
By: **Charles County Delegation**

Introduced and read first time: February 2, 2006

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Charles County Board of Education - Member Vacancy**
3 **Interviews**

4 FOR the purpose of requiring an interview of certain applicants for a certain vacancy
5 on the Charles County Board of Education to be conducted at a meeting open to
6 the public; requiring the Board to publish a certain list within a certain time
7 period; requiring a certain public notice to be published within a certain time
8 period and in a certain manner; providing that certain discussions of the Board
9 and the selection of a certain member of the Board need not occur at a meeting
10 open to the public; and generally relating to vacancy interviews for members of
11 the Charles County Board of Education.

12 BY repealing and reenacting, with amendments,
13 Article - Education
14 Section 3-501
15 Annotated Code of Maryland
16 (2004 Replacement Volume and 2005 Supplement)

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

19 **Article - Education**

20 3-501.

21 (a) The Charles County Board consists of:

22 (1) Seven voting members; and

23 (2) One nonvoting student member.

24 (b) An individual nominated for a voting membership on the County Board
25 shall be a resident and registered voter of Charles County. Any member who no longer
26 resides in Charles County or who is not a registered voter of Charles County may not
27 continue as a voting member of the Board.

1 (c) All voting members of the Charles County Board shall be elected:

2 (1) At a general election as required by subsection (d) of this section; and

3 (2) From Charles County at large.

4 (d) [(1)] Each voting member serves for a term of 4 years beginning on the
5 third Monday in December after the gubernatorial election and until a successor is
6 elected and qualifies. If the third Monday in December is a legal holiday, the term
7 begins on the first day after the third Monday in December that is not a legal holiday.

8 [(2)] (E) (1) The voting members of the County Board shall select a
9 qualified individual to fill any vacancy on the Board for the remainder of that term
10 and until a successor is elected and qualifies.

11 (2) AN INTERVIEW OF AN APPLICANT FOR A VACANCY ON THE BOARD
12 SHALL BE CONDUCTED BY THE BOARD AT A MEETING OPEN TO THE PUBLIC.

13 (3) (I) THE BOARD SHALL PUBLISH A LIST OF THE NAMES OF THE
14 APPLICANTS FOR A VACANCY ON THE BOARD AT LEAST 2 WEEKS BEFORE THE
15 INTERVIEW OF THE FIRST APPLICANT IS SCHEDULED TO OCCUR.

16 (II) PUBLIC NOTICE OF THE DATE, TIME, AND LOCATION OF EACH
17 INTERVIEW SHALL BE PUBLISHED:

18 1. AT LEAST 2 WEEKS BEFORE THE INTERVIEW IS
19 SCHEDULED TO OCCUR; AND

20 2. IN THE SAME MANNER AS A PUBLIC NOTICE OF A
21 REGULAR MEETING OF THE BOARD IS PUBLISHED.

22 (4) THE BOARD IS NOT REQUIRED TO CONDUCT DISCUSSIONS OF THE
23 APPLICANTS OR MAKE THE FINAL SELECTION OF THE VOTING MEMBER AT A
24 MEETING OPEN TO THE PUBLIC.

25 [(e)] (F) (1) With the approval of the Governor, the State Board may remove
26 a voting member of the County Board for any of the following reasons:

27 (i) Immorality;

28 (ii) Misconduct in office;

29 (iii) Incompetency; or

30 (iv) Wilful neglect of duty.

31 (2) Before removing a voting member, the State Board shall send the
32 voting member a copy of the charges pending and give the voting member an
33 opportunity within 10 days to request a hearing.

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

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

4 (ii) The voting member shall have an opportunity to be heard
5 publicly before the State Board in the voting member's own defense, in person or by
6 counsel.

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

9 [(f)] (G) (1) The student member of the Charles County Board shall be an
10 11th or 12th grade student in the Charles County Public School System.

11 (2) The student member, and an alternate, shall be selected in
12 accordance with procedures approved by the Board. These procedures shall reflect
13 recommendations by and involvement of the Charles County Association of Student
14 Councils.

15 (3) The term of the student member shall be 1 year.

16 (4) The student member may not vote, but may indicate a preference for
17 or against any question before the Board.

18 (5) Unless invited to attend by an affirmative vote of a majority of the
19 County Board, the student member may not attend an executive session that relates
20 to special education placements, collective bargaining, or hearings held under § 6-202
21 of this article.

22 (6) The student member may not receive compensation but, after
23 submitting expense vouchers, may be reimbursed for out-of-pocket expenses
24 incurred in connection with official duties approved by the Board.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
26 effect July 1, 2006.