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

Introduced and read first time: February 11, 2005

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 23, 2005

CHAPTER _____

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

1 school system be public records; creating a Task Force to Examine and Establish
2 Boundaries of the Prince George's County School Board Districts; providing for
3 the composition of the Task Force; prohibiting certain compensation for
4 members of the Task Force; authorizing certain reimbursements for members of
5 the Task Force; requiring the Task Force to elect a chair from among its
6 members; providing for the staffing of the Task Force; specifying the duties of
7 the Task Force; requiring the Task Force to issue a certain report on or before a
8 certain date; providing for the termination of a certain provision of this Act;
9 making certain technical corrections; providing for the effective date of certain
10 provisions of this Act; and generally relating to the election of members of the
11 Prince George's County Board of Education.

12 BY repealing and reenacting, with amendments,
13 Article - Education
14 Section 4-402, 4-403, 4-404, and 4-405
15 Annotated Code of Maryland
16 (2004 Replacement Volume and 2004 Supplement)

17 BY repealing and reenacting, with amendments,
18 Chapter 289 of the Acts of the General Assembly of 2002
19 Section 17

20 BY repealing
21 Article - Education
22 Section 3-1001
23 Annotated Code of Maryland
24 (2004 Replacement Volume and 2004 Supplement)
25 (As enacted by Section 7 of Chapter 289 of the Acts of the General Assembly of
26 2002)

27 BY repealing
28 Article - Education
29 Section 3-1005
30 Annotated Code of Maryland
31 (2004 Replacement Volume and 2004 Supplement)
32 (As enacted by Chapter 289 of the Acts of the General Assembly of 2002)

33 BY repealing and reenacting, with amendments,
34 Article - Education
35 Section 3-1002, 3-1003, 3-1004, 3-1006, 3-1007, and 3-1008
36 Annotated Code of Maryland
37 (2004 Replacement Volume and 2004 Supplement)
38 (As enacted by Chapter 289 of the Acts of the General Assembly of 2002)

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

3 **Article - Education**

4 4-402.

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

6 (b) The Chief Executive Officer shall:

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

9 (2) Report directly to the Board; and

10 (3) Designate individuals with primary responsibility for each of the
11 following functions:

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

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

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

18 (iv) Development and implementation of initiatives for educational
19 reform; and

20 (v) Professional hiring and development.

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

24 (d) The Board shall employ the Chief Executive Officer and establish the
25 salary of the Chief Executive Officer at an amount commensurate with the
26 credentials, experience, and prior positions of responsibility of the Chief Executive
27 Officer.

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

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

33 (G) THE FULL TEXT OF THE CHIEF EXECUTIVE OFFICER'S EMPLOYMENT
34 CONTRACT AND ANY DOCUMENT OR RECORDS RELATING TO THE TERMS OF THE

1 CHIEF EXECUTIVE OFFICER'S FINANCIAL COMPENSATION OR TERMS OF
2 EMPLOYMENT SHALL BE PUBLIC RECORD.

3 4-403.

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

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

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

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

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

13 (1) Select the Chief Academic Officer; and

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

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

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

24 4-404.

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

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

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

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

31 (1) Select the Chief Financial Officer; and

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

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

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

9 4-405.

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

12 (1) Perform ongoing research and evaluation regarding the systemic
13 reform and student achievement;

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

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

17 (b) The Chief Executive Officer shall:

18 (1) Select the Chief Accountability Officer; and

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

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

25 **Chapter 289 of the Acts of 2002**

26 SECTION 17. AND BE IT FURTHER ENACTED, That, on or before June 1,
27 2006, a consultant shall conduct a comprehensive review of the Prince George's
28 County public school system and the New Prince George's County Board of Education
29 (New Board). The New Board and the Maryland State Department of Education shall
30 jointly select and equally share the cost of the consultant and determine the scope of
31 the comprehensive review. At a minimum, the comprehensive review shall evaluate
32 both the educational and management reforms made by the New Board and shall
33 determine whether there has been improvement in the management of and student
34 achievement in the public schools in Prince George's County. The review may include
35 recommendations to the General Assembly concerning the organizational structure of
36 the Prince George's County public school system, in addition to recommendations to
37 the New Board concerning modifications to the master plan adopted in accordance
38 with this Act. ADDITIONALLY, THE REVIEW SHALL CONSIDER WAYS IN WHICH

1 ADDITIONAL RESOURCES, SERVICES, AND DECISION-MAKING COULD BE
2 DECENTRALIZED, INCLUDING AN EVALUATION OF THE OPTIMUM NUMBER OF
3 REGIONS, WAYS TO MINIMIZE ANY POTENTIALLY NEGATIVE BUDGETARY IMPACT,
4 AND WHAT RESOURCES, SERVICES, AND DECISION-MAKING SHOULD REMAIN
5 CENTRALIZED. The consultant shall report the findings of the evaluation to the
6 Governor, the County Executive of the Prince George's County, the New Board and, in
7 accordance with § 2-1246 of the State Government Article, the General Assembly.

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

10 **Article - Education**

11 [3-1001.

12 (a) The descriptions of school board districts in this section are to the election
13 district and precinct boundaries as reviewed and certified by the Prince George's
14 County Board of Elections or their designees before they were reported to the United
15 States Bureau of the Census as part of the 2000 Census Redistricting Data Program
16 and as those election district and precinct lines are specifically shown on the Public
17 Law 94-171 census block maps provided by the United States Bureau of the Census.

18 (b) School board district I consists of:

- 19 (1) Election district 1;
20 (2) Election district 10;
21 (3) Election district 14, precincts 2, 7, and 8;
22 (4) Election district 20, precincts 1, 2, 3, 5, 6, 7, and 9 through 11;
23 (5) Election district 21, precincts 3, 4, 6 through 11, 13, 14, and 16; and
24 (6) That part of election district 14, precinct 9 that consists of the
25 following census tracts and blocks:

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

27 (ii) Census tract 8004.06, blocks 1000 through 1002, 1011, 1012,
28 1020 through 1028, 1999 through 2003, 2006 through 2010, 2017, 2023 through 2027,
29 2041 through 2048, 3000 through 3014, 3017, 3018, and 3068.

30 (c) School board district II consists of:

- 31 (1) Election district 2, precincts 1, 2, 3, 5, 6, 7, 8, and 10;
32 (2) Election district 16;
33 (3) Election district 17;

- 1 (4) Election district 19; and
- 2 (5) Election district 21, precincts 1, 2, 5, 12, 15, and 17.
- 3 (d) School board district III consists of:
- 4 (1) Election district 2, precincts 4 and 9;
- 5 (2) Election district 6, precincts 1, 3, 4, 5, 6, 10, 11, 15, 16, and 19
- 6 through 23;
- 7 (3) Election district 13, precincts 1, 2, 3, 7, 8, 9, 10, 14, 16, and 17;
- 8 (4) Election district 15, precinct 2;
- 9 (5) Election district 18; and
- 10 (6) Election district 20, precincts 3, 4, and 8.
- 11 (e) School board district IV consists of:
- 12 (1) Election district 5, precincts 2 through 7;
- 13 (2) Election district 6, precincts 2, 7, 8, 9, 12, 13, 14, 17, and 18;
- 14 (3) Election district 9, precincts 1, 2, 3, 4, 5, 7, 10, and 11; and
- 15 (4) Election district 12.
- 16 (f) School board district V consists of:
- 17 (1) Election district 3;
- 18 (2) Election district 4;
- 19 (3) Election district 5, precincts 1 and 8;
- 20 (4) Election district 7;
- 21 (5) Election district 8;
- 22 (6) Election district 9, precincts 6, 8, and 9;
- 23 (7) Election district 11;
- 24 (8) Election district 13, precincts 4, 5, 6, 11, 12, 13, and 15;
- 25 (9) Election district 14, precincts 1, 3 through 6, and 10;
- 26 (10) Election district 15; and

1 (11) That part of election district 14, precinct 9 that consists of census
 2 tract 8004.06, blocks 2004, 2005, 2011 through 2016, 2018 through 2022, 2028
 3 through 2040, 3015, 3016, 3019 through 3025, 3029 through 3035, 3054 through 3065,
 4 and 3069.]

5 [3-1002.] 3-1001.

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

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

10 (1) Five elected members, each of whom resides in a different school
 11 board district;

12 (2) Four elected members who may reside anywhere in the county; and

13 (3) One] NINE ELECTED MEMBERS AND ONE student member selected
 14 under subsection [(f)(2)] (E)(2) of this section.

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

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

20 (II) ~~ONE MEMBER FROM EACH OF THE NINE COUNCILMANIC~~
 21 ~~DISTRICTS BY THE VOTERS OF THAT COUNCILMANIC DISTRICT ONE MEMBER FROM~~
 22 ~~EACH OF THE NINE SCHOOL BOARD DISTRICTS, AS ESTABLISHED STATUTORILY BY~~
 23 ~~THE GENERAL ASSEMBLY AND ENACTED INTO LAW AFTER CONSIDERATION BY THE~~
 24 ~~GENERAL ASSEMBLY OF THE RECOMMENDATIONS OF THE TASK FORCE TO EXAMINE~~
 25 ~~AND ESTABLISH BOUNDARIES OF THE PRINCE GEORGE'S COUNTY SCHOOL BOARD~~
 26 ~~DISTRICTS ESTABLISHED BY CHAPTER (H. B. 1117/ PG 409-05) OF THE ACTS OF THE~~
 27 ~~GENERAL ASSEMBLY OF 2005; AND~~

28 (III) BY THE VOTERS OF THE SCHOOL BOARD DISTRICT THAT EACH
 29 MEMBER REPRESENTS.

30 (2) From the time of filing as a candidate for election, each candidate
 31 [for a position on the county Board representing a school board district shall reside in
 32 the school board district the candidate seeks to represent.] FROM A ~~COUNCILMANIC~~
 33 ~~SCHOOL BOARD~~ DISTRICT SHALL BE A RESIDENT OF THAT DISTRICT AND A
 34 REGISTERED VOTER.

35 (3) An elected county Board member shall forfeit the office if the
 36 member:

1 (i) [In the case of a member elected to represent a school board
2 district, fails] FAILS to reside in the [school board] ~~COUNCILMANIC~~ SCHOOL BOARD
3 district from which the member was elected, unless this change is caused by a change
4 in the boundaries of the district; or

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

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

8 (5) Each elected member of the county Board ~~for a position representing~~
9 a school board district shall be nominated by the registered voters of the member's
10 ~~school board~~ ~~COUNCILMANIC~~ district.

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

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

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

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

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

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

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

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

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

34 (2) An eligible student shall file a nomination form at least 2 weeks
35 before a special election meeting of the Prince George's Regional Association of
36 Student Governments. Nomination forms shall be made available in the
37 administrative offices of all public senior high schools in the county, the office of

1 student concerns, and the office of the president of the regional association. The
2 delegates to the regional association annually shall elect the student member to the
3 Board at a special election meeting to be held each school year.

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

6 (i) Capital and operating budgets;

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

8 (iii) Collective bargaining decisions;

9 (iv) Student disciplinary matters;

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

12 (vi) Other personnel matters.

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

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

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

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

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

31 (2) THE TERMS OF THE ELECTED MEMBERS ARE STAGGERED AS
32 FOLLOWS:

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

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

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

5 [(3)] (4) (I) [Subject to the confirmation of the County Council, the
6 County Executive of Prince George's County shall appoint a qualified individual to fill
7 any vacancy on the county Board until a successor is elected and qualifies at the next
8 congressional election.] ANY VACANCY ON THE COUNTY BOARD THAT OCCURS MORE
9 THAN 240 DAYS BEFORE THE EXPIRATION OF THE TERM OF OFFICE OF ANY MEMBER
10 SHALL BE FILLED, FOR THE REMAINDER OF THAT TERM:

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

13 2. AT A SPECIAL ELECTION.

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

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

20 1. TAKE PLACE NO LATER THAN 60 DAYS AFTER THE
21 VACANCY OCCURS; AND

22 2. BE GOVERNED BY TITLE 8, SUBTITLE 8 OF THE ELECTION
23 LAW ARTICLE.

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

26 (i) Immorality;

27 (ii) Misconduct in office;

28 (iii) Incompetency; or

29 (iv) Willful neglect of duty.

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

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

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

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

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

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

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

13 (II) AN UNPAID LEAVE OF ABSENCE SHALL BE LIMITED TO THE
14 PERIOD OF TIME BEGINNING ON THE DAY THE MEMBER ANNOUNCES THE MEMBER'S
15 CANDIDACY IN A PRIMARY ELECTION AND ENDING ON THE DAY THE RESULTS OF
16 THE MEMBER'S PRIMARY ELECTION ARE CERTIFIED BY AN APPROPRIATE ELECTIONS
17 BOARD.

18 [3-1003.] 3-1002.

19 (a) From and after December 4, 2006, at the beginning of each member's full
20 term, the [Chairman] CHAIR of the county Board is entitled to receive \$19,000
21 annually as compensation and the other elected members are each entitled to receive
22 \$18,000 annually as compensation.

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

27 (2) A member of the county Board may not be reimbursed more than
28 \$7,000 in travel and other expenses incurred in a single fiscal year.

29 [3-1004.] 3-1003.

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

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

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

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

4 (2) REASONABLE ADVANCE PUBLIC NOTICE SHALL BE GIVEN IF A
5 MEETING OR WORK SESSION OF THE COUNTY BOARD OR A SUBDIVISION OF THE
6 COUNTY BOARD IS CANCELED, POSTPONED, RESCHEDULED, OR HAS A CHANGE OF
7 LOCATION OR PURPOSE AND SHALL INCLUDE DETAILS OF THE NEXT MEETING,
8 LOCATION, OR PURPOSE.

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

15 (I) COLLECTIVE BARGAINING AGREEMENTS;

16 (II) PERSONNEL MATTERS;

17 (III) CASES OF STUDENT DISCIPLINE; AND

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

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

22 (I) CONDUCT A RECORDED VOTE ON THE CLOSING OF THE
23 SESSION; AND

24 (II) MAKE A WRITTEN STATEMENT OF THE REASON FOR CLOSING
25 THE MEETING, INCLUDING A CITATION TO THE AUTHORITY TO CLOSE THE MEETING
26 UNDER § 10-508 OF THE STATE GOVERNMENT ARTICLE, AND A LISTING OF THE
27 CATEGORIES AND GENERAL TOPICS TO BE DISCUSSED.

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

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

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

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

2 (ii) Five members when the student member is not voting.] A

3 QUORUM OF THE COUNTY BOARD IS FIVE ELECTED MEMBERS.

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

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

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

12 [3-1005.

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

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

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

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

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

23 (ii) The staff of the County Executive;

24 (iii) The staff of the County Council;

25 (iv) The county Department of Social Services;

26 (v) The staff of the county Superintendent of Education;

27 (vi) The Prince George's County Planning Board;

28 (vii) The county Department of Aging;

29 (viii) The county Health Department;

30 (ix) The county Office of Coordination of Services to the
31 Handicapped;

32 (x) The county Juvenile Services Administration;

- 1 (xi) The county Memorial Library System; and
2 (xii) The county Department of Program Planning and Economic
3 Development.

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

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

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

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

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

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

24 [3-1006.] 3-1004.

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

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

33 [3-1007.] 3-1005.

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

1 [3-1008.] 3-1006.

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

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

6 (2) Report directly to the County Superintendent.

7 (b) The County Superintendent shall, subject to the approval of the County
8 Board:

9 (1) Select the Chief Financial Officer; and

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

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

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

16 SECTION 3. AND BE IT FURTHER ENACTED, ~~That~~ That:

17 (a) There is a Task Force to Examine and Establish Boundaries of the Prince
18 George's County School Board Districts.

19 (b) The Task Force consists of the following members:

20 (1) two members of the Senate of Maryland, appointed by the Chair of
21 the Prince George's County Senate Delegation;

22 (2) two members of the House of Delegates, appointed by the Chair of the
23 Prince George's County House Delegation;

24 (3) two representatives of the Prince George's County Council, appointed
25 by the Chair of the County Council;

26 (4) two representatives of the Prince George's County Executive's Office,
27 appointed by the County Executive; and

28 (5) three citizens of Prince George's County, appointed jointly by the
29 Chair of the Prince George's County Senate Delegation and the Chair of the Prince
30 George's County House Delegation.

31 (c) The Task Force shall elect its chair from among its members.

32 (d) Prince George's County shall provide staff for the Task Force.

1 (e) A member of the Task Force:

2 (1) may not receive compensation; but

3 (2) is entitled to reimbursement for expenses under the Standard State
4 Travel Regulations, as provided in the State budget.

5 (f) The Task Force shall examine the issues and information regarding
6 current and proposed school board districts in Prince George's County and shall
7 propose boundaries for the Prince George's County school board districts.

8 (g) On or before September 1, 2005, the Task Force shall issue a report of its
9 findings and recommendations to:

10 (1) the Prince George's County Senate Delegation in the General
11 Assembly;

12 (2) the Prince George's County House Delegation in the General
13 Assembly;

14 (3) the Prince George's County Council; and

15 (4) the Prince George's County Executive.

16 SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act
17 shall take effect on the taking effect of the termination provision specified in Section
18 20 of Chapter 289 of the Acts of the General Assembly of 2002.

19 SECTION 5. AND BE IT FURTHER ENACTED, That Section 3 of this Act
20 shall take effect June 1, 2005. It shall remain in effect for a period of 11 months and,
21 at the end of April 30, 2006, with no further action required by the General Assembly,
22 Section 3 of this Act shall be abrogated and of no further force and effect.

23 SECTION 4- 6. AND BE IT FURTHER ENACTED, That, ~~subject to the~~
24 ~~provisions of Section 3~~ except as provided in Sections 4 and 5 of this Act, this Act shall
25 take effect July 1, 2005.