

SENATE BILL 153

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71r1822
CF HB 179

By: **Senators Mooney and Brinkley**

Introduced and read first time: January 25, 2007

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 22, 2007

CHAPTER _____

1 AN ACT concerning

2 **Frederick County – Board of Education – Nonvoting Student Member**

3 FOR the purpose of adding a nonvoting student member to the Frederick County
4 Board of Education; requiring the student member to meet certain
5 qualifications; specifying the term of the student member; requiring that the
6 student member advise the County Board on certain matters; prohibiting the
7 student member from attending an executive session of the Board; providing
8 that only voting members of the Board may receive certain compensation; and
9 generally relating to the Frederick County Board of Education.

10 BY repealing and reenacting, with amendments,

11 Article – Education

12 Section 3–5B–01 and 3–5B–04(a)

13 Annotated Code of Maryland

14 (2006 Replacement Volume)

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

17 **Article – Education**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 3-5B-01.

2 (a) The Frederick County Board consists of **EIGHT MEMBERS AS FOLLOWS:**

3 (1) [~~seven~~] **SEVEN** members elected from the county at large; **AND**

4 (2) **ONE NONVOTING STUDENT MEMBER.**

5 (b) (1) A candidate elected to the County Board shall be a resident and
6 registered voter of Frederick County.

7 (2) Any member who no longer resides in the county may not continue
8 as a member of the Board.

9 (c) (1) A **VOTING** member serves for a term of 4 years beginning the first
10 Tuesday in December after the member's election and until a successor is elected and
11 qualifies.

12 (2) [~~Members~~] **VOTING MEMBERS** of the Frederick County Board
13 shall be elected as follows:

14 (i) Three members of the County Board shall be elected in the
15 November general election of 2000 and every 4 years thereafter; and

16 (ii) Four members of the County Board shall be elected in the
17 November general election of 2002 and every 4 years thereafter.

18 (d) (1) The terms of **VOTING** members are staggered as provided in
19 subsection (c) of this section.

20 (2) The County Commissioners shall appoint a qualified individual to
21 fill a vacancy on the County Board for the remainder of the term and until a successor
22 is elected and qualifies.

23 (E) (1) **THE STUDENT MEMBER SHALL:**

24 (I) **BE AN ELEVENTH OR TWELFTH GRADE STUDENT IN THE**
25 **FREDERICK COUNTY PUBLIC SCHOOL SYSTEM ELECTED BY THE HIGH SCHOOL**
26 **STUDENTS OF THE COUNTY IN ACCORDANCE WITH PROCEDURES ESTABLISHED**
27 **BY THE SCHOOL SYSTEM;**

1 (II) **SERVE FOR 1 YEAR BEGINNING ON JULY 1 AFTER THE**
2 **ELECTION OF THE MEMBER;**

3 (III) **BE A NONVOTING MEMBER; AND**

4 (IV) **ADVISE THE COUNTY BOARD ON THE THOUGHTS AND**
5 **FEELINGS OF STUDENTS.**

6 (2) **UNLESS INVITED TO ATTEND BY AN AFFIRMATIVE VOTE OF A**
7 **MAJORITY OF THE COUNTY BOARD, THE STUDENT MEMBER MAY NOT ATTEND**
8 **AN EXECUTIVE SESSION.**

9 [(e)](F) (1) The State Board may remove a **VOTING** member of the
10 County Board for:

11 (i) Immorality;

12 (ii) Misconduct in office;

13 (iii) Incompetency; or

14 (iv) Willful neglect of duty.

15 (2) Before removing a **VOTING** member, the State Board shall send
16 the member a copy of the charges against the member and give the member an
17 opportunity within 10 days to request a hearing.

18 (3) If the **VOTING** member requests a hearing within the 10-day
19 period:

20 (i) The State Board promptly shall hold a hearing, but a
21 hearing may not be set within 10 days after the State Board sends the **VOTING**
22 member a notice of the hearing; and

23 (ii) The **VOTING** member shall have an opportunity to be heard
24 publicly before the State Board in the member's own defense, in person or by counsel.

25 (4) A **VOTING** member removed under this subsection has the right to
26 a de novo review of the removal by the Circuit Court for Frederick County.

27 3-5B-04.

1 (a) The President of the Frederick County Board is entitled to receive
 2 \$11,000 annually as compensation, and each other VOTING member of the Frederick
 3 County Board is entitled to receive \$10,000 annually as compensation.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 5 July 1, 2007.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.