The fourth member
34 may reside in any part of the county.35 (iii) The descriptions of board of education districts in this
36 subsection refer to the geographical boundaries of [:

1 10. THAT PART OF ELECTION DISTRICT 6, PRECINCT 3 THAT IS
2 GENERALLY THE NORTHERN AND SOUTHERN PARTS OF PRECINCT 3 WHICH
3 EXTENDS FROM THE PRECINCT BOUNDARY WEST ALONG THE CENTER OF GREAT
4 SENECA HIGHWAY TO THE PRECINCT BOUNDARY, THEN ALONG THE PRECINCT
5 BOUNDARY TO ITS INTERSECTION WITH GREAT SENECA CREEK, THEN
6 EAST-SOUTHEAST ALONG THE GREAT SENECA CREEK TO THE PRECINCT BOUNDARY;

7 11. THAT PART OF ELECTION DISTRICT 9, PRECINCT 2 THAT IS
8 GENERALLY THE NORTHERN PART OF PRECINCT 2 WHICH EXTENDS FROM THE
9 PRECINCT BOUNDARY NORTH ALONG THE CENTER OF SHADY GROVE ROAD TO ITS
10 INTERSECTION WITH THE CITY OF ROCKVILLE BOUNDARY, THEN NORTH ON THE
11 CITY OF ROCKVILLE BOUNDARY TO THE PRECINCT BOUNDARY;

12 12. THAT PART OF ELECTION DISTRICT 9, PRECINCT 6 THAT IS
13 GENERALLY THE NORTHERN PART OF PRECINCT 6 WHICH EXTENDS FROM THE
14 PRECINCT BOUNDARY SOUTH ALONG THE CENTER OF THE INTERSTATE 270 EXIT FOR
15 FIELDS ROAD TO THE CENTER OF FIELDS ROAD, THEN EAST ALONG THE CENTER OF
16 FIELDS ROAD TO A POINT JUST WEST OF WINNERS ROAD, THEN NORTH STAYING
17 JUST WEST OF WINNERS ROAD TO WASHINGTON BOULEVARD, THEN ALONG THE
18 CENTER OF WASHINGTON BOULEVARD TO ITS INTERSECTION WITH RIO BOULEVARD,
19 THEN SOUTH ALONG THE CENTER OF RIO BOULEVARD TO ITS INTERSECTION WITH
20 FIELDS ROAD, THEN WEST ALONG THE CENTER OF FIELDS ROAD TO THE
21 INTERSECTION AT SAM EIG HIGHWAY, THEN CONTINUES WEST TO THE CENTER OF
22 CROWN FARM ROAD, THEN PROCEEDS WEST ALONG THE CENTER OF CROWN FARM
23 ROAD TO THE INTERSECTION OF WATCH HILL LANE, THEN ALONG A LINE JUST
24 NORTHWEST OF CROWN FARM ROAD MOVES NORTH AND WEST TO STORY DRIVE AND
25 THE INTERSECTION OF COUNTY COURT, THEN SOUTH ALONG THE CENTER OF STORY
26 DRIVE TO THE INTERSECTION WITH DIAMONDBACK DRIVE, THEN EAST ALONG THE
27 CENTER OF DIAMONDBACK DRIVE TO THE INTERSECTION OF SAM EIG HIGHWAY,
28 THEN SOUTH ALONG THE CENTER OF SAM EIG HIGHWAY TO THE CITY OF
29 GAITHERSBURG BOUNDARY, THEN SOUTH AND WEST ALONG THE CITY OF
30 GAITHERSBURG BOUNDARY TO THE PRECINCT BOUNDARY;

31 13. THAT PART OF ELECTION DISTRICT 9, PRECINCT 10 THAT
32 IS GENERALLY THE WESTERN PART OF PRECINCT 10 WHICH EXTENDS FROM THE
33 PRECINCT BOUNDARY NORTHWEST ALONG THE CENTER OF B&O RAILROAD TO
34 WASHINGTON GROVE TOWN LIMITS, THEN NORTHEAST ALONG WASHINGTON GROVE
35 BOUNDARY TO ITS INTERSECTION WITH RIDGE ROAD, THEN EAST-NORTHEAST
36 ALONG THE CENTER OF RIDGE ROAD TO AMITY DRIVE, THEN WEST-NORTHWEST
37 ALONG THE CENTER OF AMITY DRIVE TO THE PRECINCT BOUNDARY;

38 14. THAT PART OF ELECTION DISTRICT 9, PRECINCT 20 THAT
39 IS GENERALLY THE WESTERN PART OF PRECINCT 20 WHICH EXTENDS FROM THE
40 PRECINCT BOUNDARY EAST-NORTHEAST ALONG THE CITY OF GAITHERSBURG
41 BOUNDARY TO ITS INTERSECTION WITH WOODWARDS STORE ROAD, THEN
42 NORTHWEST ALONG THE CENTER OF WOODWARDS STORE ROAD TO THE PRECINCT
43 BOUNDARY; AND

1 ~~10.~~ 11. THAT PART OF ELECTION DISTRICT 6, PRECINCT 3
2 THAT IS GENERALLY THE CENTER PART OF PRECINCT 3 WHICH EXTENDS FROM THE
3 PRECINCT BOUNDARY WEST ALONG THE CENTER OF GREAT SENECA HIGHWAY TO
4 THE PRECINCT BOUNDARY, THEN SOUTH ALONG THE PRECINCT BOUNDARY TO ITS
5 INTERSECTION WITH GREAT SENECA CREEK, THEN EAST-SOUTHEAST ALONG THE
6 GREAT SENECA CREEK TO THE PRECINCT BOUNDARY;

7 ~~11.~~ 12. THAT PART OF ELECTION DISTRICT 9, PRECINCT 2
8 THAT IS GENERALLY THE SOUTHERN PART OF PRECINCT 2 WHICH EXTENDS FROM
9 THE PRECINCT BOUNDARY NORTH ALONG THE CENTER OF SHADY GROVE ROAD TO
10 ITS INTERSECTION WITH THE CITY OF ROCKVILLE BOUNDARY, THEN NORTH ON THE
11 CITY OF ROCKVILLE BOUNDARY TO THE PRECINCT BOUNDARY; AND

12 ~~12.~~ 13. THAT PART OF ELECTION DISTRICT 9, PRECINCT 6
13 THAT IS GENERALLY THE SOUTHERN PART OF PRECINCT 6 WHICH EXTENDS FROM
14 THE PRECINCT BOUNDARY SOUTH ALONG THE CENTER OF THE INTERSTATE 270 EXIT
15 FOR FIELDS ROAD TO THE CENTER OF FIELDS ROAD, THEN EAST ALONG THE CENTER
16 OF FIELDS ROAD TO A POINT JUST WEST OF WINNERS ROAD, THEN NORTH STAYING
17 JUST WEST OF WINNERS ROAD TO WASHINGTON BOULEVARD, THEN ALONG THE
18 CENTER OF WASHINGTON BOULEVARD TO ITS INTERSECTION WITH RIO BOULEVARD,
19 THEN SOUTH ALONG THE CENTER OF RIO BOULEVARD TO ITS INTERSECTION WITH
20 FIELDS ROAD, THEN WEST ALONG THE CENTER OF FIELDS ROAD TO THE
21 INTERSECTION AT SAM EIG HIGHWAY, THEN CONTINUES WEST TO THE CENTER OF
22 CROWN FARM ROAD, THEN PROCEEDS WEST ALONG THE CENTER OF CROWN FARM
23 ROAD TO THE INTERSECTION OF WATCH HILL LANE, THEN ALONG A LINE JUST
24 NORTHWEST OF CROWN FARM ROAD MOVES NORTH AND WEST TO STORY DRIVE AND
25 THE INTERSECTION OF COUNTY COURT, THEN SOUTH ALONG THE CENTER OF STORY
26 DRIVE TO THE INTERSECTION WITH DIAMONDBACK DRIVE, THEN EAST ALONG THE
27 CENTER OF DIAMONDBACK DRIVE TO THE INTERSECTION OF SAM EIG HIGHWAY,
28 THEN SOUTH ALONG THE CENTER OF SAM EIG HIGHWAY TO THE CITY OF
29 GAITHERSBURG BOUNDARY, THEN SOUTH AND WEST ALONG THE CITY OF
30 GAITHERSBURG BOUNDARY TO THE PRECINCT BOUNDARY.

31 (vi) Board of Education District 3 consists [of Precincts 4, 8, 10, 11,
32 15, 24, 26, 27, 28, and 31 in Election District 4; all of Election District 7; Precincts 7
33 and 10 in Election District 10; and Precincts 3, 7, 16, 26, 27, 34, 38, 39, 40, and 62 in
34 Election District 13] OF:

35 1. ELECTION DISTRICT 4, PRECINCTS 4, 8, 10, 13, 18, 24, 26, 28,
36 AND 31;

37 2. ELECTION DISTRICT 7;

38 3. ELECTION DISTRICT 10, PRECINCTS 7, 10, AND 11;

39 4. ELECTION DISTRICT 13, PRECINCTS 3, 7, 16, 26, 27, 34, 38, 39,
40 40, AND 62;

41 5. THAT PART OF ELECTION DISTRICT 4, PRECINCT 15 THAT
42 IS GENERALLY THE EASTERN PART OF PRECINCT 15 WHICH EXTENDS FROM THE

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

1. ELECTION DISTRICT 4, PRECINCT 34;
2. ELECTION DISTRICT 5, PRECINCTS 1, 2, 3, 5, 6, 7, 8, AND 10 THROUGH 21;
3. ELECTION DISTRICT 8;
4. ELECTION DISTRICT 9, PRECINCTS 4 AND 14;
5. ELECTION DISTRICT 13, PRECINCTS 46 AND 54;
6. THAT PART OF ELECTION DISTRICT 1, PRECINCT 1 THAT IS GENERALLY THE SOUTHERN PART OF PRECINCT 1 WHICH EXTENDS FROM THE PRECINCT BOUNDARY NORTH ALONG THE CENTER OF LAYTONSVILLE OLNEY ROAD, THEN SOUTH ALONG THE CENTER OF FIELD CREST ROAD TO A LINE GOING SOUTH JUST WEST OF STREAM VALLEY WAY TO ROCK CREEK, THEN SOUTH ALONG ROCK CREEK TO ITS INTERSECTION WITH FIELD CREST ROAD, THEN WEST ALONG THE CENTER OF FIELD CREST ROAD TO THE PRECINCT BOUNDARY;
7. THAT PART OF ELECTION DISTRICT 1, PRECINCT 4 THAT IS GENERALLY THE SOUTHERN PART OF PRECINCT 4 WHICH EXTENDS FROM THE PRECINCT BOUNDARY, THEN GOES WEST ON A LINE JUST SOUTH OF HADLEY FARMS ROAD AND INCLUDES ALL STREETS OFF OF HADLEY FARMS DRIVE TO CHAIN BRANCH TRIBUTARY (A CREEK), THEN SOUTH ALONG CHAIN BRANCH TRIBUTARY TO THE PRECINCT BOUNDARY;
8. THAT PART OF ELECTION DISTRICT 4, PRECINCT 19 THAT IS GENERALLY THE EASTERN PART OF PRECINCT 19 WHICH EXTENDS FROM THE PRECINCT BOUNDARY SOUTH ALONG THE CENTER OF BEACH DRIVE, THEN SOUTH ALONG PARK BOUNDARY, THEN SOUTH ALONG THE CENTER OF AVERY ROAD TO THE PRECINCT BOUNDARY;
9. THAT PART OF ELECTION DISTRICT 5, PRECINCT 9 THAT IS GENERALLY THE NORTHEASTERN PART OF PRECINCT 9 WHICH EXTENDS FROM THE PRECINCT BOUNDARY NORTH ALONG UNNAMED CREEK TO THE INTERSECTION WITH LOCKSLEY LANE, THEN SOUTHEAST ALONG THE CENTER OF HAWKESBURY LANE TO WINTINGHAM DRIVE, THEN SOUTHWEST ALONG THE CENTER OF WINTINGHAM DRIVE TO HAWKESBURY LANE, THEN SOUTH ALONG THE CENTER OF HAWKESBURY LANE TO THE PRECINCT BOUNDARY;
10. THAT PART OF ELECTION DISTRICT 9, PRECINCT 10 THAT IS GENERALLY THE EASTERN PART OF PRECINCT 10 WHICH EXTENDS FROM THE PRECINCT BOUNDARY NORTHEAST ALONG THE CENTER OF B&O RAILROAD TO WASHINGTON GROVE TOWN LIMITS, THEN NORTHEAST ALONG WASHINGTON GROVE

1 LIMITS TO ITS INTERSECTION WITH RIDGE ROAD, THEN EAST-NORTHEAST ALONG
 2 THE CENTER OF RIDGE ROAD TO AMITY DRIVE, THEN WEST-NORTHWEST ALONG THE
 3 CENTER OF AMITY DRIVE TO THE PRECINCT BOUNDARY;

4 11. THAT PART OF ELECTION DISTRICT 9, PRECINCT 20 THAT
 5 IS GENERALLY THE EASTERN PART OF PRECINCT 20 WHICH EXTENDS FROM THE
 6 PRECINCT BOUNDARY EAST-NORTHEAST ALONG THE CITY OF GAITHERSBURG
 7 LIMITS TO ITS INTERSECTION WITH WOODWARDS STORE ROAD, THEN NORTHWEST
 8 ALONG THE CENTER OF WOODWARDS STORE ROAD TO THE PRECINCT BOUNDARY;

9 12. THAT PART OF ELECTION DISTRICT 9, PRECINCT 21 THAT
 10 IS GENERALLY THE EASTERN PART OF PRECINCT 21 WHICH EXTENDS FROM THE
 11 PRECINCT BOUNDARY WEST-NORTHWEST ALONG THE CITY OF GAITHERSBURG
 12 BOUNDARY THEN EAST ALONG THE CENTER OF EMORY GROVE ROAD TO THE
 13 PRECINCT BOUNDARY;

14 13. THAT PART OF ELECTION DISTRICT 13, PRECINCT 49 THAT
 15 IS GENERALLY THE NORTHWESTERN PART OF PRECINCT 49 WHICH EXTENDS FROM
 16 THE PRECINCT BOUNDARY NORTH-NORTHEAST ALONG THE CENTER OF BAILEYS
 17 LANE TO THE PRECINCT BOUNDARY; AND

18 14. THAT PART OF ELECTION DISTRICT 13, PRECINCT 61 THAT
 19 IS GENERALLY THE NORTHEASTERN PART OF PRECINCT 61 WHICH EXTENDS FROM
 20 THE PRECINCT BOUNDARY EAST-SOUTHEAST ALONG THE CENTER OF PARK VISTA
 21 DRIVE TO LAYHILL ROAD, THEN SOUTH-SOUTHWEST ALONG THE CENTER OF
 22 LAYHILL ROAD TO THE PRECINCT BOUNDARY.

23 (4) (i) The student member serves for a term of 1 year beginning on
 24 July 1 after [his] THE election.

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

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

28 2. Is removed under the provisions of subsection (g) of this
 29 section.

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

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

34 2. Is removed under the provisions of subsection (g) of this
 35 section.

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

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

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

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

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 June 1, 2002.