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

Introduced and read first time: February 10, 2006

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Board of Education - Election of Members**  
3 **PG 401-06**

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

29 BY repealing  
30 Article - Education  
31 Section 3-1001  
32 Annotated Code of Maryland  
33 (2004 Replacement Volume and 2005 Supplement)

1 (As enacted by Section 7 of Chapter 289 of the Acts of the General Assembly of  
2 2002)

3 BY repealing and reenacting, with amendments,  
4 Article - Education  
5 Section 3-1002, 3-1003, 3-1004, 3-1006, 3-1007, and 3-1008  
6 Annotated Code of Maryland  
7 (2004 Replacement Volume and 2005 Supplement)  
8 (As enacted by Chapter 289 of the Acts of the General Assembly of 2002)

9 BY repealing  
10 Article - Education  
11 Section 3-1005  
12 Annotated Code of Maryland  
13 (2004 Replacement Volume and 2005 Supplement)  
14 (As enacted by Section 2 of Chapter 289 of the Acts of the General Assembly of  
15 2002)

16 BY adding to  
17 Article - Education  
18 Section 4-401 through 4-405, inclusive, to be under the new subtitle "Subtitle 4.  
19 Prince George's County"  
20 Annotated Code of Maryland  
21 (2004 Replacement Volume and 2005 Supplement)

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

24 **Article - Education**

25 [3-1001.

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

32 (b) School board district I consists of:

- 33 (1) Election district 1;  
34 (2) Election district 10;  
35 (3) Election district 14, precincts 2, 7, and 8;

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

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

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

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

6 (ii) Census tract 8004.06, blocks 1000 through 1002, 1011, 1012,  
7 1020 through 1028, 1999 through 2003, 2006 through 2010, 2017, 2023 through 2027,  
8 2041 through 2048, 3000 through 3014, 3017, 3018, and 3068.

9 (c) School board district II consists of:

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

11 (2) Election district 16;

12 (3) Election district 17;

13 (4) Election district 19; and

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

15 (d) School board district III consists of:

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

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

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

20 (4) Election district 15, precinct 2;

21 (5) Election district 18; and

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

23 (e) School board district IV consists of:

24 (1) Election district 5, precincts 2 through 7;

25 (2) Election district 6, precincts 2, 7, 8, 9, 12, 13, 14, 17, and 18;

26 (3) Election district 9, precincts 1, 2, 3, 4, 5, 7, 10, and 11; and

27 (4) Election district 12.

28 (f) School board district V consists of:

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

15 [3-1002.] 3-1001.

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

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

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

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

23 (3) One] NINE ELECTED MEMBERS AND ONE student member selected  
24 under subsection (f)(2) of this section.

25 (c) (1) (I) [A candidate for the county Board shall be a resident of Prince  
26 George's County for at least 3 years and a registered voter of the county before the  
27 election.] ONE MEMBER FROM EACH OF THE NINE SCHOOL BOARD DISTRICTS SHALL  
28 BE ELECTED AS DESCRIBED IN SUBSECTION (D) OF THIS SECTION.

29 (II) THE MEMBERS OF THE COUNTY BOARD SHALL BE ELECTED AS  
30 FOLLOWS:

31 1. AT THE GENERAL ELECTION EVERY 4 YEARS AS  
32 REQUIRED BY SUBSECTION (G) OF THIS SECTION; AND



- 1 (II) ELECTION DISTRICT 16;
- 2 (III) ELECTION DISTRICT 19, PRECINCT 1;
- 3 (IV) THAT PART OF ELECTION DISTRICT 19, PRECINCT 2, THAT IS  
4 GENERALLY WEST OF THE BALTIMORE-WASHINGTON PARKWAY; AND
- 5 (V) ELECTION DISTRICT 21, PRECINCTS 1 THROUGH 3, 6 THROUGH  
6 13, 17, 97, AND 98.
- 7 (4) SCHOOL BOARD DISTRICT III CONSISTS OF:
- 8 (I) ELECTION DISTRICT 17, PRECINCTS 1 THROUGH 9, 11, AND 12;
- 9 (II) ELECTION DISTRICT 19, PRECINCT 3; AND
- 10 (III) ELECTION DISTRICT 21, PRECINCT 15.
- 11 (5) SCHOOL BOARD DISTRICT IV CONSISTS OF:
- 12 (I) ELECTION DISTRICT 2, PRECINCTS 1 THROUGH 10;
- 13 (II) ELECTION DISTRICT 13, PRECINCTS 2 AND 17;
- 14 (III) ELECTION DISTRICT 18, PRECINCTS 3, 5, AND 12;
- 15 (IV) ELECTION DISTRICT 19, PRECINCT 4;
- 16 (V) THAT PART OF ELECTION DISTRICT 19, PRECINCT 2, THAT IS  
17 GENERALLY EAST OF THE BALTIMORE-WASHINGTON PARKWAY;
- 18 (VI) ELECTION DISTRICT 20, PRECINCTS 1, 2, 5, 6, 8, 9, AND 10; AND
- 19 (VII) ELECTION DISTRICT 21, PRECINCT 16.
- 20 (6) SCHOOL BOARD DISTRICT V CONSISTS OF:
- 21 (I) ELECTION DISTRICTS 3 AND 7;
- 22 (II) ELECTION DISTRICT 14, PRECINCTS 1, 3 THROUGH 7, 9, AND 10;
- 23 (III) ELECTION DISTRICT 15, PRECINCTS 2 AND 5; AND
- 24 (IV) ELECTION DISTRICT 20, PRECINCTS 4 AND 11.
- 25 (7) SCHOOL BOARD DISTRICT VI CONSISTS OF:
- 26 (I) ELECTION DISTRICT 6, PRECINCT 20;
- 27 (II) ELECTION DISTRICT 13, PRECINCTS 1 AND 3 THROUGH 16;

1 (III) ELECTION DISTRICT 18, PRECINCTS 1, 2, 4, AND 6  
2 THROUGH 11; AND

3 (IV) ELECTION DISTRICT 20, PRECINCTS 3 AND 7.

4 (8) SCHOOL BOARD DISTRICT VII CONSISTS OF:

5 (I) ELECTION DISTRICT 6, PRECINCTS 1, 3 THROUGH 7, 10  
6 THROUGH 12, 15 THROUGH 19, AND 21 THROUGH 23; AND

7 (II) ELECTION DISTRICT 9, PRECINCT 3.

8 (9) SCHOOL BOARD DISTRICT VIII CONSISTS OF:

9 (I) ELECTION DISTRICT 6, PRECINCTS 2, 8, 9, 13, AND 14; AND

10 (II) ELECTION DISTRICT 12.

11 (10) SCHOOL BOARD DISTRICT IX CONSISTS OF:

12 (I) ELECTION DISTRICT 4;

13 (II) ELECTION DISTRICT 5;

14 (III) ELECTION DISTRICT 8;

15 (IV) ELECTION DISTRICT 9, PRECINCTS 1, 2, AND 4 THROUGH 11;

16 (V) ELECTION DISTRICT 11; AND

17 (VI) ELECTION DISTRICT 15, PRECINCTS 1, 3, AND 4.

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

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

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

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

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

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

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

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

- 12 (i) Capital and operating budgets;
- 13 (ii) School closings, reopenings, and boundaries;
- 14 (iii) Collective bargaining decisions;
- 15 (iv) Student disciplinary matters;
- 16 (v) Teacher and administrator disciplinary matters as provided  
17 under § 6-202(a) of this article; and
- 18 (vi) Other personnel matters.

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

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

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

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

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

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

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

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

9 [(2)] (3) The student member serves for a term of 1 year beginning at  
10 the end of a school year.

11 [(3) Subject to the confirmation of the County Council, the County  
12 Executive of Prince George's County shall appoint a qualified individual to fill any  
13 vacancy on the county Board until a successor is elected and qualifies at the next  
14 congressional election.]

15 (4) (I) ANY VACANCY ON THE COUNTY BOARD THAT OCCURS MORE  
16 THAN 240 DAYS BEFORE THE EXPIRATION OF THE TERM OF OFFICE OF ANY MEMBER  
17 SHALL BE FILLED, FOR THE REMAINDER OF THAT TERM:

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

20 2. AT A SPECIAL ELECTION.

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

25 (III) THE SPECIAL ELECTION PROVIDED FOR IN SUBPARAGRAPH (I)2  
26 OF THIS PARAGRAPH SHALL:

27 1. TAKE PLACE NO LATER THAN 60 DAYS AFTER THE  
28 VACANCY OCCURS; AND

29 2. BE GOVERNED BY TITLE 8, SUBTITLE 8 OF THE ELECTION  
30 LAW ARTICLE.

31 (h) (1) With the approval of the Governor, the State Board may remove a  
32 member of the county Board for any of the following reasons:

33 (i) Immorality;

34 (ii) Misconduct in office;

35 (iii) Incompetency; or

1 (iv) Willful neglect of duty.

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

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

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

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

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

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

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

18 (II) AN UNPAID LEAVE OF ABSENCE SHALL BE LIMITED TO THE  
19 PERIOD OF TIME BEGINNING ON THE DAY THE MEMBER ANNOUNCES THE MEMBER'S  
20 CANDIDACY IN A PRIMARY ELECTION AND ENDING ON THE DAY THE RESULTS OF  
21 THE MEMBER'S PRIMARY ELECTION ARE CERTIFIED BY AN APPROPRIATE ELECTIONS  
22 BOARD.

23 [3-1003.] 3-1002.

24 (a) From and after December 4, 2006, at the beginning of each member's full  
25 term, the [Chairman] CHAIR of the county Board is entitled to receive \$19,000  
26 annually as compensation and the other elected members are each entitled to receive  
27 \$18,000 annually as compensation.

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

32 (2) A member of the county Board may not be reimbursed more than  
33 \$7,000 in travel and other expenses incurred in a single fiscal year.

1 [3-1004.] 3-1003.

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

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

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

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

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

17 [(c) This section does not prohibit the county Board from meeting and  
18 deliberating in executive session provided that all action of the Board, together with  
19 the individual vote of each member, is contained in a public record.]

20 (D) (1) THE COUNTY BOARD OR A SUBDIVISION OF THE COUNTY BOARD MAY  
21 MEET AND DELIBERATE IN AN EXECUTIVE SESSION FOR ACTION ON ONLY THE  
22 FOLLOWING ISSUES:

23 (I) COLLECTIVE BARGAINING AGREEMENTS;

24 (II) PERSONNEL MATTERS;

25 (III) CASES OF STUDENT DISCIPLINE; AND

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

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

30 (I) CONDUCT A RECORDED VOTE ON THE CLOSING OF THE  
31 SESSION; AND

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

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

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

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

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

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

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

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

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

22 [3-1005.

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

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

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

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

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

33 (ii) The staff of the County Executive;

34 (iii) The staff of the County Council;

35 (iv) The county Department of Social Services;

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

11 (3) On a rotating basis, one member shall be from the faculty or

12 administration of Bowie State College or Prince George's Community College. Such

13 member shall be appointed by the president of the college.

14 (4) The members from governmental agencies, departments, or

15 institutions shall be appointed by the director, chairman, or chief executive officer of

16 the agency, department, or institution.

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

18 (c) The term of the members appointed pursuant to subsection (b)(2), (3), and

19 (4) shall be 3 years. All other members shall serve for a term of 2 years. Any vacancy

20 on the Council shall be filled in the same manner as the original appointment.

21 (d) The Council shall meet at least four times each year. It shall, on an annual

22 basis and in conjunction with the county Board of Education, survey the schools

23 within the county public school system and compile a listing of any vacant public

24 schools and any vacant space that exists within the system. The Council shall

25 evaluate the feasibility of using any vacant public school or vacant space for

26 community or governmental purposes.

27 (e) The Council shall report the results, findings, and recommendations

28 derived from such survey, listing, and evaluation to the county Board of Education,

29 the County Executive, the County Council and the mayor of each municipality in the

30 county.]

31 [3-1006.] 3-1004.

32 (a) In addition to the powers otherwise granted to the County Board in this

33 article, the County Board or a designated committee of the County Board may hear an

34 appeal from a decision of the County Superintendent that relates to the grade,

35 transfer, tuition, or any aspect of participation in a program or activity of a specific

36 student who is not subject to the provisions of Title 8, Subtitle 4 of this article.

1 (b) A designated committee shall consist of [at least 5 members] A MAJORITY  
2 of the ELECTED MEMBERS OF THE Board and [at least 5 members] A MAJORITY of a  
3 designated committee shall be present to constitute a quorum of the committee.

4 [3-1007.] 3-1005.

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

8 [3-1008.] 3-1006.

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

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

13 (2) Report directly to the County Superintendent.

14 (b) The County Superintendent shall, subject to the approval of the County  
15 Board:

16 (1) Select the Chief Financial Officer; and

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

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

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

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

25 SUBTITLE 4. PRINCE GEORGE'S COUNTY.

26 4-401.

27 IN THIS SUBTITLE, "BOARD" MEANS THE PRINCE GEORGE'S COUNTY BOARD OF  
28 EDUCATION.

29 4-402.

30 (A) THERE IS A CHIEF EXECUTIVE OFFICER OF THE BOARD.

31 (B) THE CHIEF EXECUTIVE OFFICER SHALL:

1 (1) BE RESPONSIBLE FOR THE OVERALL ADMINISTRATION OF THE  
2 PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM;

3 (2) REPORT DIRECTLY TO THE BOARD; AND

4 (3) DESIGNATE INDIVIDUALS WITH PRIMARY RESPONSIBILITY FOR  
5 EACH OF THE FOLLOWING FUNCTIONS:

6 (I) MANAGEMENT AND ADMINISTRATION OF THE PRINCE  
7 GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM;

8 (II) ASSESSMENT AND ACCOUNTABILITY OF THE ACADEMIC  
9 PERFORMANCE OF THE STUDENTS IN THE PRINCE GEORGE'S COUNTY PUBLIC  
10 SCHOOL SYSTEM;

11 (III) PROVISION OF SERVICES TO STUDENTS WITH DISABILITIES IN  
12 ACCORDANCE WITH FEDERAL AND STATE LAW;

13 (IV) DEVELOPMENT AND IMPLEMENTATION OF INITIATIVES FOR  
14 EDUCATIONAL REFORM; AND

15 (V) PROFESSIONAL HIRING AND DEVELOPMENT.

16 (C) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (B)(3) OF THIS  
17 SECTION, THE CHIEF EXECUTIVE OFFICER AND THE BOARD SHALL BE HELD  
18 ACCOUNTABLE FOR THE DELEGATED FUNCTIONS.

19 (D) THE BOARD SHALL EMPLOY THE CHIEF EXECUTIVE OFFICER AND  
20 ESTABLISH THE SALARY OF THE CHIEF EXECUTIVE OFFICER AT AN AMOUNT  
21 COMMENSURATE WITH THE CREDENTIALS, EXPERIENCE, AND PRIOR POSITIONS OF  
22 RESPONSIBILITY OF THE CHIEF EXECUTIVE OFFICER.

23 (E) THE EMPLOYMENT CONTRACT OF THE CHIEF EXECUTIVE OFFICER SHALL  
24 PROVIDE, AT A MINIMUM, THAT CONTINUED EMPLOYMENT IS CONTINGENT ON  
25 DEMONSTRABLE IMPROVEMENT IN THE ACADEMIC PERFORMANCE OF THE  
26 STUDENTS IN THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM AND THE  
27 SUCCESSFUL MANAGEMENT OF THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOLS.

28 (F) THE TERM OF THE INITIAL CONTRACT AND ANY RENEWAL MAY NOT  
29 EXCEED 4 YEARS.

30 (G) THE FULL TEXT OF THE CHIEF EXECUTIVE OFFICER'S EMPLOYMENT  
31 CONTRACT AND ANY DOCUMENT OR RECORDS RELATING TO THE TERMS OF THE  
32 CHIEF EXECUTIVE OFFICER'S FINANCIAL COMPENSATION OR TERMS OF  
33 EMPLOYMENT SHALL BE PUBLIC RECORD.

34 4-403.

35 (A) THERE IS A CHIEF ACADEMIC OFFICER IN THE PRINCE GEORGE'S COUNTY  
36 PUBLIC SCHOOL SYSTEM WHO SHALL:

1 (1) BE RESPONSIBLE FOR THE DEVELOPMENT AND IMPLEMENTATION  
2 OF THE CURRICULUM TAUGHT AND THE INSTRUCTION PROVIDED IN THE PRINCE  
3 GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM;

4 (2) WORK WITH THE CHIEF ACCOUNTABILITY OFFICER TO ENSURE  
5 THAT EFFECTIVE PROGRAMS AND BEST PRACTICES ARE UTILIZED IN THE  
6 CURRICULUM; AND

7 (3) REPORT DIRECTLY TO THE CHIEF EXECUTIVE OFFICER.

8 (B) THE CHIEF EXECUTIVE OFFICER SHALL, SUBJECT TO THE APPROVAL OF  
9 THE BOARD:

10 (1) SELECT THE CHIEF ACADEMIC OFFICER; AND

11 (2) ESTABLISH THE SALARY OF THE CHIEF ACADEMIC OFFICER.

12 (C) THE EMPLOYMENT CONTRACT OF THE CHIEF ACADEMIC OFFICER SHALL  
13 PROVIDE, AT A MINIMUM, THAT CONTINUED EMPLOYMENT IS CONTINGENT ON A  
14 DEMONSTRABLE IMPROVEMENT IN ACADEMIC PERFORMANCE OF THE STUDENTS IN  
15 THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM.

16 (D) THE FULL TEXT OF THE CHIEF ACADEMIC OFFICER'S EMPLOYMENT  
17 CONTRACT AND ANY DOCUMENT OR RECORDS RELATING TO THE TERMS OF THE  
18 CHIEF ACADEMIC OFFICER'S FINANCIAL COMPENSATION OR TERMS OF  
19 EMPLOYMENT SHALL BE PUBLIC RECORD.

20 4-404.

21 (A) THERE IS A CHIEF FINANCIAL OFFICER IN THE PRINCE GEORGE'S COUNTY  
22 PUBLIC SCHOOL SYSTEM WHO SHALL:

23 (1) BE RESPONSIBLE FOR THE DAY-TO-DAY MANAGEMENT AND  
24 OVERSIGHT OF THE FISCAL AFFAIRS OF THE PRINCE GEORGE'S COUNTY PUBLIC  
25 SCHOOL SYSTEM; AND

26 (2) REPORT DIRECTLY TO THE CHIEF EXECUTIVE OFFICER.

27 (B) THE CHIEF EXECUTIVE OFFICER SHALL, SUBJECT TO THE APPROVAL OF  
28 THE BOARD:

29 (1) SELECT THE CHIEF FINANCIAL OFFICER; AND

30 (2) ESTABLISH THE SALARY OF THE CHIEF FINANCIAL OFFICER.

31 (C) THE EMPLOYMENT CONTRACT OF THE CHIEF FINANCIAL OFFICER SHALL  
32 PROVIDE THAT CONTINUED EMPLOYMENT IS CONTINGENT ON THE EFFECTIVE  
33 FISCAL MANAGEMENT OF THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOLS.

34 (D) THE FULL TEXT OF THE CHIEF FINANCIAL OFFICER'S EMPLOYMENT  
35 CONTRACT AND ANY DOCUMENT OR RECORDS RELATING TO THE TERMS OF THE

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

3 4-405.

4 (A) THERE IS A CHIEF ACCOUNTABILITY OFFICER IN THE PRINCE GEORGE'S  
5 COUNTY PUBLIC SCHOOL SYSTEM WHO SHALL:

6 (1) PERFORM ONGOING RESEARCH AND EVALUATION REGARDING THE  
7 SYSTEMIC REFORM AND STUDENT ACHIEVEMENT;

8 (2) WORK WITH THE CHIEF ACADEMIC OFFICER TO ENSURE THAT  
9 EFFECTIVE PROGRAMS AND BEST PRACTICES ARE UTILIZED IN THE CURRICULUM;  
10 AND

11 (3) REPORT DIRECTLY TO THE CHIEF EXECUTIVE OFFICER.

12 (B) THE CHIEF EXECUTIVE OFFICER SHALL:

13 (1) SELECT THE CHIEF ACCOUNTABILITY OFFICER; AND

14 (2) ESTABLISH THE SALARY OF THE CHIEF ACCOUNTABILITY OFFICER.

15 (C) THE FULL TEXT OF THE CHIEF ACCOUNTABILITY OFFICER'S  
16 EMPLOYMENT CONTRACT AND ANY DOCUMENT OR RECORDS RELATING TO THE  
17 TERMS OF THE CHIEF ACCOUNTABILITY OFFICER'S FINANCIAL COMPENSATION OR  
18 TERMS OF EMPLOYMENT SHALL BE PUBLIC RECORD.

19 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act  
20 shall take effect on the taking effect of the termination provision specified in Section  
21 20 of Chapter 289 of the Acts of the General Assembly of 2002.

22 SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in  
23 Section 3 of this Act, this Act shall take effect July 1, 2006, the effective date of  
24 Chapter 289 of the Acts of the General Assembly of 2002. If the effective date of  
25 Chapter 289 is amended, Section 1 of this Act shall take effect on the taking effect of  
26 Chapter 289.