

## CHAPTER 380

(House Bill 179)

AN ACT concerning

### Frederick County – Board of Education – Nonvoting Student Member

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

BY repealing and reenacting, with amendments,

Article – Education

Section 3–5B–01 and 3–5B–04(a)

Annotated Code of Maryland

(2006 Replacement Volume)

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

### Article – Education

3–5B–01.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (i) Immorality;
- (ii) Misconduct in office;
- (iii) Incompetency; or
- (iv) Willful neglect of duty.

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

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

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

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

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

3-5B-04.

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

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

**Approved by the Governor, May 8, 2007.**