
By: **Prince George's County Delegation**

Introduced and read first time: February 11, 2005

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Board of Education - Election of Members**
3 **PG 409-05**

4 FOR the purpose of repealing certain provisions of law relating to the composition of
5 certain school districts in Prince George's County; requiring the members of the
6 Prince George's County Board of Education to be elected from certain
7 councilmanic districts; requiring candidates to live in certain councilmanic
8 districts and be registered voters; providing for the initial terms of the elected
9 members of the county Board; requiring that a vacancy on the county Board be
10 filled by a certain election if the vacancy occurs within a certain time period;
11 requiring that certain vacancies on the county Board remain vacant under
12 certain circumstances; requiring certain special elections to take place within a
13 certain number of days under certain provisions of law; authorizing a member of
14 the county Board to take a certain unpaid leave of absence to be a candidate in
15 a primary election; providing the limits on an unpaid leave of absence; requiring
16 the term of the chair and vice chair to be a certain number of years; providing for
17 the requirements of a public notice of certain meetings of the county Board;
18 providing that the county Board or a subdivision of the county Board may only
19 meet in executive session on certain issues; requiring the county Board or a
20 subdivision of the county Board to take certain actions before and after an
21 executive session; limiting an executive session to certain topics; altering the
22 requirements for a quorum of the county Board; requiring the presence of a
23 quorum of the county Board in order for the county Board to take any action;
24 requiring that a certain comprehensive review of a certain school system include
25 a review of certain issues related to decentralization; requiring certain
26 documents and records relating to employment terms and financial
27 compensation of certain officers in a certain school system be public records;
28 making certain technical corrections; providing for the effective date of certain
29 provisions of this Act; and generally relating to the election of members of the
30 Prince George's County Board of Education.

31 BY repealing and reenacting, with amendments,
32 Article - Education
33 Section 4-402, 4-403, 4-404, and 4-405

1 Annotated Code of Maryland
2 (2004 Replacement Volume and 2004 Supplement)

3 BY repealing and reenacting, with amendments,
4 Chapter 289 of the Acts of the General Assembly of 2002
5 Section 17

6 BY repealing
7 Article - Education
8 Section 3-1001
9 Annotated Code of Maryland
10 (2004 Replacement Volume and 2004 Supplement)
11 (As enacted by Section 7 of Chapter 289 of the Acts of the General Assembly of
12 2002)

13 BY repealing
14 Article - Education
15 Section 3-1005
16 Annotated Code of Maryland
17 (2004 Replacement Volume and 2004 Supplement)
18 (As enacted by Chapter 289 of the Acts of the General Assembly of 2002)

19 BY repealing and reenacting, with amendments,
20 Article - Education
21 Section 3-1002, 3-1003, 3-1004, 3-1006, 3-1007, and 3-1008
22 Annotated Code of Maryland
23 (2004 Replacement Volume and 2004 Supplement)
24 (As enacted by Chapter 289 of the Acts of the General Assembly of 2002)

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

27 **Article - Education**

28 4-402.

29 (a) There is a Chief Executive Officer of the Board.

30 (b) The Chief Executive Officer shall:

31 (1) Be responsible for the overall administration of the Prince George's
32 County public school system;

33 (2) Report directly to the Board; and

1 (3) Designate individuals with primary responsibility for each of the
2 following functions:

3 (i) Management and administration of the Prince George's County
4 public school system;

5 (ii) Assessment and accountability of the academic performance of
6 the students in the Prince George's County public school system;

7 (iii) Provision of services to students with disabilities in accordance
8 with federal and State law;

9 (iv) Development and implementation of initiatives for educational
10 reform; and

11 (v) Professional hiring and development.

12 (c) Notwithstanding the provisions of subsection (b)(3) of this section, the
13 Chief Executive Officer and the Board shall be held accountable for the delegated
14 functions.

15 (d) The Board shall employ the Chief Executive Officer and establish the
16 salary of the Chief Executive Officer at an amount commensurate with the
17 credentials, experience, and prior positions of responsibility of the Chief Executive
18 Officer.

19 (e) The employment contract of the Chief Executive Officer shall provide, at a
20 minimum, that continued employment is contingent on demonstrable improvement in
21 the academic performance of the students in the Prince George's County public school
22 system and the successful management of the Prince George's County public schools.

23 (f) The TERM OF THE initial contract and any renewal may not exceed 4 years.

24 (G) THE FULL TEXT OF THE CHIEF EXECUTIVE OFFICER'S EMPLOYMENT
25 CONTRACT AND ANY DOCUMENT OR RECORDS RELATING TO THE TERMS OF THE
26 CHIEF EXECUTIVE OFFICER'S FINANCIAL COMPENSATION OR TERMS OF
27 EMPLOYMENT SHALL BE PUBLIC RECORD.

28 4-403.

29 (a) There is a Chief Academic Officer in the Prince George's County public
30 school system who shall:

31 (1) Be responsible for the development and implementation of the
32 curriculum taught and the instruction provided in the Prince George's County public
33 school system;

34 (2) Work with the Chief Accountability Officer to ensure that effective
35 programs and best practices are utilized in the curriculum; and

36 (3) Report directly to the Chief Executive Officer.

1 (b) The Chief Executive Officer shall, subject to the approval of the Board:

2 (1) Select the Chief Academic Officer; and

3 (2) Establish the salary of the Chief Academic Officer.

4 (c) The employment contract of the Chief Academic Officer shall provide, at a
5 minimum, that continued employment is contingent upon a demonstrable
6 improvement in academic performance of the students in the Prince George's County
7 public school system.

8 (d) [The Chief Academic Officer is not a public official under the Constitution
9 or the laws of the State.] THE FULL TEXT OF THE CHIEF ACADEMIC OFFICER'S
10 EMPLOYMENT CONTRACT AND ANY DOCUMENT OR RECORDS RELATING TO THE
11 TERMS OF THE CHIEF ACADEMIC OFFICER'S FINANCIAL COMPENSATION OR TERMS
12 OF EMPLOYMENT SHALL BE PUBLIC RECORD.

13 4-404.

14 (a) There is a Chief Financial Officer in the Prince George's County public
15 school system who shall:

16 (1) Be responsible for the day-to-day management and oversight of the
17 fiscal affairs of the Prince George's County public school system; and

18 (2) Report directly to the Chief Executive Officer.

19 (b) The Chief Executive Officer shall, subject to the approval of the Board:

20 (1) Select the Chief Financial Officer; and

21 (2) Establish the salary of the Chief Financial Officer.

22 (c) The employment contract of the Chief Financial Officer shall provide that
23 continued employment is contingent on the effective fiscal management of the Prince
24 George's County public schools.

25 (d) [The Chief Financial Officer is not a public officer under the Constitution
26 or the laws of the State.] THE FULL TEXT OF THE CHIEF FINANCIAL OFFICER'S
27 EMPLOYMENT CONTRACT AND ANY DOCUMENT OR RECORDS RELATING TO THE
28 TERMS OF THE CHIEF FINANCIAL OFFICER'S FINANCIAL COMPENSATION OR TERMS
29 OF EMPLOYMENT SHALL BE PUBLIC RECORD.

30 4-405.

31 (a) There is a Chief Accountability Officer in the Prince George's County
32 public school system who shall:

33 (1) Perform ongoing research and evaluation regarding the systemic
34 reform and student achievement;

1 (2) Work with the Chief Academic Officer to ensure that effective
2 programs and best practices are utilized in the curriculum; and

3 (3) Report directly to the Chief Executive Officer.

4 (b) The Chief Executive Officer shall:

5 (1) Select the Chief Accountability Officer; and

6 (2) Establish the salary of the Chief Accountability Officer.

7 (c) [The Chief Accountability Officer is not a public officer under the
8 Constitution or the laws of the State.] THE FULL TEXT OF THE CHIEF
9 ACCOUNTABILITY OFFICER'S EMPLOYMENT CONTRACT AND ANY DOCUMENT OR
10 RECORDS RELATING TO THE TERMS OF THE CHIEF ACCOUNTABILITY OFFICER'S
11 FINANCIAL COMPENSATION OR TERMS OF EMPLOYMENT SHALL BE PUBLIC RECORD.

12 **Chapter 289 of the Acts of 2002**

13 SECTION 17. AND BE IT FURTHER ENACTED, That, on or before June 1,
14 2006, a consultant shall conduct a comprehensive review of the Prince George's
15 County public school system and the New Prince George's County Board of Education
16 (New Board). The New Board and the Maryland State Department of Education shall
17 jointly select and equally share the cost of the consultant and determine the scope of
18 the comprehensive review. At a minimum, the comprehensive review shall evaluate
19 both the educational and management reforms made by the New Board and shall
20 determine whether there has been improvement in the management of and student
21 achievement in the public schools in Prince George's County. The review may include
22 recommendations to the General Assembly concerning the organizational structure of
23 the Prince George's County public school system, in addition to recommendations to
24 the New Board concerning modifications to the master plan adopted in accordance
25 with this Act. ADDITIONALLY, THE REVIEW SHALL CONSIDER WAYS IN WHICH
26 ADDITIONAL RESOURCES, SERVICES, AND DECISION-MAKING COULD BE
27 DECENTRALIZED, INCLUDING AN EVALUATION OF THE OPTIMUM NUMBER OF
28 REGIONS, WAYS TO MINIMIZE ANY POTENTIALLY NEGATIVE BUDGETARY IMPACT,
29 AND WHAT RESOURCES, SERVICES, AND DECISION-MAKING SHOULD REMAIN
30 CENTRALIZED. The consultant shall report the findings of the evaluation to the
31 Governor, the County Executive of the Prince George's County, the New Board and, in
32 accordance with § 2-1246 of the State Government Article, the General Assembly.

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

35 **Article - Education**

36 [3-1001.

37 (a) The descriptions of school board districts in this section are to the election
38 district and precinct boundaries as reviewed and certified by the Prince George's
39 County Board of Elections or their designees before they were reported to the United

1 States Bureau of the Census as part of the 2000 Census Redistricting Data Program
2 and as those election district and precinct lines are specifically shown on the Public
3 Law 94-171 census block maps provided by the United States Bureau of the Census.

4 (b) School board district I consists of:

5 (1) Election district 1;

6 (2) Election district 10;

7 (3) Election district 14, precincts 2, 7, and 8;

8 (4) Election district 20, precincts 1, 2, 3, 5, 6, 7, and 9 through 11;

9 (5) Election district 21, precincts 3, 4, 6 through 11, 13, 14, and 16; and

10 (6) That part of election district 14, precinct 9 that consists of the
11 following census tracts and blocks:

12 (i) Census tract 8004.01, blocks 1000 through 1003; and

13 (ii) Census tract 8004.06, blocks 1000 through 1002, 1011, 1012,
14 1020 through 1028, 1999 through 2003, 2006 through 2010, 2017, 2023 through 2027,
15 2041 through 2048, 3000 through 3014, 3017, 3018, and 3068.

16 (c) School board district II consists of:

17 (1) Election district 2, precincts 1, 2, 3, 5, 6, 7, 8, and 10;

18 (2) Election district 16;

19 (3) Election district 17;

20 (4) Election district 19; and

21 (5) Election district 21, precincts 1, 2, 5, 12, 15, and 17.

22 (d) School board district III consists of:

23 (1) Election district 2, precincts 4 and 9;

24 (2) Election district 6, precincts 1, 3, 4, 5, 6, 10, 11, 15, 16, and 19
25 through 23;

26 (3) Election district 13, precincts 1, 2, 3, 7, 8, 9, 10, 14, 16, and 17;

27 (4) Election district 15, precinct 2;

28 (5) Election district 18; and

29 (6) Election district 20, precincts 3, 4, and 8.

- 1 (e) School board district IV consists of:
- 2 (1) Election district 5, precincts 2 through 7;
- 3 (2) Election district 6, precincts 2, 7, 8, 9, 12, 13, 14, 17, and 18;
- 4 (3) Election district 9, precincts 1, 2, 3, 4, 5, 7, 10, and 11; and
- 5 (4) Election district 12.

- 6 (f) School board district V consists of:
- 7 (1) Election district 3;
- 8 (2) Election district 4;
- 9 (3) Election district 5, precincts 1 and 8;
- 10 (4) Election district 7;
- 11 (5) Election district 8;
- 12 (6) Election district 9, precincts 6, 8, and 9;
- 13 (7) Election district 11;
- 14 (8) Election district 13, precincts 4, 5, 6, 11, 12, 13, and 15;
- 15 (9) Election district 14, precincts 1, 3 through 6, and 10;
- 16 (10) Election district 15; and
- 17 (11) That part of election district 14, precinct 9 that consists of census
18 tract 8004.06, blocks 2004, 2005, 2011 through 2016, 2018 through 2022, 2028
19 through 2040, 3015, 3016, 3019 through 3025, 3029 through 3035, 3054 through 3065,
20 and 3069.]

21 [3-1002.] 3-1001.

22 (a) In this subtitle, "elected member" means one of the nine elected members
23 of the Prince George's County Board [or a member appointed to fill a vacancy of one
24 of these nine members].

25 (b) The Prince George's County Board consists of [10 members as follows:

- 26 (1) Five elected members, each of whom resides in a different school
27 board district;
- 28 (2) Four elected members who may reside anywhere in the county; and
- 29 (3) One] NINE ELECTED MEMBERS AND ONE student member selected
30 under subsection [(f)(2)] (E)(2) of this section.

1 (c) (1) [A candidate for the county Board shall be a resident of Prince
2 George's County for at least 3 years and a registered voter of the county before the
3 election.] THE MEMBERS OF THE COUNTY BOARD SHALL BE ELECTED:

4 (I) AT THE GENERAL ELECTION EVERY 4 YEARS AS REQUIRED BY
5 SUBSECTION (F) OF THIS SECTION; AND

6 (II) ONE MEMBER FROM EACH OF THE NINE COUNCILMANIC
7 DISTRICTS BY THE VOTERS OF THAT COUNCILMANIC DISTRICT.

8 (2) From the time of filing as a candidate for election, each candidate
9 [for a position on the county Board representing a school board district shall reside in
10 the school board district the candidate seeks to represent.] FROM A COUNCILMANIC
11 DISTRICT SHALL BE A RESIDENT OF THAT DISTRICT AND A REGISTERED VOTER.

12 (3) An elected county Board member shall forfeit the office if the
13 member:

14 (i) [In the case of a member elected to represent a school board
15 district, fails] FAILS to reside in the [school board] COUNCILMANIC district from
16 which the member was elected, unless this change is caused by a change in the
17 boundaries of the district; or

18 (ii) Fails to be a registered voter of the county.

19 (4) A county Board member may not hold another office of profit in
20 county government during the member's term.

21 (5) Each elected member of the county Board [for a position representing
22 a school board district] shall be nominated by the registered voters of the member's
23 [school board] COUNCILMANIC district.

24 [(d) Members of the Prince George's County Board shall be elected:

25 (1) At the general election every 4 years as required by subsection (g) of
26 this section; and

27 (2) By the registered voters of the entire county.]

28 [(e)] (D) (1) If a candidate for the county Board dies or withdraws the
29 candidacy during the period beginning with the date of the primary and ending 70
30 days before the date of the general election, the Board of Supervisors of Elections
31 shall:

32 (i) Replace the name of the deceased or withdrawn candidate on
33 the ballot for the general election with the name of the candidate who received the
34 next highest number of votes in the primary election; or

35 (ii) If a contested primary was not held, reopen the filing process to
36 allow other persons to file as candidates.

1 (2) (i) Except as otherwise provided in subparagraph (ii) of this
2 paragraph, the Board of Supervisors of Elections shall add to the ballot for the
3 general election the name of any person who files as a candidate in accordance with
4 paragraph (1)(ii) of this subsection.

5 (ii) The Board of Supervisors of Elections may not add additional
6 candidates to the ballot for the general election within 70 days before the date of the
7 election.

8 [(f)] (E) (1) The student member shall be an eleventh or twelfth grade
9 student in the Prince George's County public school system during the student's term
10 in office.

11 (2) An eligible student shall file a nomination form at least 2 weeks
12 before a special election meeting of the Prince George's Regional Association of
13 Student Governments. Nomination forms shall be made available in the
14 administrative offices of all public senior high schools in the county, the office of
15 student concerns, and the office of the president of the regional association. The
16 delegates to the regional association annually shall elect the student member to the
17 Board at a special election meeting to be held each school year.

18 (3) The student member may vote on all matters before the Board except
19 those relating to:

20 (i) Capital and operating budgets;

21 (ii) School closings, reopenings, and boundaries;

22 (iii) Collective bargaining decisions;

23 (iv) Student disciplinary matters;

24 (v) Teacher and administrator disciplinary matters as provided
25 under § 6-202(a) of this article; and

26 (vi) Other personnel matters.

27 (4) On an affirmative vote of a majority of A QUORUM OF the elected
28 members of the county Board, the Board may determine if a matter before the Board
29 relates to a subject that the student member may not vote on under paragraph (3) of
30 this subsection.

31 (5) Unless invited to attend by an affirmative vote of a majority OF A
32 QUORUM OF THE ELECTED MEMBERS of the county Board, the student member may
33 not attend an executive session that relates to hearings on appeals of special
34 education placements, hearings held under § 6-202(a) of this article, or collective
35 bargaining.

36 (6) The Prince George's Regional Association of Student Governments
37 may establish procedures for the election of the student member of the county Board.

1 (7) The election procedures established by the Prince George's Regional
2 Association of Student Governments are subject to the approval of the elected
3 members of the county Board.

4 [(g)] (F) (1) [An] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
5 SUBSECTION, AN elected member serves for a term of 4 years beginning on the first
6 Monday in December after the member's election and until the member's successor is
7 elected and qualifies.

8 (2) THE TERMS OF THE ELECTED MEMBERS ARE STAGGERED AS
9 FOLLOWS:

10 (I) THE FOUR ELECTED MEMBERS WHO RECEIVED THE LOWEST
11 TOTAL VOTES, AS DETERMINED BY THE FINAL VOTE COUNT OF THE 2006 GENERAL
12 ELECTION AS CERTIFIED BY THE BOARD OF SUPERVISORS OF ELECTIONS, SHALL
13 SERVE FOR A TERM OF 2 YEARS; AND

14 (II) THE OTHER FIVE MEMBERS ELECTED IN THE 2006 GENERAL
15 ELECTION SHALL SERVE A TERM OF 4 YEARS.

16 [(2)] (3) The student member serves for a term of 1 year beginning at
17 the end of a school year.

18 [(3)] (4) (I) [Subject to the confirmation of the County Council, the
19 County Executive of Prince George's County shall appoint a qualified individual to fill
20 any vacancy on the county Board until a successor is elected and qualifies at the next
21 congressional election.] ANY VACANCY ON THE COUNTY BOARD THAT OCCURS MORE
22 THAN 240 DAYS BEFORE THE EXPIRATION OF THE TERM OF OFFICE OF ANY MEMBER
23 SHALL BE FILLED, FOR THE REMAINDER OF THAT TERM:

24 1. AT THE NEXT GENERAL ELECTION IF THE VACANCY
25 OCCURS WITHIN 150 DAYS OF A GENERAL ELECTION; OR

26 2. AT A SPECIAL ELECTION.

27 (II) ANY OTHER VACANCY, INCLUDING A VACANCY OCCURRING
28 DURING THE 240-DAY PERIOD PRECEDING THE ELECTION OF A SUCCESSOR, AS
29 PROVIDED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH, SHALL REMAIN VACANT
30 UNTIL AN INDIVIDUAL IS ELECTED AND QUALIFIES.

31 (III) THE SPECIAL ELECTION PROVIDED FOR IN SUBPARAGRAPH (I)
32 OF THIS PARAGRAPH SHALL:

33 1. TAKE PLACE NO LATER THAN 60 DAYS AFTER THE
34 VACANCY OCCURS; AND

35 2. BE GOVERNED BY TITLE 8, SUBTITLE 8 OF THE ELECTION
36 LAW ARTICLE.

1 [(h)] (G) (1) With the approval of the Governor, the State Board may remove
2 a member of the county Board for any of the following reasons:

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

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

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

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

14 (ii) The member shall have an opportunity to be heard publicly
15 before the State Board in the member's own defense, in person or by counsel.

16 (4) A member removed under this subsection has the right to a de novo
17 review of the removal by the Circuit Court for Prince George's County.

18 [(i)] (H) (1) [While] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
19 SUBSECTION, WHILE serving on the county Board, a member may not be a candidate
20 for a public office other than a position on the county Board.

21 (2) (I) WHILE SERVING ON THE COUNTY BOARD, A MEMBER MAY
22 TAKE AN UNPAID LEAVE OF ABSENCE TO BE A CANDIDATE IN A PRIMARY ELECTION.

23 (II) AN UNPAID LEAVE OF ABSENCE SHALL BE LIMITED TO THE
24 PERIOD OF TIME BEGINNING ON THE DAY THE MEMBER ANNOUNCES THE MEMBER'S
25 CANDIDACY IN A PRIMARY ELECTION AND ENDING ON THE DAY THE RESULTS OF
26 THE MEMBER'S PRIMARY ELECTION ARE CERTIFIED BY AN APPROPRIATE ELECTIONS
27 BOARD.

28 [3-1003.] 3-1002.

29 (a) From and after December 4, 2006, at the beginning of each member's full
30 term, the [Chairman] CHAIR of the county Board is entitled to receive \$19,000
31 annually as compensation and the other elected members are each entitled to receive
32 \$18,000 annually as compensation.

33 (b) (1) After submitting vouchers under the rules and regulations adopted
34 by the county Board, the [Chairman] CHAIR and the other members, including the
35 student member, are entitled to the allowances for travel and other expenses provided
36 in the Prince George's County budget.

1 (2) A member of the county Board may not be reimbursed more than
2 \$7,000 in travel and other expenses incurred in a single fiscal year.

3 [3-1004.] 3-1003.

4 (a) (1) The county Board shall hold [an annual] A meeting on the first
5 Monday in December EACH EVEN-NUMBERED YEAR to elect a [chairman] CHAIR
6 and vice [chairman] CHAIR from among its members.

7 (2) THE TERM OF CHAIR AND VICE CHAIR IS 2 YEARS.

8 (b) All actions of the county Board OR A SUBDIVISION OF THE COUNTY BOARD
9 shall be taken at a public meeting and a record of the meeting and all actions shall be
10 made public.

11 (C) (1) THE COUNTY BOARD OR A SUBDIVISION OF THE COUNTY BOARD
12 SHALL PROVIDE PUBLIC NOTICE, INCLUDING A COPY OF THE AGENDA, OF ANY
13 MEETING OR WORK SESSION.

14 (2) REASONABLE ADVANCE PUBLIC NOTICE SHALL BE GIVEN IF A
15 MEETING OR WORK SESSION OF THE COUNTY BOARD OR A SUBDIVISION OF THE
16 COUNTY BOARD IS CANCELED, POSTPONED, RESCHEDULED, OR HAS A CHANGE OF
17 LOCATION OR PURPOSE AND SHALL INCLUDE DETAILS OF THE NEXT MEETING,
18 LOCATION, OR PURPOSE.

19 [(c)] (D) (1) [This section does not prohibit the county Board from meeting
20 and deliberating in executive session provided that all action of the Board, together
21 with the individual vote of each member, is contained in a public record.] THE
22 COUNTY BOARD OR A SUBDIVISION OF THE COUNTY BOARD MAY MEET AND
23 DELIBERATE IN AN EXECUTIVE SESSION FOR ACTION ON ONLY THE FOLLOWING
24 ISSUES:

25 (I) COLLECTIVE BARGAINING AGREEMENTS;

26 (II) PERSONNEL MATTERS;

27 (III) CASES OF STUDENT DISCIPLINE; AND

28 (IV) APPEALS TAKEN IN ACCORDANCE WITH § 3-1004 OF THIS
29 SUBTITLE.

30 (2) BEFORE THE COUNTY BOARD OR A SUBDIVISION OF THE COUNTY
31 BOARD MEETS IN AN EXECUTIVE SESSION, THE CHAIR SHALL:

32 (I) CONDUCT A RECORDED VOTE ON THE CLOSING OF THE
33 SESSION; AND

34 (II) MAKE A WRITTEN STATEMENT OF THE REASON FOR CLOSING
35 THE MEETING, INCLUDING A CITATION TO THE AUTHORITY TO CLOSE THE MEETING

1 UNDER § 10-508 OF THE STATE GOVERNMENT ARTICLE, AND A LISTING OF THE
2 CATEGORIES AND GENERAL TOPICS TO BE DISCUSSED.

3 (3) AN EXECUTIVE SESSION SHALL BE LIMITED TO THE DISCUSSION OF
4 OR ACTION ON THE TOPICS LISTED IN THE WRITTEN STATEMENT REQUIRED UNDER
5 PARAGRAPH (2) OF THIS SUBSECTION.

6 (4) AFTER AN EXECUTIVE SESSION CONCLUDES, ALL ACTIONS OF THE
7 COUNTY BOARD OR A SUBDIVISION OF THE COUNTY BOARD, TOGETHER WITH THE
8 INDIVIDUAL VOTE OF EACH MEMBER, SHALL BE ANNOUNCED IN AN OPEN SESSION
9 AND CONTAINED IN A PUBLIC RECORD OF THAT OPEN SESSION.

10 [(d)] (E) (1) Except as otherwise provided in paragraph (2) of this
11 subsection, [the affirmative vote of the members of the county Board for the passage
12 of a motion by the county Board shall be:

13 (i) Six members when the student member is voting; or

14 (ii) Five members when the student member is not voting.] A
15 QUORUM OF THE COUNTY BOARD IS FIVE ELECTED MEMBERS.

16 (2) When there [is one vacancy or more than one vacancy] ARE TWO OR
17 MORE VACANCIES on the county Board, [the affirmative vote of the members of the
18 county Board for the passage of a motion by the Board shall be five] A QUORUM OF
19 THE COUNTY BOARD IS FOUR ELECTED members.

20 (3) THE PRESENCE OF A QUORUM SHALL BE REQUIRED TO TAKE ANY
21 ACTION OF THE COUNTY BOARD.

22 (4) THE AFFIRMATIVE VOTE OF A MAJORITY OF A QUORUM OF THE
23 COUNTY BOARD IS REQUIRED TO PASS A MOTION OF THE COUNTY BOARD.

24 [3-1005.

25 (a) There is a Shared Space Council for Prince George's County. The purpose
26 of the Council is to consider the alternative use of any vacant public schools and any
27 vacant space that exists in the Prince George's County public school system.

28 (b) The Council shall consist of 23 members, appointed as follows:

29 (1) One member from each legislative district within Prince George's
30 County, each of whom shall be appointed by the legislative delegation from the
31 district.

32 (2) One member from each of the following governmental agencies,
33 departments, or institutions:

34 (i) The staff of the county Board of Education;

35 (ii) The staff of the County Executive;

- 1 (iii) The staff of the County Council;
- 2 (iv) The county Department of Social Services;
- 3 (v) The staff of the county Superintendent of Education;
- 4 (vi) The Prince George's County Planning Board;
- 5 (vii) The county Department of Aging;
- 6 (viii) The county Health Department;
- 7 (ix) The county Office of Coordination of Services to the
8 Handicapped;
- 9 (x) The county Juvenile Services Administration;
- 10 (xi) The county Memorial Library System; and
- 11 (xii) The county Department of Program Planning and Economic
12 Development.

13 (3) On a rotating basis, one member shall be from the faculty or
14 administration of Bowie State College or Prince George's Community College. Such
15 member shall be appointed by the president of the college.

16 (4) The members from governmental agencies, departments, or
17 institutions shall be appointed by the director, chairman, or chief executive officer of
18 the agency, department, or institution.

19 (5) Two members shall be appointed by the County Executive.

20 (c) The term of the members appointed pursuant to subsection (b)(2), (3), and
21 (4) shall be 3 years. All other members shall serve for a term of 2 years. Any vacancy
22 on the Council shall be filled in the same manner as the original appointment.

23 (d) The Council shall meet at least four times each year. It shall, on an annual
24 basis and in conjunction with the county Board of Education, survey the schools
25 within the county public school system and compile a listing of any vacant public
26 schools and any vacant space that exists within the system. The Council shall
27 evaluate the feasibility of using any vacant public school or vacant space for
28 community or governmental purposes.

29 (e) The Council shall report the results, findings, and recommendations
30 derived from such survey, listing, and evaluation to the county Board of Education,
31 the County Executive, the County Council and the mayor of each municipality in the
32 county.]

1 [3-1006.] 3-1004.

2 (a) In addition to the powers otherwise granted to the County Board in this
3 article, the County Board or a designated committee of the County Board may hear an
4 appeal from a decision of the County Superintendent that relates to the grade,
5 transfer, tuition, or any aspect of participation in a program or activity of a specific
6 student who is not subject to the provisions of Title 8, Subtitle 4 of this article.

7 (b) A designated committee shall consist of [at least 5 members] A MAJORITY
8 of the Board and [at least 5 members] A MAJORITY of a designated committee shall
9 be present to constitute a quorum of the committee.

10 [3-1007.] 3-1005.

11 Notwithstanding any other provision of law, in Prince George's County, the
12 Board of Education may implement the use of school uniforms by all students in the
13 public schools in the county.

14 [3-1008.] 3-1006.

15 (a) There is a Chief Financial Officer in the Prince George's County public
16 school system who shall:

17 (1) Be responsible for the day-to-day management and oversight of the
18 fiscal affairs of the Prince George's County public school system; and

19 (2) Report directly to the County Superintendent.

20 (b) The County Superintendent shall, subject to the approval of the County
21 Board:

22 (1) Select the Chief Financial Officer; and

23 (2) Establish the salary of the Chief Financial Officer.

24 (c) The employment contract of the Chief Financial Officer shall provide that
25 continued employment is contingent on the effective fiscal management of the Prince
26 George's County public schools.

27 (d) The Chief Financial Officer is not a public officer under the Constitution or
28 the laws of the State.

29 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall
30 take effect on the taking effect of the termination provision specified in Section 20 of
31 Chapter 289 of the Acts of the General Assembly of 2002.

32 SECTION 4. AND BE IT FURTHER ENACTED, That, subject to the provisions
33 of Section 3 of this Act, this Act shall take effect July 1, 2005.