

# SENATE BILL 131

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7lr1091  
CF HB 160

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By: **Senators Simonaire and Astle**

Introduced and read first time: January 16, 2017

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 16, 2017

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Anne Arundel County – Board of Education – Selection of Members**

3 FOR the purpose of establishing a procedure for the election and appointment of certain  
4 members of the Anne Arundel County Board of Education; repealing certain  
5 provisions governing the appointment of members of the county board; establishing  
6 the composition of the county board; requiring certain members of the county board  
7 to be elected from certain districts; establishing certain procedures for the election  
8 and appointment of certain members of the county board; providing for the residency  
9 requirements, terms of office, and filling of a vacancy in the office of certain members  
10 of the county board; renaming the School Board Nominating Commission of Anne  
11 Arundel County to be the School Board Appointment Commission of Anne Arundel  
12 County; requiring the Commission to appoint certain members of the county board  
13 and ensure, to the extent practicable, that the total makeup of the county board  
14 reflects a certain diversity; altering the membership of the Commission; altering the  
15 number of affirmative votes required for the approval of any Commission action;  
16 providing for the removal of, and hearings and appeal procedures for, certain  
17 members of the county board; providing for the expiration of the terms of certain  
18 appointed members of the county board; making certain conforming changes; and  
19 generally relating to the election and appointment of members of the Anne Arundel  
20 County Board of Education.

21 BY renumbering

22 Article – Education

23 Section 3–2A–01 through 3–2A–10, respectively, and the subtitle “Subtitle 2A.

24 Baltimore County”

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### 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 to be Section 3–2B–01 through 3–2B–10, respectively, and the subtitle “Subtitle 2B.  
2 Baltimore County”  
3 Annotated Code of Maryland  
4 (2014 Replacement Volume and 2016 Supplement)

5 BY repealing and reenacting, with amendments,  
6 Article – Education  
7 Section 3–108(a), 3–110, and 3–114  
8 Annotated Code of Maryland  
9 (2014 Replacement Volume and 2016 Supplement)

10 BY adding to  
11 Article – Education  
12 Section 3–2A–02 and 3–2A–07 to be under the new subtitle “Subtitle 2A. Anne  
13 Arundel County”  
14 Annotated Code of Maryland  
15 (2014 Replacement Volume and 2016 Supplement)

16 BY repealing and reenacting, without amendments,  
17 Article – Education  
18 Section 3–2B–01(a)  
19 Annotated Code of Maryland  
20 (2014 Replacement Volume and 2016 Supplement)  
21 (As enacted by Section 1 of this Act)

22 BY repealing and reenacting, with amendments,  
23 Article – Education  
24 Section 3–2B–01(b)(2)  
25 Annotated Code of Maryland  
26 (2014 Replacement Volume and 2016 Supplement)  
27 (As enacted by Section 1 of this Act)

28 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
29 That Section(s) 3–2A–01 through 3–2A–10, respectively, and the subtitle “Subtitle 2A.  
30 Baltimore County” of Article – Education of the Annotated Code of Maryland be  
31 renumbered to be Section(s) 3–2B–01 through 3–2B–10, respectively, and the subtitle  
32 “Subtitle 2B. Baltimore County”.

33 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
34 as follows:

35 **Article – Education**

36 3–108.

37 (a) (1) Except as provided in paragraph (2) of this subsection, the Governor  
38 shall appoint the members of each county board from the residents of that county.

1                   (2)    The members of the following county boards of education shall be  
2 selected as follows:

3                   (i)    The Baltimore City Board of School Commissioners in  
4 accordance with § 3–108.1 of this subtitle;

5                   (ii)   The Harford County Board of Education in accordance with §  
6 3–6A–01 of this title;

7                   (iii)   The Caroline County Board of Education in accordance with §  
8 3–3A–02 of this title;

9                   (iv)   The Anne Arundel County Board of Education in accordance with  
10 [§ 3–110 of this subtitle] **SUBTITLE 2A OF THIS TITLE**; and

11                   (v)    The county boards of education in the counties listed in § 3–114  
12 of this subtitle in accordance with the provisions of that section.

13 3–114.

14           (a)    In the following counties, the members of the county board shall be elected:

15                   (1)    Allegany;

16                   (2)    Calvert;

17                   (3)    Carroll;

18                   (4)    Cecil;

19                   (5)    Charles;

20                   (6)    Dorchester;

21                   (7)    Frederick;

22                   (8)    Garrett;

23                   (9)    Howard;

24                   (10)   Kent;

25                   (11)   Montgomery;

26                   (12)   Queen Anne's;

- 1 (13) St. Mary's;
- 2 (14) Somerset;
- 3 (15) Talbot;
- 4 (16) Washington; and
- 5 (17) Worcester.

6 **(B) IN ANNE ARUNDEL COUNTY, IN ACCORDANCE WITH SUBTITLE 2A OF**  
7 **THIS TITLE, THE MEMBERS OF THE COUNTY BOARD SHALL BE A COMBINATION OF**  
8 **MEMBERS WHO ARE ELECTED AND APPOINTED.**

9 **[(b)] (C)** In Baltimore City, in accordance with § 3–108.1 of this subtitle, the  
10 members of the Baltimore City Board of School Commissioners shall be a combination of  
11 members who are elected and appointed.

12 **[(c)] (D)** In Baltimore County, in accordance with **[Subtitle 2A] SUBTITLE 2B**  
13 of this title, the members of the county board shall be a combination of members who are  
14 elected and appointed.

15 **[(d)] (E)** In Caroline County, in accordance with Subtitle 3A of this title, the  
16 members of the county board shall be a combination of members who are elected and  
17 appointed.

18 **[(e)] (F)** In Harford County, in accordance with Subtitle 6A of this title, the  
19 members of the county board shall be a combination of members who are elected and  
20 appointed.

21 **[(f)] (G)** In Prince George's County, in accordance with Subtitle 10 of this title,  
22 the members of the county board shall be a combination of members who are elected and  
23 appointed.

24 **[(g)] (H)** An individual subject to the authority of the county board may not serve  
25 as a member of the county board. At the time of filing a certificate of candidacy for election  
26 to a county board, a person shall certify to the local board of supervisors of elections whether  
27 or not the person is subject to the authority of the county board. The Governor may not  
28 issue a commission of election to a person who has certified affirmatively and who is elected  
29 to a county board until the member–elect offers proof that the member–elect is no longer  
30 subject to the authority of the county board.

31 **[(h)] (I)** The election of the county boards shall be held as provided in Subtitles  
32 2 through 14 of this title and the Election Law Article.

33 **SUBTITLE 2A. ANNE ARUNDEL COUNTY.**

1 **[3-110.] 3-2A-01.**

2 (a) **[(1)]** The Anne Arundel County Board **OF EDUCATION** consists of **[9**  
3 **members who shall be appointed as follows]:**

4 (i) 3 from the county at large;

5 (ii) 1 each from legislative districts 30, 31, 32, 33, and that portion  
6 of legislative district 21 that lies within Anne Arundel County; and

7 (iii) 1 student member]

8 **(1) SEVEN NONPARTISAN ELECTED MEMBERS;**

9 **(2) THREE APPOINTED MEMBERS; AND**

10 **(3) ONE STUDENT MEMBER.**

11 **[(2)** Except for the student member, the Governor shall appoint a member  
12 of the county board from a list of nominees submitted by the School Board Nominating  
13 Commission of Anne Arundel County as provided in subsection (b) of this section.]

14 **(B) (1) OF THE 10 ELECTED AND APPOINTED MEMBERS OF THE COUNTY**  
15 **BOARD:**

16 **(I) ONE MEMBER SHALL BE ELECTED FROM EACH OF THE**  
17 **SEVEN COUNCILMANIC DISTRICTS IN THE COUNTY, ESTABLISHED BY THE ANNE**  
18 **ARUNDEL COUNTY COUNCIL, BY THE VOTERS OF THAT DISTRICT; AND**

19 **(II) THREE MEMBERS SHALL BE APPOINTED BY THE SCHOOL**  
20 **BOARD APPOINTMENT COMMISSION OF ANNE ARUNDEL COUNTY FROM THE**  
21 **COUNTY AT LARGE.**

22 **(2) (I) THE SEVEN ELECTED MEMBERS SHALL BE ELECTED AT A**  
23 **GENERAL ELECTION IN ACCORDANCE WITH § 3-2A-02 OF THIS SUBTITLE AND TITLE**  
24 **8, SUBTITLE 8 OF THE ELECTION LAW ARTICLE.**

25 **(II) THE THREE APPOINTED MEMBERS SHALL BE APPOINTED BY**  
26 **THE SCHOOL BOARD APPOINTMENT COMMISSION OF ANNE ARUNDEL COUNTY AS**  
27 **PROVIDED IN § 3-2A-03 OF THIS SUBTITLE.**

28 **(C) THE STUDENT MEMBER SHALL BE SELECTED IN ACCORDANCE WITH §**  
29 **3-2A-05 OF THIS SUBTITLE.**

1           **(D) (1) EACH MEMBER OF THE COUNTY BOARD MUST BE A RESIDENT OF**  
2 **ANNE ARUNDEL COUNTY.**

3           **(2) A MEMBER FROM A DISTRICT WHO DOES NOT MAINTAIN**  
4 **RESIDENCY IN THAT DISTRICT MAY NOT CONTINUE AS A MEMBER OF THE COUNTY**  
5 **BOARD AND THE OFFICE SHALL BE DEEMED VACANT.**

6           **(3) IF THE BOUNDARY LINE OF A DISTRICT IS CHANGED, THE TERM OF**  
7 **AN INCUMBENT MEMBER OF THE COUNTY BOARD WHO NO LONGER RESIDES IN THE**  
8 **DISTRICT BECAUSE OF THE CHANGE IS NOT AFFECTED DURING THAT TERM.**

9           **(E) A MEMBER MAY NOT BE ELECTED OR APPOINTED TO SERVE ON THE**  
10 **COUNTY BOARD FOR MORE THAN TWO CONSECUTIVE 4-YEAR TERMS.**

11 **3-2A-02.**

12           **(A) AT THE GENERAL ELECTION FOR THE ELECTED MEMBERS OF THE**  
13 **COUNTY BOARD, THE BALLOT SHALL PROVIDE THE VOTERS OF THAT DISTRICT WITH**  
14 **THE CHOICE TO CAST A VOTE "FOR" A CANDIDATE FOR ELECTION FROM THAT**  
15 **DISTRICT ONLY.**

16           **(B) AFTER THE ELECTION RESULTS ARE CERTIFIED, THE STATE BOARD**  
17 **SHALL DECLARE FOR EACH DISTRICT WHETHER A CANDIDATE HAS BEEN ELECTED.**

18           **(C) IN ANY ELECTION, IF NO CANDIDATE FILES A CERTIFICATE OF**  
19 **CANDIDACY FOR THE OFFICE OR IF NO INDIVIDUAL OTHERWISE QUALIFIES TO HAVE**  
20 **THE INDIVIDUAL'S NAME PLACED ON THE BALLOT, THE SCHOOL BOARD**  
21 **APPOINTMENT COMMISSION OF ANNE ARUNDEL COUNTY SHALL APPOINT A**  
22 **MEMBER TO FILL THAT VACANCY NO LATER THAN 30 DAYS AFTER THE GENERAL**  
23 **ELECTION.**

24 **3-2A-03.**

25           **[(b)] (A) (1) [(i)] There is a School Board [Nominating] APPOINTMENT**  
26 **Commission of Anne Arundel County.**

27                           **[(ii)] (2) The purpose of the Commission is to select [nominees to**  
28 **be recommended to the Governor as] qualified candidates for appointment to the Anne**  
29 **Arundel County Board of Education AND TO APPOINT A MEMBER:**

30                           **(I) ON THE EXPIRATION OF THE TERM OF AN APPOINTED**  
31 **MEMBER; OR**

1 (II) TO FILL A VACANCY DURING THE TERM OF AN INCUMBENT  
2 ELECTED OR APPOINTED MEMBER.

3 [(iii)] (3) The Commission shall hold at least two public hearings on  
4 the [selection of nominees] CANDIDATES before [recommending to the Governor nominees  
5 for appointment] MAKING AN APPOINTMENT to the county board.

6 (4) IN APPOINTING MEMBERS TO THE COUNTY BOARD, THE  
7 COMMISSION SHALL ENSURE, TO THE EXTENT PRACTICABLE, THAT THE TOTAL  
8 MAKEUP OF THE COUNTY BOARD REFLECTS GENDER, ETHNIC, AND RACIAL  
9 DIVERSITY.

10 [(2)] (B) (1) The Commission consists of the following [13] ~~9~~ 11  
11 members:

12 (i) [Three members appointed by the County Executive of Anne  
13 Arundel County from the county at large:

14 1. One of whom shall be a parent of a child enrolled in the  
15 Anne Arundel County public school system; and

16 2. No more than one of whom may be a current employee of  
17 Anne Arundel County;

18 (ii) One member [appointed] DESIGNATED by the Teachers  
19 Association of Anne Arundel County;

20 [(iii)] (II) One member [appointed] DESIGNATED by the Annapolis  
21 and Anne Arundel County Chamber of Commerce;

22 [(iv)] (III) One member [appointed] DESIGNATED by the Anne  
23 Arundel County Community College Board of Trustees;

24 [(v)] (IV) One member [appointed] DESIGNATED by the  
25 Association of Educational Leaders (AEL);

26 [(vi)] (V) ~~Two members appointed~~ ~~ONE MEMBER~~ DESIGNATED  
27 by the Anne Arundel County Council of Parent Teacher Associations, ~~WHO EACH OF~~  
28 WHOM SHALL BE A PARENT OF A CHILD ENROLLED IN THE ANNE ARUNDEL COUNTY  
29 PUBLIC SCHOOL SYSTEM, BUT who may not:

30 1. Be affiliated with a teachers' union or association; or

31 2. Be a current employee of Anne Arundel County;

1 [(vii)] (VI) One member [appointed] DESIGNATED by the Anne  
 2 Arundel County Branch of the National Association for the Advancement of Colored People  
 3 (NAACP);

4 [(viii)] (VII) One member [appointed] DESIGNATED by CASA de  
 5 Maryland;

6 [(ix)] (VIII) One member [appointed] DESIGNATED by the Anne  
 7 Arundel Special Education Citizens' Advisory Committee who is a parent of a child with  
 8 special needs in the Anne Arundel County public school system; ~~and~~

9 [(x)] (IX) Beginning June 1, 2016, and every 2 years thereafter, one  
 10 member [appointed] DESIGNATED by a chamber of commerce based in Anne Arundel  
 11 County on a rotating basis in the following order:

- 12 1. The West Anne Arundel County Chamber of Commerce;
- 13 2. The Northern Anne Arundel County Chamber of  
 14 Commerce;
- 15 3. The Southern Anne Arundel Chamber of Commerce;
- 16 4. The Greater Crofton Chamber of Commerce; and
- 17 5. The Greater Severna Park and Arnold Chamber of  
 18 Commerce; AND

19 (X) ONE MEMBER DESIGNATED BY THE CHESAPEAKE  
 20 REGIONAL ASSOCIATION OF STUDENT COUNCILS WHO IS A STUDENT ENROLLED IN  
 21 THE ANNE ARUNDEL COUNTY PUBLIC SCHOOL SYSTEM.

22 [(3)] (2) (i) Each member of the Commission must be a resident of  
 23 Anne Arundel County.

24 (ii) Except for the members [appointed] DESIGNATED under  
 25 paragraph [(2)(ii) and (v)] (1)(I) AND (IV) of this subsection, a member of the Commission  
 26 may not be a current employee of a county school board.

27 [(4)] (3) (i) The Commission shall select a chair from among its  
 28 members.

29 (ii) The term of the chair of the Commission is 2 years.

30 [(5)] (4) (i) Except as provided in subparagraph (ii) of this paragraph,  
 31 the term of a member of the Commission is 4 years.



1 (ii) **1.** The term of a member [appointed] **DESIGNATED** by a  
2 chamber of commerce under paragraph [(2)(x)] **(1)(IX)** of this subsection is 2 years.

3 **2. THE TERM OF A MEMBER DESIGNATED BY THE**  
4 **CHESAPEAKE REGIONAL ASSOCIATION OF STUDENT COUNCILS UNDER**  
5 **PARAGRAPH (1)(X) OF THIS SUBSECTION IS 1 YEAR.**

6 (iii) A member may be [reappointed] **REDESIGNATED** but may not  
7 serve more than 8 years.

8 [(6)] **(C)** The Anne Arundel County Board of Education shall provide staff  
9 for the Commission.

10 [(7) (i)] **(D) (1)** The affirmative vote of at least [eight] ~~SIX~~ **SEVEN**  
11 members of the Commission is required for the approval of any action.

12 [(ii)] **(2)** A member of the Commission may not vote by proxy.

13 [(8) (i)] **(E) (1)** The Commission shall require each applicant for  
14 [nomination] **APPOINTMENT** to complete an application that includes:

15 [1.] **(I)** The full name and address of the individual;

16 [2.] **(II)** Any former name used by the individual;

17 [3.] **(III)** A statement as to whether the individual has any  
18 conviction for a crime that:

19 [A.] **1.** Relates to the responsibilities of a member of the  
20 county board; and

21 [B.] **2.** Has not been expunged or otherwise shielded;

22 [4.] **(IV)** A statement as to whether the individual has been  
23 adjudged bankrupt or insolvent; and

24 [5.] **(V)** A declaration that the statements made in the  
25 application are true, correct, and complete to the best of the individual's knowledge and  
26 belief.

27 [(ii)] **(2)** The Commission shall consult the Maryland Judiciary  
28 Case Search to verify the statements made by the applicant under [subparagraph (i) of this  
29 paragraph] **PARAGRAPH (1) OF THIS SUBSECTION.**

1            [(9) Beginning January 1, 2008, for each nomination to the county board,  
2 the Commission shall submit to the Governor a list of nominees that contains:

3            (i) At least two names for each vacancy; or

4            (ii) If there are fewer than two applicants for a vacancy, the number  
5 of names that is equal to the number of applicants for the vacancy.

6            (c) (1) Following the appointment of a member of the Anne Arundel County  
7 Board of Education by the Governor, a member may serve for the remainder of the  
8 member's term, as provided in § 3-108(c) of this subtitle, subject to the approval or rejection  
9 of the registered voters of the county at the next general election.]

10 **3-2A-04.**

11            **(A) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN ELECTED**  
12 **MEMBER OF THE COUNTY BOARD SERVES FOR A TERM OF 4 YEARS BEGINNING ON**  
13 **THE FIRST MONDAY IN DECEMBER AFTER THE MEMBER'S ELECTION AND UNTIL A**  
14 **SUCCESSOR IS ELECTED AND QUALIFIES.**

15            **(2) THE TERMS OF THE ELECTED MEMBERS ARE STAGGERED AS**  
16 **FOLLOWS:**

17            **(I) ONE MEMBER ELECTED FROM EACH OF THE**  
18 **COUNCILMANIC DISTRICTS 2, 3, AND 4 AT THE 2018 GENERAL ELECTION, AND EVERY**  
19 **4 YEARS THEREAFTER; AND**

20            **(II) ONE MEMBER ELECTED FROM EACH OF THE**  
21 **COUNCILMANIC DISTRICTS 1, 5, 6, AND 7 AT THE 2020 GENERAL ELECTION, AND**  
22 **EVERY 4 YEARS THEREAFTER.**

23            **(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN**  
24 **APPOINTED MEMBER OF THE COUNTY BOARD SERVES FOR A TERM OF 4 YEARS**  
25 **BEGINNING ON JULY 1 AFTER THE MEMBER'S APPOINTMENT AND UNTIL A**  
26 **SUCCESSOR IS APPOINTED AND QUALIFIES.**

27            **(2) THE INITIAL TERMS OF THE APPOINTED MEMBERS ARE**  
28 **STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR THE APPOINTED MEMBERS**  
29 **OF THE COUNTY BOARD ON OCTOBER 1, 2017.**

30            **[(2)] (C) A member of the county board is eligible for [nomination and]**  
31 **REELECTION OR** reappointment for a second consecutive **4-YEAR** term in accordance with  
32 the provisions of [subsections (a) and (b) of this section] **THIS SUBTITLE.**

1           **(D) (1) THE SCHOOL BOARD APPOINTMENT COMMISSION OF ANNE**  
2 **ARUNDEL COUNTY SHALL APPOINT AN INDIVIDUAL TO FILL A VACANCY IN THE**  
3 **OFFICE OF AN ELECTED OR APPOINTED MEMBER OF THE COUNTY BOARD IN**  
4 **ACCORDANCE WITH § 3-2A-03 OF THIS SUBTITLE.**

5           **(2) AN INDIVIDUAL WHO TAKES OFFICE TO FILL A VACANCY FOR AN**  
6 **ELECTED OR APPOINTED MEMBER SERVES FOR THE REMAINDER OF THE TERM FOR**  
7 **WHICH THE APPOINTMENT WAS MADE AND UNTIL A SUCCESSOR IS ELECTED OR**  
8 **APPOINTED AND QUALIFIES.**

9           **[(3) (i) The approval or rejection of a member of the county board by the**  
10 **registered voters of the county provided for in subparagraph (ii) of this paragraph shall be**  
11 **a vote for the member's retention or removal.**

12           **(ii) On receipt of the notice required under § 5-301(h) of the Election**  
13 **Law Article, the name of the member of the county board shall be placed on the appropriate**  
14 **ballot and shown, without opposition, and the voters shall vote for or against the member's**  
15 **retention as a member of the county board.**

16           **(4) If the voters reject the retention of the member, or the vote is tied:**

17           **(i) The position shall become vacant 10 days after certification of the**  
18 **election returns;**

19           **(ii) The member shall resign from the county board effective 10 days**  
20 **after certification of the election returns; and**

21           **(iii) The member may not continue to serve on the county board.]**

22 **3-2A-05.**

23           **[(d) (1) (A) The student member shall:**

24           **[(i) (1) Be a regularly enrolled senior year student of good**  
25 **character and in good standing in an Anne Arundel County public high school;**

26           **[(ii) (2) Be selected in the student's junior year by a method**  
27 **selected by the Chesapeake Regional Association of Student Councils of Anne Arundel**  
28 **County;**

29           **[(iii) 1.] (3)(I) Serve a term of 1 year; and**

30           **[2.] (II) Continue to serve after graduation and until a**  
31 **successor is appointed and qualifies.**

1                    **[(2)] (B)**        If a vacancy in the position of the student member occurs during  
 2 the term of the student member, the Chesapeake Regional Association of Student Councils  
 3 shall:

4                    **[(i)] (1)**        Conduct a special election at its next general meeting; and

5                    **[(ii)] (2)**        By utilizing the same method that it used to select the  
 6 previous student member of the board, select another student member to fill the vacancy.

7                    **[(e)**    A board member who does not maintain the residency qualification shall be  
 8 replaced as a member.

9                    **(f)**        If the boundary line of a legislative district changes, an incumbent member of  
 10 the county board who, because of the change, no longer resides in the legislative district  
 11 from which the member was appointed may complete the term.]

12 **3-2A-06.**

13                    **[(g) (1)] (A)**        The President of the [Anne Arundel County Board of Education]  
 14 **COUNTY BOARD** is entitled to receive \$8,000 annually as compensation and, except for the  
 15 student member, the other board members are entitled to receive \$6,000 each annually as  
 16 compensation.

17                    **[(2)] (B)**        A student member who completes a full term on the **COUNTY**  
 18 board shall be granted a scholarship of \$6,000 to be applied toward the student's higher  
 19 education costs.

20 **3-2A-07.**

21                    **(A)    THE STATE BOARD MAY REMOVE AN ELECTED OR APPOINTED MEMBER**  
 22 **OF THE COUNTY BOARD FOR ANY OF THE FOLLOWING REASONS:**

23                    **(1)    IMMORALITY;**

24                    **(2)    MISCONDUCT IN OFFICE;**

25                    **(3)    INCOMPETENCY;**

26                    **(4)    WILLFUL NEGLECT OF DUTY; OR**

27                    **(5)    FAILURE TO ATTEND, WITHOUT GOOD CAUSE, AT LEAST 75% OF**  
 28 **THE SCHEDULED MEETINGS OF THE COUNTY BOARD IN ANY 1 CALENDAR YEAR.**

1           **(B) BEFORE REMOVING A MEMBER, THE STATE BOARD SHALL SEND THE**  
2 **MEMBER A COPY OF THE CHARGES AGAINST THE MEMBER AND GIVE THE MEMBER**  
3 **AN OPPORTUNITY TO REQUEST A HEARING WITHIN 10 DAYS.**

4           **(C) IF THE MEMBER REQUESTS A HEARING WITHIN THE 10-DAY PERIOD:**

5                 **(1) THE STATE BOARD PROMPTLY SHALL HOLD A HEARING, BUT A**  
6 **HEARING MAY NOT BE SET WITHIN 10 DAYS AFTER THE STATE BOARD SENDS THE**  
7 **MEMBER A NOTICE OF THE HEARING; AND**

8                 **(2) THE MEMBER SHALL HAVE AN OPPORTUNITY TO BE HEARD**  
9 **PUBLICLY BEFORE THE STATE BOARD IN THE MEMBER'S OWN DEFENSE IN PERSON**  
10 **OR BY COUNSEL.**

11           **(D) A MEMBER REMOVED UNDER THIS SECTION HAS THE RIGHT TO A DE**  
12 **NOVO REVIEW OF THE REMOVAL BY THE CIRCUIT COURT FOR ANNE ARUNDEL**  
13 **COUNTY.**

14 3-2B-01.

15           (a) The Baltimore County Board of Education consists of:

16                 (1) Seven nonpartisan elected members;

17                 (2) Four appointed members; and

18                 (3) One student member.

19           (b) (2) (i) The seven elected members shall be elected at a general election  
20 in accordance with [§ 3-2A-02] **§ 3-2B-02** of this subtitle.

21                 (ii) The four appointed members shall be appointed by the Governor  
22 from a list of nominees submitted by the Baltimore County School Board Nominating  
23 Commission as provided in [§ 3-2A-03] **§ 3-2B-03** of this subtitle:

24                         1. On the expiration of the term of an incumbent appointed  
25 member within 30 days after the general election; or

26                         2. Within the 30-day period otherwise required under this  
27 subtitle.

28           SECTION 3. AND BE IT FURTHER ENACTED, That:

29           (a) The School Board Appointment Commission of Anne Arundel County shall  
30 appoint two additional members to the Anne Arundel County Board of Education as soon  
31 as practicable after October 1, 2017.

1 (b) The initial terms of the two additional appointed members shall expire at the  
2 end of June 30, 2020, and their successors shall serve for terms of 4 years beginning on July  
3 1, 2020, until a successor is appointed and qualifies.

4 SECTION 4. AND BE IT FURTHER ENACTED, That the terms of the appointed  
5 members of the Anne Arundel County Board of Education who are in office on the effective  
6 date of this Act, or their successors, shall expire as follows:

7 (1) the term of the member appointed from the county at large whose term  
8 is scheduled to expire on June 30, 2018, shall expire at the end of June 30, 2018, and the  
9 School Board Appointment Commission of Anne Arundel County shall appoint a member  
10 to succeed that member and serve for a term of 4 years beginning on July 1, 2018, until a  
11 successor is appointed and qualifies;

12 (2) the term of the member appointed from the county at large whose term  
13 is scheduled to expire on June 30, 2019, shall expire at the end of December 2, 2018, and  
14 the member elected from councilmanic district 2 in Anne Arundel County at the general  
15 election in November 2018 shall succeed that member and serve for a term of 4 years  
16 beginning on December 3, 2018, until a successor is elected and qualifies;

17 (3) the terms of the two members appointed from legislative districts 31  
18 and 32 in Anne Arundel County who are in office on December 2, 2018, shall expire at the  
19 end of December 2, 2018, and the members elected from councilmanic districts 3 and 4 in  
20 Anne Arundel County at the general election in November 2018 shall succeed those  
21 members and each shall serve for a term of 4 years beginning on December 3, 2018, until a  
22 successor is elected and qualifies;

23 (4) the term of the member appointed from the county at large whose term  
24 is scheduled to expire on June 30, 2022, shall expire at the end of December 6, 2020, and  
25 the member elected from councilmanic district 5 in Anne Arundel County at the general  
26 election in November 2020 shall succeed that member and serve for a term of 4 years  
27 beginning on December 7, 2020, until a successor is elected and qualifies;

28 (5) the terms of the two members appointed from legislative districts 30  
29 and 33 in Anne Arundel County who are in office on December 6, 2020, shall expire at the  
30 end of December 6, 2020, and the members elected from councilmanic districts 6 and 7 in  
31 Anne Arundel County at the general election in November 2020 shall succeed those  
32 members and each shall serve for a term of 4 years beginning on December 7, 2020, until a  
33 successor is elected and qualifies; and

34 (6) the term of the member appointed from that portion of legislative  
35 district 21 that lies within Anne Arundel County, whose term is scheduled to expire on  
36 June 30, 2022, shall expire at the end of December 6, 2020, and the member elected from  
37 councilmanic district 1 in Anne Arundel County at the general election in November 2020  
38 shall succeed that member and serve for a term of 4 years beginning on December 7, 2020,  
39 until a successor is elected and qualifies.

1 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 October 1, 2017.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.