

HOUSE BILL 1147

F3

6lr1508

By: **Delegate Shoemaker**

Introduced and read first time: February 11, 2016

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Carroll County – Board of Education Members – Term Limitation**

3 FOR the purpose of prohibiting a voting member of the Carroll County Board of Education
4 from serving on the board for more than a certain number of consecutive terms; and
5 generally relating to a term limitation for members of the Carroll County Board of
6 Education.

7 BY repealing and reenacting, with amendments,
8 Article – Education
9 Section 3–401
10 Annotated Code of Maryland
11 (2014 Replacement Volume and 2015 Supplement)

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

14 **Article – Education**

15 3–401.

16 (a) The Carroll County Board consists of:

17 (1) Five voting members;

18 (2) Subject to subsection (f) of this section, one nonvoting student
19 representative; and

20 (3) The County Commissioners, who are nonvoting ex officio members.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) A candidate elected to the county board shall be a resident and registered
2 voter of Carroll County. Any member who no longer resides in Carroll County may not
3 continue as a member of the board.

4 (c) (1) Voting members of the Carroll County Board shall be elected as follows:

5 (i) Two members of the board shall be elected in the November
6 general election of 1994 and every 4 years thereafter;

7 (ii) Two members of the county board shall be elected in the
8 November general election of 1996 and every 4 years thereafter; and

9 (iii) One member of the county board shall be elected in the
10 November general election of 1998 and every 4 years thereafter.

11 (2) Voting members of the county board shall be elected:

12 (i) At a general election as required by this section; and

13 (ii) On a general countywide ticket.

14 (d) (1) Each voting member serves for a term of 4 years beginning the first
15 Monday in December immediately following the voting member's election and until a
16 successor is elected and qualifies. The terms of the voting members are staggered as
17 required for the elections to the county board in subsection (c)(1) of this section.

18 **(2) A VOTING MEMBER MAY NOT SERVE FOR MORE THAN TWO**
19 **CONSECUTIVE TERMS.**

20 ~~[(2)]~~ **(3)** The Governor shall appoint a new voting member to fill any
21 vacancy on the board for the remainder of that term and until a successor is elected and
22 qualifies.

23 ~~[(3)]~~ **(4)** A voting member of the county board as of October 1, 1993, and
24 any voting member appointed to fill a vacancy in an unexpired term of such member, shall
25 hold office during his term and until a successor is elected and qualifies.

26 (e) (1) The State Board may remove a voting member of the county board for:

27 (i) Immorality;

28 (ii) Misconduct in office;

29 (iii) Incompetency; or

30 (iv) Willful neglect of duty.

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

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

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

8 (ii) The voting member shall have an opportunity to be heard
9 publicly before the State Board in his own defense, in person or by counsel.

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

12 (f) (1) The student representative shall:

13 (i) Be an eleventh or a twelfth grade student in the Carroll County
14 public school system elected by the high school students of the county in accordance with
15 procedures established by the school system;

16 (ii) Be a student government association representative at the
17 student's high school;

18 (iii) Serve for 1 year beginning on July 1 after the election of the
19 student representative; and

20 (iv) Advise the county board on the thoughts and feelings of students
21 in Carroll County public schools.

22 (2) Unless invited to attend by an affirmative vote of a majority of the
23 county board, the student representative may not attend an executive session of the county
24 board.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
26 1, 2016.