

SENATE BILL 98

F3

(PRE-FILED)

5lr1666
CF 5lr1665

By: **Senator Lewis Young**

Requested: November 1, 2024

Introduced and read first time: January 8, 2025

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County, Frederick County, Howard County, and Washington County**
3 **Boards of Education – Student Members – Alterations**

4 FOR the purpose of altering certain provisions of law relating to the rights and privileges
5 of student members of certain county boards of education; repealing the requirement
6 that a student member of the Baltimore County Board of Education complete a
7 certain training prior to voting on certain matters; adding a nonvoting student
8 member to the Washington County Board of Education; establishing a certain
9 scholarship and reimbursement for certain activities of the student member of the
10 Washington County Board of Education; and generally relating to student members
11 of county boards of education.

12 BY repealing and reenacting, without amendments,
13 Article – Education
14 Section 3–2B–01(a) and 3–701(a)
15 Annotated Code of Maryland
16 (2022 Replacement Volume and 2024 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Education
19 Section 3–2B–05, 3–5B–01(a) and (e), 3–701(f), 3–1301, and 3–1302
20 Annotated Code of Maryland
21 (2022 Replacement Volume and 2024 Supplement)

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

24 **Article – Education**

25 3–2B–01.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

(1) Seven nonpartisan elected members;

(2) Four appointed members; and

(3) One student member.

3-2B-05.

(a) The student member shall:

(1) Be an 11th or a 12th grade student in the Baltimore County public school system elected by the middle school and high school students of the county in accordance with procedures established by the Baltimore County student councils;

(2) Serve for 1 year;

(3) SUBJECT TO SUBSECTION (C) OF THIS SECTION, BE A VOTING MEMBER; and

[(3)] (4) Advise the county board on the thoughts and feelings of students.

(b) Unless invited to attend by an affirmative vote of a majority of the county board, the student member may not attend an executive session [that relates to:

(1) Hearings on appeals of special education placements;

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

(3) Collective bargaining] **RELATING TO A MATTER ON WHICH THE STUDENT MEMBER MAY NOT VOTE.**

(c) Subject to subsection (d) of this section, the student member may vote on [all matters except those relating] **ANY MATTER BEFORE THE COUNTY BOARD EXCEPT A MATTER THAT RELATES to:**

(1) **[§ 6-202(a)] HEARINGS HELD UNDER § 6-202** of this article;

(2) **[Collective bargaining; and] THE DISMISSAL OF OR OTHER DISCIPLINARY ACTION INVOLVING PERSONNEL; OR**

(3) **[School closings, reopenings, and boundaries] APPEALS TO THE COUNTY BOARD UNDER § 4-205 OF THIS ARTICLE.**

(d) On **AN AFFIRMATIVE VOTE OF** a majority [vote] of the nonstudent members, the county board may [determine, on a case-by-case basis, whether a matter under consideration is covered by the exclusionary provisions listed in subsection (c) of this section] **EXPAND THE MATTER ON WHICH THE STUDENT MEMBER MAY VOTE.**

(e) (1) On or before December 31, 2023, a workgroup composed of several members of the county board and the executive leadership of the Baltimore County public school system shall develop a draft curriculum for budget training for student members of the county board and submit the draft curriculum to the county board for review.

(2) The training for student members shall:

(i) Focus on the operating and capital budget process of the county board; and

(ii) Be facilitated by representatives of the Baltimore County public school system's Division of Business Services.

(3) Each student member shall be required to complete the budget training[:

(i) Within] **WITHIN** 2 months of the student member's election to the county board[; and

(ii) In order to be eligible to vote on budgetary matters].

3-5B-01.

(a) The Frederick County Board consists of eight members as follows:

(1) Seven members elected from the county at large; and

(2) One [nonvoting] student member.

(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] **SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, BE** a [nonvoting] **VOTING** 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 **RELATING TO A MATTER ON WHICH THE STUDENT MEMBER MAY NOT VOTE.**

(3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE STUDENT MEMBER MAY VOTE ON ANY MATTER BEFORE THE COUNTY BOARD EXCEPT A MATTER THAT RELATES TO:

1. HEARINGS HELD UNDER § 6-202 OF THIS ARTICLE;

2. THE DISMISSAL OF OR OTHER DISCIPLINARY ACTION INVOLVING PERSONNEL; OR

3. APPEALS TO THE COUNTY BOARD UNDER § 4-205 OF THIS ARTICLE.

(II) ON AN AFFIRMATIVE VOTE OF A MAJORITY OF THE ELECTED MEMBERS, THE COUNTY BOARD MAY EXPAND THE MATTERS ON WHICH THE STUDENT MEMBER MAY VOTE.

3-701.

(a) (1) The Howard County Board consists of:

(i) Seven elected members; and

(ii) One student member.

(2) The seven elected members shall be elected as follows:

(i) One member from each of the five councilmanic districts in the county, elected by the voters of that district; and

(ii) Two members at large, elected by the voters of the county.

(f) (1) The student member shall be a bona fide resident of Howard County and a regularly enrolled junior or senior year student from a Howard County public high school.

(2) The student member shall serve for a term of 1 year beginning on July 1 after the member's election, subject to confirmation of the election results by the county board.

(3) The nomination and election process for the student member:

(i) Shall be approved by the Howard County Board of Education;

(ii) Shall include a provision that provides for the replacement of one or both of the final candidates if one or both of them are unable, ineligible, or disqualified to proceed in the election; and

(iii) Shall allow for any student in grades 6 through 11 enrolled in a Howard County public school to vote directly for one of the two student member candidates.

(4) The student member candidate who receives the second highest number of votes in the direct election:

(i) Shall become the alternate student member; and

(ii) Shall serve if the student member who is elected is unable, ineligible, or disqualified to complete the student member's term of office.

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

(6) Unless invited to attend by the affirmative vote of a majority of the county board, the student member may not attend [a closed session addressing a matter on which a student member is prohibited from voting under paragraph (7) of this subsection] **AN EXECUTIVE SESSION RELATING TO A MATTER ON WHICH THE STUDENT MEMBER MAY NOT VOTE.**

[(7) The student member shall vote on all matters except those relating to:

(i) Geographical attendance areas under § 4–109 of this article;

(ii) Acquisition and disposition of real property and matters pertaining to school construction under § 4–115 of this article;

(iii) Employment of architects under § 4–117 of this article;

(iv) Donations under § 4–118 of this article;

(v) Condemnation under § 4–119 of this article;

(vi) Consolidation of schools and transportation of students under § 4–120 of this article;

(vii) Appointment and salary of a county superintendent under §§ 4–201 and 4–202 of this article;

- 1 (viii) Employee discipline and other appeals under § 4–205(c) of this
2 article;
- 3 (ix) Budgetary matters under Title 5 of this article;
- 4 (x) Appointment and promotion of staff under § 6–201 of this article;
- 5 (xi) Discipline of certificated staff under § 6–202 of this article;
- 6 (xii) Collective bargaining for certificated employees under Title 6,
7 Subtitle 4 of this article;
- 8 (xiii) Collective bargaining for noncertificated employees under Title
9 6, Subtitle 5 of this article; and
- 10 (xiv) Student suspension and expulsion under § 7–305 of this article.]

11 **(7) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE**
12 **STUDENT MEMBER MAY VOTE ON ANY MATTER BEFORE THE COUNTY BOARD EXCEPT**
13 **A MATTER THAT RELATES TO:**

- 14 **1. HEARINGS HELD UNDER § 6–202 OF THIS ARTICLE;**
- 15 **2. THE DISMISSAL OF OR OTHER DISCIPLINARY ACTION**
16 **INVOLVING PERSONNEL; OR**
- 17 **3. APPEALS TO THE COUNTY BOARD UNDER § 4–205 OF**
18 **THIS ARTICLE.**

19 **(II) ON AN AFFIRMATIVE VOTE OF A MAJORITY OF THE ELECTED**
20 **MEMBERS, THE COUNTY BOARD MAY EXPAND THE MATTERS ON WHICH THE**
21 **STUDENT MEMBER MAY VOTE.**

22 (8) The student member may not receive compensation but, after
23 submitting expense vouchers, shall be reimbursed for out-of-pocket expenses incurred in
24 connection with official duties, in accordance with the procedures and regulations
25 established by the county board.

26 3–1301.

27 (a) The Washington County Board consists of [seven] **EIGHT** members.

28 (b) **(1) [All seven] SEVEN** members of the Washington County Board shall be
29 **VOTING MEMBERS** elected from Washington County at large at a general election every 4
30 years beginning in 1978.

(2) SUBJECT TO SUBSECTION (G) OF THIS SECTION, ONE MEMBER OF THE WASHINGTON COUNTY BOARD SHALL BE A NONVOTING STUDENT MEMBER.

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

(2) The terms of **VOTING** members are staggered as required by the terms of the members serving on the county board as of July 1, 1986.

(3) At the end of a term, a **VOTING** member continues to serve until a successor is elected and qualifies.

(4) In accordance with subsection (f) of this section, the County Commissioners shall appoint a qualified individual to fill any vacancy **OF A VOTING MEMBER** on the county board for the remainder of that term and until a successor is elected and qualifies.

(d) (1) Immediately preceding the date the **VOTING** member takes office, each member of the county board shall be:

(i) A resident of Washington County for at least 6 months; and

(ii) A resident of the State for at least 12 months.

(2) (i) During the term of a **VOTING** member of the county board, the member shall maintain a primary residence in Washington County.

(ii) A **VOTING** member of the county board who no longer maintains a primary residence in Washington County may not continue as a member of the county board.

(e) (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 [him] **THE MEMBER** and give [him] **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 member a notice of the hearing; and

(ii) The member shall have an opportunity to be heard publicly before the State Board in [his] **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 Washington County.

(f) (1) In this section, "Washington County Delegation" means the Senators and Delegates in the General Assembly of Maryland who are elected to represent Washington County or any portion of Washington County.

(2) There is a Washington County School Board Nominating Commission.

(3) The Commission shall consist of the following six voting members:

(i) One member appointed by the Senate members of the Washington County Delegation;

(ii) One member appointed by the Delegate members of the Washington County Delegation;

(iii) One member appointed by the county board; and

(iv) The following three members appointed by the County Commissioners:

1. One member representing the Washington County business community;

2. One member representing the Washington County Citizens Advisory Council; and

3. One member representing the Washington County educational community.

(4) (i) The Chairman of the Commission shall be a member of the public appointed by the County Commissioners.

1 (ii) The Chairman may not be a member of either the county board
2 or the Washington County Delegation.

3 (iii) The Chairman is a nonvoting member of the Commission who
4 shall vote only when there is a tie vote among the voting members of the Commission.

5 (5) The County Commissioners shall provide the staff for the Commission.

6 (6) The Commission shall:

7 (i) Advertise the vacancy and provide the procedures for filling the
8 vacancy in at least one medium accessible to the general public, which includes:

9 1. A newspaper of general circulation in the region; or

10 2. An electronic posting on the local school system website;

11 and

12 (ii) Before selecting any nominees, hold at least one public hearing.

13 (7) Within 30 days of the vacancy occurring, the Commission shall submit
14 the names of no more than three nominees to the County Commissioners for their
15 consideration.

16 (8) Within 15 days after receiving the names of the nominees provided by
17 the Commission under paragraph (7) of this subsection, the County Commissioners shall
18 select an individual to fill the vacancy on the county board.

19 **(G) (1) THE STUDENT MEMBER SHALL:**

20 **(I) BE AN ELEVENTH OR A TWELFTH GRADE STUDENT IN THE**
21 **WASHINGTON COUNTY PUBLIC SCHOOL SYSTEM ELECTED BY THE HIGH SCHOOL**
22 **STUDENTS OF THE COUNTY IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY**
23 **THE SCHOOL SYSTEM;**

24 **(II) BE A STUDENT GOVERNMENT ASSOCIATION**
25 **REPRESENTATIVE AT THE STUDENT'S HIGH SCHOOL;**

26 **(III) SERVE FOR 1 YEAR BEGINNING ON JULY 1 AFTER THE**
27 **ELECTION OF THE STUDENT MEMBER; AND**

28 **(IV) ADVISE THE COUNTY BOARD ON THE THOUGHTS AND**
29 **FEELINGS OF STUDENTS IN WASHINGTON COUNTY PUBLIC SCHOOLS.**

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

4 3-1302.

5 (a) (1) The president of the county board and the other **VOTING** members are
6 entitled to receive compensation annually as set by the County Commissioners of
7 Washington County under Title 28, Subtitle 2 of the Local Government Article.

8 (2) Each **VOTING** member of the Washington County Board of Education
9 is entitled to health insurance and to other fringe benefits regularly provided to employees
10 of the board of education.

11 (b) After submitting vouchers, **VOTING** members shall be reimbursed for travel
12 and other expenses within the limit set by the Washington County Commissioners.

13 **(C) (1) (I) A STUDENT MEMBER WHO COMPLETES A FULL TERM ON**
14 **THE COUNTY BOARD SHALL BE ENTITLED TO A SCHOLARSHIP OF \$3,500 TO BE**
15 **APPLIED TO THE STUDENT'S HIGHER EDUCATION COSTS.**

16 **(II) THE SCHOLARSHIP SHALL BE PAID DIRECTLY TO THE**
17 **EDUCATIONAL INSTITUTION THAT THE STUDENT ATTENDS.**

18 **(III) A STUDENT MAY RECEIVE NOT MORE THAN TWO**
19 **SCHOLARSHIPS OF \$3,500 EACH REGARDLESS OF THE NUMBER OF TERMS THE**
20 **STUDENT SERVES AS THE STUDENT MEMBER OF THE COUNTY BOARD.**

21 **(IV) THE SCHOLARSHIP MAY NOT BE CONSIDERED**
22 **COMPENSATION FOR THE PURPOSE OF CALCULATING TAXABLE INCOME.**

23 **(2) ON THE SUBMISSION OF EXPENSE VOUCHERS, THE STUDENT**
24 **MEMBER IS ENTITLED TO REIMBURSEMENT FOR TRAVEL AND OTHER EXPENSES**
25 **INCURRED IN THE PERFORMANCE OF OFFICIAL DUTIES FOR THE COUNTY BOARD.**

26 **(3) THE STUDENT MEMBER IS NOT ENTITLED TO ANY COMPENSATION**
27 **OR PAYMENT OTHER THAN THAT SPECIFIED UNDER PARAGRAPHS (1) AND (2) OF**
28 **THIS SUBSECTION FOR WORK AS THE STUDENT MEMBER OF THE COUNTY BOARD.**

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
30 1, 2025.