

**Department of Legislative Services**  
Maryland General Assembly  
2006 Session

**FISCAL AND POLICY NOTE**  
**Revised**

House Bill 1360  
Ways and Means

(Prince George's County Delegation)

Education, Health, and Environmental Affairs

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

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This bill makes changes to the governance structure and protocols of the Prince George's County Board of Education that will be elected at the 2006 general election.

In addition, the bill restores the title of county superintendent of schools for the chief executive officer of Prince George's County Public Schools and provides for the continuation of the school system's Chief Academic Officer, Chief Financial Officer, and Chief Accountability Officer. The full text of the employment contracts for these four positions must be public record.

The bill takes effect July 1, 2006 unless the termination date on the current governance structure for the Prince George's County Board of Education is altered.

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**Fiscal Summary**

**State Effect:** None.

**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.

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## 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 established in the bill, and members' terms must be staggered according to the results of the 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 also extends the term of a board chair and vice chair from one year to two years, and authorizes a board member to take an unpaid leave of absence to be a candidate in a primary election.

The bill provides that five elected board of education members are needed to establish a quorum unless there are two or more vacancies on the board, in which case four elected members represent a quorum. A quorum must be present for the board to take any action, and the affirmative vote of a majority of a quorum is required to pass a motion.

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 Chief Executive Officer (CEO), and the CEO selects a Chief Academic Officer, a Chief Financial Officer, and a Chief Accountability Officer. This governance structure is scheduled to terminate with the election of new board members at the November 2006 general election.

The Prince George's County Board of Education will revert to an elected board in December 2006. 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. The number of affirmative votes needed for passage of a board motion is: (1) six if the student member is voting; (2) five if the student member is not voting; or (3) five if there is one or more vacancy 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 Prince George's County Public Schools (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. The appointed board of education is scheduled to revert to an elected board in 2006.

Currently, 14 counties in Maryland elect their boards of education. Of these, six elect all school board members from the county at large and three elect all members from individual school board districts. The other five counties with elected boards have a mix of members elected from the county at large and from individual districts.

**Local Expenditures:** Prince George's County Board of Elections expenditures would increase for each special election that would need to be held. Other counties have estimated that the cost to hold a special election is approximately \$300,000.

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### **Additional Information**

**Prior Introductions:** A similar bill was introduced last year as HB 1117. The House passed the bill, but the Senate Education, Health, and Environmental Affairs Committee took no action on it.

**Cross File:** None.

**Information Source(s):** Department of Legislative Services

**Fiscal Note History:** First Reader - February 20, 2006  
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