
By: **Senators Lawlah and Exum**

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session

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Assigned to: Rules

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: April 6, 2006

CHAPTER _____

1 AN ACT concerning

2 **Prince George's County - Board of Education - ~~Election of Members~~**
 3 **Membership**

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

1 financial compensation of certain officers in a certain school system be public
 2 records; altering the title of a certain officer in the Prince George's County
 3 school system; providing for the composition of the county Board during a
 4 certain period of time; requiring certain members to be elected according to
 5 certain provisions of law; requiring the county Board to elect a certain chair and
 6 vice-chair according to certain provisions of law; providing for the effective date
 7 of this Act; providing for the termination of certain provisions of this Act; and
 8 generally relating to the ~~election of members~~ membership of the Prince George's
 9 County Board of Education.

10 BY repealing

11 Article - Education

12 Section 3-1001

13 Annotated Code of Maryland

14 (2004 Replacement Volume and 2005 Supplement)

15 (As enacted by Section 7 of Chapter 289 of the Acts of the General Assembly of

16 2002)

17 BY repealing and reenacting, with amendments,

18 Article - Education

19 Section 3-1002, 3-1003, 3-1004, 3-1005, 3-1006, 3-1007, and 3-1008

20 Annotated Code of Maryland

21 (2004 Replacement Volume and 2005 Supplement)

22 (As enacted by Chapter 289 of the Acts of the General Assembly of 2002)

23 BY adding to

24 Article - Education

25 Section 3-1001.1; and 4-401 through 4-405, inclusive, to be under the new

26 subtitle "Subtitle 4. Prince George's County"

27 Annotated Code of Maryland

28 (2004 Replacement Volume and 2005 Supplement)

29 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

30 MARYLAND, That the Laws of Maryland read as follows:

31 **Article - Education**

32 [3-1001.

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

- 1 (b) School board district I consists of:
- 2 (1) Election district 1;
- 3 (2) Election district 10;
- 4 (3) Election district 14, precincts 2, 7, and 8;
- 5 (4) Election district 20, precincts 1, 2, 3, 5, 6, 7, and 9 through 11;
- 6 (5) Election district 21, precincts 3, 4, 6 through 11, 13, 14, and 16; and
- 7 (6) That part of election district 14, precinct 9 that consists of the
8 following census tracts and blocks:
- 9 (i) Census tract 8004.01, blocks 1000 through 1003; and
- 10 (ii) Census tract 8004.06, blocks 1000 through 1002, 1011, 1012,
11 1020 through 1028, 1999 through 2003, 2006 through 2010, 2017, 2023 through 2027,
12 2041 through 2048, 3000 through 3014, 3017, 3018, and 3068.
- 13 (c) School board district II consists of:
- 14 (1) Election district 2, precincts 1, 2, 3, 5, 6, 7, 8, and 10;
- 15 (2) Election district 16;
- 16 (3) Election district 17;
- 17 (4) Election district 19; and
- 18 (5) Election district 21, precincts 1, 2, 5, 12, 15, and 17.
- 19 (d) School board district III consists of:
- 20 (1) Election district 2, precincts 4 and 9;
- 21 (2) Election district 6, precincts 1, 3, 4, 5, 6, 10, 11, 15, 16, and 19
22 through 23;
- 23 (3) Election district 13, precincts 1, 2, 3, 7, 8, 9, 10, 14, 16, and 17;
- 24 (4) Election district 15, precinct 2;
- 25 (5) Election district 18; and
- 26 (6) Election district 20, precincts 3, 4, and 8.
- 27 (e) School board district IV consists of:
- 28 (1) Election district 5, precincts 2 through 7;

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

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

3 (4) Election district 12.

4 (f) School board district V consists of:

5 (1) Election district 3;

6 (2) Election district 4;

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

8 (4) Election district 7;

9 (5) Election district 8;

10 (6) Election district 9, precincts 6, 8, and 9;

11 (7) Election district 11;

12 (8) Election district 13, precincts 4, 5, 6, 11, 12, 13, and 15;

13 (9) Election district 14, precincts 1, 3 through 6, and 10;

14 (10) Election district 15; and

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

19 [3-1002.] 3-1001.

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

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

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

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

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

29 (c) (1) (I) [A candidate for the county Board shall be a resident of Prince
30 George's County for at least 3 years and a registered voter of the county before the

1 election.] ONE MEMBER FROM EACH OF THE NINE SCHOOL BOARD DISTRICTS SHALL
2 BE ELECTED AS DESCRIBED IN SUBSECTION (D) OF THIS SECTION.

3 (II) THE MEMBERS OF THE COUNTY BOARD SHALL BE ELECTED AS
4 FOLLOWS:

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

7 2. BY THE VOTERS OF THE SCHOOL BOARD DISTRICT THAT
8 EACH MEMBER REPRESENTS.

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

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

15 (i) [In the case of a member elected to represent a school board
16 district, fails] FAILS to reside in the school board district from which the member was
17 elected, unless this change is caused by a change in the 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 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 (D) (1) THE DESCRIPTIONS OF SCHOOL BOARD DISTRICTS IN THIS SECTION
29 ARE TO THE ELECTION DISTRICT AND PRECINCT BOUNDARIES AS REVIEWED AND
30 CERTIFIED BY THE PRINCE GEORGE'S COUNTY BOARD OF ELECTIONS OR THEIR
31 DESIGNEES AS THEY WERE ESTABLISHED ON SEPTEMBER 1, 2002, AND AS THOSE
32 ELECTION DISTRICT AND PRECINCT LINES ARE SPECIFICALLY SHOWN ON THE
33 PUBLIC LAW 94-171 CENSUS BLOCK MAPS PROVIDED BY THE UNITED STATES
34 BUREAU OF THE CENSUS.

35 (2) SCHOOL BOARD DISTRICT I CONSISTS OF:

36 (I) ELECTION DISTRICT 1;

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- 1 (II) ELECTION DISTRICT 10;
- 2 (III) ELECTION DISTRICT 14, PRECINCT 9; AND
- 3 (IV) ELECTION DISTRICT 21, PRECINCTS 4, 5, 14, 15, 97, AND 99.
- 4 (3) SCHOOL BOARD DISTRICT II CONSISTS OF:
- 5 (I) ELECTION DISTRICT 14, PRECINCTS 2 AND 8;
- 6 (II) ELECTION DISTRICT 16, PRECINCT 1;
- 7 (III) ELECTION DISTRICT 19, PRECINCTS 1 THROUGH 3;
- 8 (IV) ELECTION DISTRICT 20, PRECINCTS 1, 5, 6, AND 10; AND
- 9 (V) ELECTION DISTRICT 21, PRECINCTS 1, 2, 3, 6 THROUGH 13, 16, 17,
10 AND 98.
- 11 (4) SCHOOL BOARD DISTRICT III CONSISTS OF:
- 12 (I) ELECTION DISTRICT 16, PRECINCTS 2 THROUGH 4; AND
- 13 (II) ELECTION DISTRICT 17.
- 14 (5) SCHOOL BOARD DISTRICT IV CONSISTS OF:
- 15 (I) ELECTION DISTRICT 2;
- 16 (II) ELECTION DISTRICT 13, PRECINCTS 1 THROUGH 3, 8, AND 17;
- 17 (III) ELECTION DISTRICT 14, PRECINCT 7;
- 18 ~~(IV)~~ (IV) ELECTION DISTRICT 16, PRECINCT 99;
- 19 ~~(V)~~ (V) ELECTION DISTRICT 18, PRECINCTS 5 AND 12;
- 20 ~~(VI)~~ (VI) ELECTION DISTRICT 19, PRECINCT 4; AND
- 21 ~~(VII)~~ (VII) ELECTION DISTRICT 20, PRECINCTS 2, 4, 7 THROUGH 9,
22 AND 11.
- 23 (6) SCHOOL BOARD DISTRICT V CONSISTS OF:
- 24 (I) ELECTION DISTRICT 3;
- 25 (II) ELECTION DISTRICT 7;
- 26 (III) ELECTION DISTRICT 14, PRECINCTS 1, 3 THROUGH 6, AND 10;
27 AND
- 28 (IV) ELECTION DISTRICT 15, PRECINCT 5.

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- 1 (7) SCHOOL BOARD DISTRICT VI CONSISTS OF:
- 2 (I) ELECTION DISTRICT 6, PRECINCTS 19 AND 20;
- 3 (II) ELECTION DISTRICT 13, PRECINCTS 4 THROUGH 7 AND 9
4 THROUGH 16;
- 5 (III) ELECTION DISTRICT 18, PRECINCTS 1 THROUGH 4 AND 6
6 THROUGH 11; AND
- 7 (IV) ELECTION DISTRICT 20, PRECINCT 3.
- 8 (8) SCHOOL BOARD DISTRICT VII CONSISTS OF:
- 9 (I) ELECTION DISTRICT 6, PRECINCTS 1, 3 THROUGH 7, 9 THROUGH
10 12, 15 THROUGH 18, AND 21 THROUGH 23;
- 11 (II) ELECTION DISTRICT 9, PRECINCT 3; AND
- 12 (III) ELECTION DISTRICT 15, PRECINCT 2.
- 13 (9) SCHOOL BOARD DISTRICT VIII CONSISTS OF:
- 14 (I) ELECTION DISTRICT 12;
- 15 (II) ELECTION DISTRICT 5, PRECINCT 6;
- 16 (III) ELECTION DISTRICT 6, PRECINCTS 2, 8, 13, AND 14; AND
- 17 (IV) ELECTION DISTRICT 9, PRECINCTS 2 AND 5; ~~AND~~
- 18 ~~(V) ELECTION DISTRICT 12, PRECINCTS 1 THROUGH 15.~~
- 19 (10) SCHOOL BOARD DISTRICT IX CONSISTS OF:
- 20 (I) ELECTION DISTRICT 4;
- 21 (II) ELECTION DISTRICT 8;
- 22 (III) ELECTION DISTRICT 11;
- 23 (IV) ELECTION DISTRICT 5, PRECINCTS 1 THROUGH 5 AND 7
24 THROUGH 11;
- 25 (V) ELECTION DISTRICT 9, PRECINCTS 1, 4, AND 6 THROUGH 11; AND
- 26 (VI) ELECTION DISTRICT 15, PRECINCTS 1, 3, AND 4.

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

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

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

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

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

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

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

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

24 (i) Capital and operating budgets;

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

26 (iii) Collective bargaining decisions;

27 (iv) Student disciplinary matters;

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

30 (vi) Other personnel matters.

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

35 (5) Unless invited to attend by an affirmative vote of a majority OF A
36 QUORUM OF THE ELECTED MEMBERS of the county Board, the student member may

1 not attend an executive session that relates to hearings on appeals of special
2 education placements, hearings held under § 6-202(a) of this article, or collective
3 bargaining.

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

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

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

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

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

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

21 [(2)] (3) The student member serves for a term of 1 year beginning at
22 the end of a school year.

23 [(3)] (4) Subject to the confirmation of the County Council, the County
24 Executive of Prince George's County shall appoint a qualified individual to fill any
25 vacancy on the county Board until a successor is elected and qualifies at the next
26 congressional election.

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

29 (i) Immorality;

30 (ii) Misconduct in office;

31 (iii) Incompetency; or

32 (iv) Willful neglect of duty.

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

36 (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) While serving on the county Board, a member may not be a candidate for a
9 public office other than a position on the county Board.

10 [3-1003.] 3-1002.

11 (a) From and after December 4, 2006, at the beginning of each member's full
12 term, the [Chairman] CHAIR of the county Board is entitled to receive [\$19,000]
13 \$24,000 annually as compensation and the other elected members are each entitled to
14 receive [\$18,000] \$23,000 annually as compensation.

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

19 (2) A member of the county Board may not be reimbursed more than
20 [\$7,000] \$5,000 in travel and other expenses incurred in a single fiscal year.

21 [3-1004.] 3-1003.

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

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

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

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

32 (d) (1) Except as otherwise provided in paragraph (2) of this subsection, [the
33 affirmative vote of the members of the county Board for the passage of a motion by
34 the county Board shall be:

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

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

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

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

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

11 ~~3-1005.~~ 3-1004.

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

15 (b) The Council shall consist of [23] 25 members, appointed as follows:

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

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

- 21 (i) The staff of the county Board of Education;
- 22 (ii) The staff of the County Executive;
- 23 (iii) The staff of the County Council;
- 24 (iv) The county Department of Social Services;
- 25 (v) The staff of the county Superintendent of Education;
- 26 (vi) The Prince George's County Planning Board;
- 27 (vii) The county Department of Aging;
- 28 (viii) The county Health Department;
- 29 (ix) The county Office of Coordination of Services to the
 30 Handicapped;
- 31 (x) The county Juvenile Services Administration;
- 32 (xi) The county Memorial Library System; [and]

1 (xii) The county Department of Program Planning and Economic
2 Development;

3 (XIII) THE CHAIR OF THE PRINCE GEORGE'S COUNTY DELEGATION TO
4 THE SENATE OF MARYLAND; AND

5 (XIV) THE CHAIR OF THE PRINCE GEORGE'S COUNTY DELEGATION TO
6 THE HOUSE OF DELEGATES OF MARYLAND.

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

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

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

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

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

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

27 [3-1006.] ~~3-1004.~~ 3-1005.

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

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

1 [3-1007.] ~~3-1005.~~ 3-1006.

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

5 [3-1008.] ~~3-1006.~~ 3-1007.

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

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

10 (2) Report directly to the County Superintendent.

11 (b) The County Superintendent shall, subject to the approval of the County
12 Board:

13 (1) Select the Chief Financial Officer; and

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

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

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

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

22 SUBTITLE 4. PRINCE GEORGE'S COUNTY.

23 4-401.

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

26 4-402.

27 (A) THERE IS A COUNTY SUPERINTENDENT OF THE BOARD.

28 (B) THE COUNTY SUPERINTENDENT SHALL:

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

31 (2) REPORT DIRECTLY TO THE BOARD; AND

1 (3) DESIGNATE INDIVIDUALS WITH PRIMARY RESPONSIBILITY FOR
2 EACH OF THE FOLLOWING FUNCTIONS:

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

5 (II) ASSESSMENT AND ACCOUNTABILITY OF THE ACADEMIC
6 PERFORMANCE OF THE STUDENTS IN THE PRINCE GEORGE'S COUNTY PUBLIC
7 SCHOOL SYSTEM;

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

10 (IV) DEVELOPMENT AND IMPLEMENTATION OF INITIATIVES FOR
11 EDUCATIONAL REFORM; AND

12 (V) PROFESSIONAL HIRING AND DEVELOPMENT.

13 (C) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (B)(3) OF THIS
14 SECTION, THE COUNTY SUPERINTENDENT AND THE BOARD SHALL BE HELD
15 ACCOUNTABLE FOR THE DELEGATED FUNCTIONS.

16 (D) THE BOARD SHALL EMPLOY THE COUNTY SUPERINTENDENT AND
17 ESTABLISH THE SALARY OF THE COUNTY SUPERINTENDENT AT AN AMOUNT
18 COMMENSURATE WITH THE CREDENTIALS, EXPERIENCE, AND PRIOR POSITIONS OF
19 RESPONSIBILITY OF THE COUNTY SUPERINTENDENT.

20 (E) THE EMPLOYMENT CONTRACT OF THE COUNTY SUPERINTENDENT SHALL
21 PROVIDE, AT A MINIMUM, THAT CONTINUED EMPLOYMENT IS CONTINGENT ON
22 DEMONSTRABLE IMPROVEMENT IN THE ACADEMIC PERFORMANCE OF THE
23 STUDENTS IN THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM AND THE
24 SUCCESSFUL MANAGEMENT OF THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOLS.

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

27 (G) THE FULL TEXT OF THE COUNTY SUPERINTENDENT'S EMPLOYMENT
28 CONTRACT AND ANY DOCUMENT OR RECORDS RELATING TO THE TERMS OF THE
29 COUNTY SUPERINTENDENT'S FINANCIAL COMPENSATION OR TERMS OF
30 EMPLOYMENT SHALL BE A PUBLIC RECORD.

31 4-403.

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

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

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

4 (3) REPORT DIRECTLY TO THE COUNTY SUPERINTENDENT.

5 (B) THE COUNTY SUPERINTENDENT SHALL, SUBJECT TO THE APPROVAL OF
6 THE BOARD:

7 (1) SELECT THE CHIEF ACADEMIC OFFICER; AND

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

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

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

17 4-404.

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

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

23 (2) REPORT DIRECTLY TO THE COUNTY SUPERINTENDENT.

24 (B) THE COUNTY SUPERINTENDENT SHALL, SUBJECT TO THE APPROVAL OF
25 THE BOARD:

26 (1) SELECT THE CHIEF FINANCIAL OFFICER; AND

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

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

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

1 4-405.

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

4 (1) PERFORM ONGOING RESEARCH AND EVALUATION REGARDING THE
5 SYSTEMIC REFORM AND STUDENT ACHIEVEMENT;

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

9 (3) REPORT DIRECTLY TO THE COUNTY SUPERINTENDENT.

10 (B) THE CHIEF EXECUTIVE OFFICER SHALL:

11 (1) SELECT THE CHIEF ACCOUNTABILITY OFFICER; AND

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

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

17 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland
18 read as follows:

19 **Article - Education**

20 3-1001.1.

21 (A) NOTWITHSTANDING § 3-1001(B) OF THIS SUBTITLE, FROM JULY 1, 2006
22 THROUGH JUNE 30, 2008, THE PRINCE GEORGE'S COUNTY BOARD CONSISTS OF:

23 (1) NINE ELECTED MEMBERS;

24 (2) THE FOLLOWING TWO APPOINTED MEMBERS, WHO ARE SERVING ON
25 JUNE 30, 2006:

26 (I) THE CHAIR OF THE COUNTY BOARD; AND

27 (II) THE VICE-CHAIR OF THE COUNTY BOARD; AND

28 (3) ONE STUDENT MEMBER SELECTED UNDER § 3-1001(F)(2) OF THIS
29 SUBTITLE.

30 (B) THE NINE ELECTED MEMBERS SHALL BE ELECTED IN ACCORDANCE WITH
31 § 3-1001(C) OF THIS SUBTITLE.

1 (C) THE COUNTY BOARD SHALL ELECT A CHAIR AND A VICE-CHAIR IN
2 ACCORDANCE WITH § 3-1003 OF THIS SUBTITLE.

3 (D) NOTWITHSTANDING § 3-1003(D) OF THIS SUBTITLE, UNTIL JULY 1, 2008:

4 (1) A QUORUM OF THE COUNTY BOARD IS SIX MEMBERS; AND

5 (2) WHEN THERE ARE TWO OR MORE VACANCIES ON THE COUNTY
6 BOARD, A QUORUM OF THE COUNTY BOARD IS FIVE MEMBERS.

7 SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act
8 shall take effect on the taking effect of the termination provision specified in Section
9 20 of Chapter 289 of the Acts of the General Assembly of 2002.

10 SECTION 5. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall
11 take effect July 1, 2006. It shall remain effective for a period of 2 years and, at the end
12 of June 30, 2008, with no further action required by the General Assembly, Section 3
13 of this Act shall be abrogated and of no further force and effect.

14 SECTION ~~4~~ 6. AND BE IT FURTHER ENACTED, That, except as provided in
15 ~~Section 3~~ Sections 4 and 5 of this Act, this Act shall take effect July 1, 2006, the
16 effective date of Chapter 289 of the Acts of the General Assembly of 2002. If the
17 effective date of Chapter 289 is amended, Section 1 of this Act shall take effect on the
18 taking effect of Chapter 289.