

Bill No.: _____

Requested: _____

Committee: _____

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By: **Montgomery County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County Board of Education – Student Member – Voting Rights**

3 **MC 709-07**

4 FOR the purpose of prohibiting the student member of the Montgomery County Board
5 of Education from voting on personnel matters; and generally relating to the
6 voting rights of the student member of the Montgomery County Board of
7 Education.

8 BY repealing and reenacting, with amendments,

9 Article – Education

10 Section 3-901(e)

11 Annotated Code of Maryland

12 (2006 Replacement Volume)

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

15 **Article – Education**

16 3-901.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



17 (e) (1) The student member shall be a bona fide resident of Montgomery
18 County and a regularly enrolled junior or senior year student from a Montgomery
19 County public high school.

20 (2) The nomination and election process shall be as agreed on by the
21 County Board and the Montgomery County region of the Maryland Association of
22 Student Councils. This agreement shall include a process by which to replace one or
23 both of the final candidates if they are unable to proceed in the election. Any student
24 enrolled in a middle or high school in the Montgomery County public schools may:

25 (i) Nominate a student member candidate;

26 (ii) Vote for delegates from the student's school, who in turn
27 vote in a nominating convention to reduce to 2 the number of candidates for student
28 Board member if there are 3 or more candidates; and

29 (iii) Vote directly for 1 of the 2 remaining student Board member
30 candidates.

31 (3) The candidate receiving the second highest number of votes in the
32 direct election shall become the alternate student member. The alternate shall serve if
33 the student member is unable to complete his elected term.

34 (4) Except as provided in paragraphs (5), (6), and (7) of this
35 subsection, the student member has the same rights and privileges of an elected
36 member.

37 (5) Unless invited to attend by the affirmative vote of a majority of the
38 County Board, the student member may not attend an executive session that relates
39 to:

40 (i) Hearings held under § 6-202(a) of this article; or

41 (ii) Collective bargaining.

42 (6) As provided in paragraph (7) of this subsection, the student
43 member shall vote on all matters except those relating to:

- 44 (i) § 6–202(a) of this article;
- 45 (ii) Collective bargaining;
- 46 (iii) Capital and operating budgets; [and]
- 47 (iv) School closings, reopenings, and boundaries; **AND**
- 48 (v) **PERSONNEL MATTERS.**

49 (7) On a majority vote of the elected members, the Board may
50 determine, on a case by case basis, whether a matter under consideration is covered by
51 the exclusionary provisions listed in paragraph (6) of this subsection.

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