

By: **Howard County Delegation**

Introduced and read first time: February 6, 2002

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County - Board of Education - Elections**
3 **Ho. Co. 12-02**

4 FOR the purpose of altering the terms of office for certain members of the Howard
5 County Board of Education; providing for staggered terms of office for certain
6 Board members; making certain stylistic changes; and generally relating to the
7 election of members to the Howard County Board of Education.

8 BY repealing and reenacting, with amendments,
9 Article - Education
10 Section 3-701
11 Annotated Code of Maryland
12 (1999 Replacement Volume and 2001 Supplement)

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 3-701.

17 (a) The Howard County Board consists of five members.

18 (b) A candidate elected to the County Board shall be a resident and registered
19 voter of Howard County. Any member who no longer resides in Howard County may
20 not continue as a member of the Board.

21 (c) Members of the Howard County Board shall be elected:

22 (1) At the general election every 2 years as required by subsection (d) of
23 this section; and

24 (2) From Howard County at large.

1 (d) (1) (I) [Each member serves for a term of 6 years beginning on the
2 first Monday in December after his election and until a successor is elected and
3 qualifies. The terms of members are staggered as required by the terms of the
4 members serving on the County Board as of July 1, 1978.] THE TERMS OF THE
5 MEMBERS ARE STAGGERED AS PROVIDED IN THIS SUBSECTION.

6 (II) EACH TERM OF OFFICE BEGINS ON THE FIRST MONDAY IN
7 DECEMBER AFTER THE ELECTION OF A MEMBER AND UNTIL A SUCCESSOR IS
8 ELECTED AND QUALIFIES.

9 (2) (I) THE TERM OF OFFICE OF THE MEMBER ELECTED AT THE 2002
10 ELECTION IS 4 YEARS.

11 (II) THE SUCCESSOR TO THIS OFFICE SHALL SERVE FOR A TERM OF
12 4 YEARS.

13 (3) (I) TWO MEMBERS SHALL BE ELECTED AT THE 2004 ELECTION.

14 (II) THE SUCCESSORS TO THESE OFFICES ELECTED AT THE 2008
15 ELECTION SHALL SERVE A TERM OF 4 YEARS.

16 (4) (I) THREE MEMBERS SHALL BE ELECTED AT THE 2006 ELECTION.

17 (II) THE SUCCESSORS TO THESE OFFICES ELECTED AT THE 2010
18 ELECTION SHALL SERVE FOR A TERM OF 4 YEARS.

19 (5) AS OF THE 2006 ELECTION, THE TERM OF EACH OFFICE IS 4 YEARS.

20 (6) Subject to the confirmation of the County Council, the County
21 Executive of Howard County shall appoint a qualified individual to fill any vacancy
22 on the County Board for the remainder of that term and until a successor is appointed
23 and qualifies.

24 (e) (1) The State Board may remove a member of the County Board for:

25 (i) Immorality;

26 (ii) Misconduct in office;

27 (iii) Incompetency; or

28 (iv) Willful neglect of duty.

29 (2) Before removing a member, the State Board shall send the member a
30 copy of the charges against [him] THE MEMBER and give [him] THE MEMBER an
31 opportunity within 10 days to request a hearing.

32 (3) If the member requests a hearing within the 10-day period:

1 (i) The State Board promptly shall hold a hearing, but a hearing
2 may not be set within 10 days after the State Board sends the member a notice of the
3 hearing; and

4 (ii) The member shall have an opportunity to be heard publicly
5 before the State Board in [his] THE MEMBER'S own defense, in person or by counsel.

6 (4) A member removed under this subsection has the right to a de novo
7 review of the removal by the Circuit Court for Howard County.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 July 1, 2002.