
By: **Senators Lawlah, Giannetti, and Green**
Introduced and read first time: January 24, 2003
Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **New Prince George's County Board of Education - Student Member -**
3 **Authority to Vote**

4 FOR the purpose of authorizing the student member of the New Prince George's
5 County Board of Education to vote on certain matters; authorizing the New
6 Prince George's County Board of Education to determine if the student member
7 of the Board may vote on certain matters; and generally relating to the
8 authority of the student member of the New Prince George's County Board of
9 Education to vote on matters before the Board of Education.

10 BY repealing and reenacting, with amendments,
11 Article - Education
12 Section 3-108.2
13 Annotated Code of Maryland
14 (2001 Replacement Volume and 2002 Supplement)

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

17 **Article - Education**

18 3-108.2.

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

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

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

24 (1) Nine [voting] members jointly appointed by the Governor and the
25 County Executive from a list of qualified individuals submitted to the Governor and
26 the County Executive by the State Board; and

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

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

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

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

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

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

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

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

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

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

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

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

29 (l) (1) From and after December 2, 2002, at the beginning of each member's
30 full term, the chairman of the Board is entitled to receive \$19,000 annually as
31 compensation and the other [voting] members are each entitled to receive \$18,000
32 annually as compensation.

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

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

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

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

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

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

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

20 (I) CAPITAL AND OPERATING BUDGETS;

21 (II) SCHOOL CLOSINGS, REOPENINGS, AND BOUNDARIES;

22 (III) COLLECTIVE BARGAINING DECISIONS;

23 (IV) STUDENT DISCIPLINARY MATTERS;

24 (V) TEACHER AND ADMINISTRATOR DISCIPLINARY MATTERS AS
25 PROVIDED UNDER § 6-202(A) OF THIS ARTICLE; AND

26 (VI) OTHER PERSONNEL MATTERS.

27 (4) ON AN AFFIRMATIVE VOTE OF THE MAJORITY OF THE MEMBERS OF
28 THE BOARD, THE BOARD MAY DETERMINE IF A MATTER BEFORE THE BOARD
29 RELATES TO A SUBJECT THAT THE STUDENT MEMBER MAY NOT VOTE ON UNDER
30 PARAGRAPH (3) OF THIS SUBSECTION.

31 [(3)] (5) Unless invited to attend by an affirmative vote of a majority of
32 the [voting members of the] Board, the student member may not attend an executive
33 session that relates to hearings on appeals of special education placements, hearings
34 held under § 6-202(a) of this article, or collective bargaining.

1 (6) THE PRINCE GEORGE'S REGIONAL ASSOCIATION OF STUDENT
2 GOVERNMENTS MAY ESTABLISH PROCEDURES FOR THE ELECTION OF THE STUDENT
3 MEMBER OF THE BOARD.

4 (7) THE ELECTION PROCEDURES ESTABLISHED BY THE PRINCE
5 GEORGE'S REGIONAL ASSOCIATION OF STUDENT GOVERNMENTS ARE SUBJECT TO
6 THE APPROVAL OF THE BOARD.

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

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

9 (2) The affirmative vote of a majority of the [voting] members then
10 serving.

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

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2003.