

HOUSE BILL 356  
EMERGENCY BILL

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F3

2003 Regular Session  
(3r0282)

**ENROLLED BILL**  
-- Ways and Means/Education, Health, and Environmental Affairs --

Introduced by **Prince George's County Delegation**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **New Prince George's County Board of Education - Student Member - Voting**  
3 **Rights**  
4 **PG 403-03**

5 FOR the purpose of authorizing the student member of the New Prince George's  
6 County Board of Education to vote on certain matters; authorizing the Prince  
7 George's Regional Association of Student Governments to establish procedures  
8 for the election of the student member; clarifying that certain provisions apply to  
9 appointed members of the Board; clarifying that a certain compensation  
10 provision does not apply to the student member; clarifying the term of the student  
11 member; making this Act an emergency measure; and generally relating to ~~the~~  
12 ~~voting rights of the student member~~ of the New Prince George's County Board of  
13 Education.

14 BY repealing and reenacting, with amendments,  
15 Article - Education

1 Section ~~3-108.2(e) and (e)~~ 3-108.2  
2 Annotated Code of Maryland  
3 (2001 Replacement Volume and 2002 Supplement)

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

6 **Article - Education**

7 3-108.2.

8 (a) In this section, "Board" means the New Prince George's County Board of  
9 Education.

10 (b) There is a New Prince George's County Board of Education of the Prince  
11 George's County public school system.

12 (c) The New Prince George's County Board of Education consists of:

13 (1) Nine voting members jointly appointed by the Governor and the  
14 County Executive from a list of qualified individuals submitted to the Governor and  
15 the County Executive by the State Board; and

16 (2) One [nonvoting] student member selected under subsection (o) of  
17 this section.

18 (d) Each member of the Board shall be a resident of Prince George's County.

19 (e) To the extent practicable, the membership of the Board shall reflect the  
20 demographic and geographic composition of Prince George's County.

21 (f) (1) At least four of the [voting] APPOINTED members shall possess a high  
22 level of knowledge and expertise concerning the successful administration of a large  
23 business, nonprofit, or governmental entity and shall have served in a high level  
24 management position with such an entity.

25 (2) At least two of the [voting ] APPOINTED members listed in paragraph  
26 (1) of this subsection shall possess a high level of expertise in managing a business.

27 (g) At least three of the [voting] APPOINTED members shall possess a high  
28 level of knowledge and expertise concerning education.

29 (h) At least one [voting] APPOINTED member shall be a parent of a student  
30 enrolled in the Prince George's County public school system as of the date of  
31 appointment of the member.

32 (i) (1) Among the nine [voting] APPOINTED members, at least one member  
33 shall also possess knowledge or experience in the education of children with  
34 disabilities.

1                   (2)     The knowledge or experience may be derived from being the parent of  
2 a child with a disability.

3           (j)     (1)     [A voting] AN APPOINTED member who is appointed after a term has  
4 begun serves only for the remainder of the term and until a successor is appointed and  
5 qualifies.

6                   (2)     To the extent practicable, the Governor and the County Executive shall  
7 fill any vacancy on the Board within 60 days after the date of the vacancy from a list  
8 of qualified individuals submitted to the Governor and the County Executive by the  
9 State Board.

10          (k)     On the joint approval of the Governor and the County Executive, a member  
11 may be removed only for cause in accordance with § 3-108 of this subtitle.

12          (l)     (1)     From and after December 2, 2002, at the beginning of each member's  
13 full term, the chairman of the Board is entitled to receive \$19,000 annually as  
14 compensation and the other [voting] members, NOT INCLUDING THE STUDENT  
15 MEMBER, are each entitled to receive \$18,000 annually as compensation.

16                   (2)     (i)     After submitting vouchers under the rules and regulations  
17 adopted by the Board, the chairman and the other members, including the student  
18 member, are entitled to the allowances for travel and other expenses provided in the  
19 Prince George's County budget.

20                               (ii)     A member of the [county] Board may not be reimbursed more  
21 than \$7,000 in travel and other expenses incurred in a single fiscal year.

22          (m)     On appointment of the Board, the Governor and the County Executive shall  
23 jointly select one of the [voting] APPOINTED members to serve as the chairman of the  
24 Board who shall serve in that capacity through June 30, 2004.

25          (n)     Beginning on July 1, 2004 and every 2 years thereafter, from among its  
26 [voting] APPOINTED members the Board shall elect a chairman.

27          (o)     (1)     The [nonvoting] student member shall be an eleventh or twelfth  
28 grade student in the Prince George's County public school system during the student's  
29 term in office.

30                   (2)     An eligible student shall file a nomination form at least 2 weeks  
31 before a special election meeting of the Prince George's Regional Association of  
32 Student Governments. Nomination forms shall be made available in the  
33 administrative offices of all public senior high schools in the county, the office of  
34 student concerns, and the office of the president of the regional association. The  
35 delegates to the regional association annually shall elect the student member to the  
36 Board at a special election meeting to be held each school year.

37                   (3)     THE STUDENT MEMBER MAY VOTE ON ALL MATTERS BEFORE THE  
38 BOARD EXCEPT THOSE RELATING TO:

- 1 (I) CAPITAL AND OPERATING BUDGETS;  
 2 (II) SCHOOL CLOSINGS, REOPENINGS, AND BOUNDARIES;  
 3 (III) COLLECTIVE BARGAINING DECISIONS;  
 4 (IV) STUDENT DISCIPLINARY MATTERS;  
 5 (V) TEACHER AND ADMINISTRATIVE DISCIPLINARY MATTERS AS  
 6 PROVIDED UNDER § 6-202(A) OF THIS ARTICLE; AND  
 7 (VI) OTHER PERSONNEL MATTERS.

8 (4) ON AN AFFIRMATIVE VOTE OF A MAJORITY OF THE APPOINTED  
 9 MEMBERS OF THE BOARD, THE BOARD MAY DETERMINE IF A MATTER BEFORE THE  
 10 BOARD RELATES TO A SUBJECT THAT THE STUDENT MEMBER MAY NOT VOTE ON  
 11 UNDER PARAGRAPH (3) OF THIS SUBSECTION.

12 [(3)] (5) Unless invited to attend by an affirmative vote of a majority of  
 13 the [voting members] APPOINTED MEMBERS of the Board, the student member may  
 14 not attend an executive session that relates to hearings on appeals of special  
 15 education placements, hearings held under § 6-202(a) of this article, or collective  
 16 bargaining.

17 (6) THE PRINCE GEORGE'S REGIONAL ASSOCIATION OF STUDENT  
 18 GOVERNMENTS MAY ESTABLISH PROCEDURES FOR THE ELECTION OF THE STUDENT  
 19 MEMBER OF THE BOARD.

20 (7) THE ELECTION PROCEDURES ESTABLISHED BY THE PRINCE  
 21 GEORGE'S REGIONAL ASSOCIATION OF STUDENT GOVERNMENTS ARE SUBJECT TO  
 22 THE APPROVAL OF THE APPOINTED MEMBERS OF THE BOARD.

23 (8) THE STUDENT MEMBER SERVES FOR A TERM OF 1 YEAR BEGINNING  
 24 AT THE END OF A SCHOOL YEAR.

25 (p) Any action by the Board shall require:

26 (1) A quorum of a majority of the [voting] APPOINTED members then  
 27 serving; and

28 (2) The affirmative vote of a majority of the [voting] APPOINTED  
 29 members then serving.

30 (q) A member may not be a candidate for public office while serving on the  
 31 Board.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an  
 33 emergency measure, is necessary for the immediate preservation of the public health  
 34 or safety, has been passed by a yea and nay vote supported by three-fifths of all the  
 35 members elected to each of the two Houses of the General Assembly, and shall take  
 36 effect from the date it is enacted.

