

Chapter 367

(House Bill 995)

AN ACT concerning

Washington County Board of Education – Members – Residency Requirement

FOR the purpose of requiring that a member of the Washington County Board of Education be a resident of Washington County and the State for a certain amount of time immediately preceding the date the member takes office; requiring members of the county board to maintain a primary residence in Washington County during their term; and generally relating to the Washington County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–1301
Annotated Code of Maryland
(2022 Replacement Volume and 2023 Supplement)

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

Article – Education

3–1301.

- (a) The Washington County Board consists of seven members.
- (b) All seven members of the Washington County Board shall be elected from Washington County at large at a general election every 4 years beginning in 1978.
- (c)
 - (1) Each 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 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 member continues to serve until a successor is elected and qualifies.
 - (4) In accordance with subsection [(e)] **(F)** of this section, the County Commissioners shall appoint a qualified individual to fill any vacancy 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 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 MEMBER OF THE COUNTY BOARD, THE MEMBER SHALL MAINTAIN A PRIMARY RESIDENCE IN WASHINGTON COUNTY.

(II) A 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 member of the county board for:

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

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

(3) If the 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 own defense, in person or by counsel.

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

[(e)] (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.

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

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

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

(6) The Commission shall:

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

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

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

and

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

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2024.

Approved by the Governor, April 25, 2024.