

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1117
Ways and Means

(Prince George's County Delegation)

Education, Health, and Environmental Affairs

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

This bill establishes, as public record, the full text of the employment contracts of four top-level Prince George's County Public Schools (PGCPS) officials: the Chief Executive Officer (CEO), Chief Academic Officer, Chief Financial Officer, and Chief Accountability Officer. The bill also requires specified issues to be addressed in the comprehensive review of PGCPS that is due June 1, 2006.

The bill also makes changes to the structure and protocols of the Prince George's County Board of Education that will be elected at the 2006 general election and establishes a task force to recommend boundaries for nine school board districts in the county.

The bill takes effect July 1, 2005, with the provisions relating to the elected board of education beginning when the board members take office. The task force terminates April 30, 2006.

Fiscal Summary

State Effect: Adding specific evaluation topics to the comprehensive review of PGCPS would not materially affect the cost of the contract.

Local Effect: The Prince George's County Board of Elections would incur costs associated with any special elections required by the legislation. Other changes to the county board of education structure and protocols would not significantly impact the finances of the county or the board of education.

Small Business Effect: None.

Analysis

Bill Summary: The bill changes the composition of the Prince George's County Board of Education that will be elected at the 2006 general election. One member must be elected from each of nine school board districts that the General Assembly must establish in statute. A Task Force to Examine and Establish Boundaries of the Prince George's County School Board Districts is created to propose boundaries for the districts. The task force must report its findings and recommendations by September 1, 2005, and its recommendations must be considered by the General Assembly when the school board districts are codified.

The bill allows a board of education member to take an unpaid leave of absence to be a candidate in a primary election. Any vacancy on the board that occurs more than 240 days before the expiration of a term must be filled at the next general election or through a special election.

The bill requires the elected board of education to provide public notice, including a copy of the agenda, of any meeting or work session. The board must also give reasonable advance public notice of any changes to a meeting location, schedule, or agenda. The board may only meet in an executive session for action on collective bargaining, personnel matters, cases of student discipline, and appeals. Before meeting in an executive session, the chair must conduct a recorded vote on the closing of the session and make a written statement of the reasons for closing the meeting. Decisions made in an executive session must be announced in an open session.

Finally, the bill repeals the Shared Space Council for Prince George's County.

Current Law: The Prince George's County Board of Education consists of nine members appointed jointly by the Governor and county executive. The board appoints a CEO, and the CEO selects a Chief Academic Officer, a Chief Financial Officer, and a Chief Accountability Officer. By June 1, 2006, a consultant must conduct a comprehensive review of PGCPS and the new board. The review must be funded equally by the Maryland State Department of Education (MSDE) and the new board.

The Prince George's County Board of Education will revert to an elected board in December 2006, following the general election. One board member will be chosen from each of five school board districts and four members will be elected from the county at large. Members will not be permitted to run for other elected offices while serving on the board. Subject to the confirmation of the county council, the county executive will be responsible for filling any vacancies on the board. Under Maryland's Open Meetings Act, with limited exceptions, local boards of education must meet in open sessions.

The Shared Space Council for Prince George's County considers alternative uses for any vacant public schools.

Background: Chapter 289 of 2002 disbanded the elected Prince George's County Board of Education and reorganized the PGCPS governance structure under a board appointed jointly by the Governor and the county executive. When the legislation was enacted, PGCPS was working to accomplish nearly 300 broad recommendations made in a performance audit mandated by the General Assembly. The system was also struggling with conflicts among board of education members and between board members and the local superintendent of schools. Under Chapter 289, the appointed board of education will revert to an elected board in 2006.

State Expenditures: MSDE advises that the cost of the comprehensive review of PGCPS could increase as a result of the additional requirements established in the bill. MSDE is required to support 50% of the cost of the review. Legislative Services advises that the additional comprehensive review requirements could be included in the contract with a private consultant without increasing the contract cost significantly. Funding for the review has not been included in the proposed fiscal 2006 State budget.

Local Expenditures: Prince George's County Board of Elections expenditures would increase for each special election that would need to be held. Although Prince George's County projected no additional expenses associated with the bill, other counties have estimated costs of approximately \$300,000 to hold a special election.

The Prince George's County Board of Education is responsible for supporting half of the cost of the comprehensive review of PGCPS. If the cost of contracting for the review increases as a result of this bill, county school expenditures would increase accordingly.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Prince George's County, Maryland State Department of Education, Department of Legislative Services

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