

UNOFFICIAL COPY OF SENATE BILL 8  
EMERGENCY BILL

F1

6lr0033

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By: **Senator Giannetti**

Introduced and read first time: June 14, 2006

Assigned to: Rules

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A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Board of Education - Membership**

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

30 BY repealing

31 Article - Education

32 Section 3-1001

33 Annotated Code of Maryland

34 (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, 3-1005, 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 adding to  
10 Article - Education  
11 Section 4-401 through 4-405, inclusive, to be under the new subtitle "Subtitle 4.  
12 Prince George's County"  
13 Annotated Code of Maryland  
14 (2004 Replacement Volume and 2005 Supplement)

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

17 **Article - Education**

18 [3-1001.

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

25 (b) School board district I consists of:

- 26 (1) Election district 1;  
27 (2) Election district 10;  
28 (3) Election district 14, precincts 2, 7, and 8;  
29 (4) Election district 20, precincts 1, 2, 3, 5, 6, 7, and 9 through 11;  
30 (5) Election district 21, precincts 3, 4, 6 through 11, 13, 14, and 16; and

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

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

1 (ii) Census tract 8004.06, blocks 1000 through 1002, 1011, 1012,  
2 1020 through 1028, 1999 through 2003, 2006 through 2010, 2017, 2023 through 2027,  
3 2041 through 2048, 3000 through 3014, 3017, 3018, and 3068.

4 (c) School board district II consists of:

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

6 (2) Election district 16;

7 (3) Election district 17;

8 (4) Election district 19; and

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

10 (d) School board district III consists of:

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

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

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

15 (4) Election district 15, precinct 2;

16 (5) Election district 18; and

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

18 (e) School board district IV consists of:

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

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

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

22 (4) Election district 12.

23 (f) School board district V consists of:

24 (1) Election district 3;

25 (2) Election district 4;

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

27 (4) Election district 7;

28 (5) Election district 8;

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

10 [3-1002.] 3-1001.

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

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

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

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

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

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

24 (II) THE MEMBERS OF THE COUNTY BOARD SHALL BE ELECTED AS  
25 FOLLOWS:

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

28 2. BY THE VOTERS OF THE SCHOOL BOARD DISTRICT THAT  
29 EACH 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 SCHOOL BOARD  
33 DISTRICT SHALL BE A RESIDENT OF THAT DISTRICT AND A REGISTERED VOTER.

1 (3) An elected county Board member shall forfeit the office if the  
2 member:

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

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

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

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

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

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

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

16 (D) (1) THE DESCRIPTIONS OF SCHOOL BOARD DISTRICTS IN THIS SECTION  
17 ARE TO THE ELECTION DISTRICT AND PRECINCT BOUNDARIES AS REVIEWED AND  
18 CERTIFIED BY THE PRINCE GEORGE'S COUNTY BOARD OF ELECTIONS OR THEIR  
19 DESIGNEES AS THEY WERE ESTABLISHED ON SEPTEMBER 1, 2002, AND AS THOSE  
20 ELECTION DISTRICT AND PRECINCT LINES ARE SPECIFICALLY SHOWN ON THE  
21 PUBLIC LAW 94-171 CENSUS BLOCK MAPS PROVIDED BY THE UNITED STATES  
22 BUREAU OF THE CENSUS.

23 (2) SCHOOL BOARD DISTRICT I CONSISTS OF:

24 (I) ELECTION DISTRICT 1;

25 (II) ELECTION DISTRICT 10;

26 (III) ELECTION DISTRICT 14, PRECINCT 9; AND

27 (IV) ELECTION DISTRICT 21, PRECINCTS 4, 5, 14, 15, 97, AND 99.

28 (3) SCHOOL BOARD DISTRICT II CONSISTS OF:

29 (I) ELECTION DISTRICT 14, PRECINCTS 2 AND 8;

30 (II) ELECTION DISTRICT 16, PRECINCT 1;

31 (III) ELECTION DISTRICT 19, PRECINCTS 1 THROUGH 3;

32 (IV) ELECTION DISTRICT 20, PRECINCTS 1, 5, 6, AND 10; AND

- 1 (V) ELECTION DISTRICT 21, PRECINCTS 1, 2, 3, 6 THROUGH 13, 16, 17,  
2 AND 98.
- 3 (4) SCHOOL BOARD DISTRICT III CONSISTS OF:
- 4 (I) ELECTION DISTRICT 16, PRECINCTS 2 THROUGH 4; AND
- 5 (II) ELECTION DISTRICT 17.
- 6 (5) SCHOOL BOARD DISTRICT IV CONSISTS OF:
- 7 (I) ELECTION DISTRICT 2;
- 8 (II) ELECTION DISTRICT 13, PRECINCTS 1 THROUGH 3, 8, AND 17;
- 9 (III) ELECTION DISTRICT 14, PRECINCT 7;
- 10 (IV) ELECTION DISTRICT 16, PRECINCT 99;
- 11 (V) ELECTION DISTRICT 18, PRECINCTS 5 AND 12;
- 12 (VI) ELECTION DISTRICT 19, PRECINCT 4; AND
- 13 (VII) ELECTION DISTRICT 20, PRECINCTS 2, 4, 7 THROUGH 9, AND 11.
- 14 (6) SCHOOL BOARD DISTRICT V CONSISTS OF:
- 15 (I) ELECTION DISTRICT 3;
- 16 (II) ELECTION DISTRICT 7;
- 17 (III) ELECTION DISTRICT 14, PRECINCTS 1, 3 THROUGH 6, AND 10;  
18 AND
- 19 (IV) ELECTION DISTRICT 15, PRECINCT 5.
- 20 (7) SCHOOL BOARD DISTRICT VI CONSISTS OF:
- 21 (I) ELECTION DISTRICT 6, PRECINCTS 19 AND 20;
- 22 (II) ELECTION DISTRICT 13, PRECINCTS 4 THROUGH 7 AND 9  
23 THROUGH 16;
- 24 (III) ELECTION DISTRICT 18, PRECINCTS 1 THROUGH 4 AND 6  
25 THROUGH 11; AND
- 26 (IV) ELECTION DISTRICT 20, PRECINCT 3.
- 27 (8) SCHOOL BOARD DISTRICT VII CONSISTS OF:
- 28 (I) ELECTION DISTRICT 6, PRECINCTS 1, 3 THROUGH 7, 9 THROUGH  
29 12, 15 THROUGH 18, AND 21 THROUGH 23;

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1 (II) ELECTION DISTRICT 9, PRECINCT 3; AND

2 (III) ELECTION DISTRICT 15, PRECINCT 2.

3 (9) SCHOOL BOARD DISTRICT VIII CONSISTS OF:

4 (I) ELECTION DISTRICT 12;

5 (II) ELECTION DISTRICT 5, PRECINCT 6;

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

7 (IV) ELECTION DISTRICT 9, PRECINCTS 2 AND 5.

8 (10) SCHOOL BOARD DISTRICT IX CONSISTS OF:

9 (I) ELECTION DISTRICT 4;

10 (II) ELECTION DISTRICT 8;

11 (III) ELECTION DISTRICT 11;

12 (IV) ELECTION DISTRICT 5, PRECINCTS 1 THROUGH 5 AND 7  
13 THROUGH 11;

14 (V) ELECTION DISTRICT 9, PRECINCTS 1, 4, AND 6 THROUGH 11; AND

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

16 (e) (1) If a candidate for the county Board dies or withdraws the candidacy  
17 during the period beginning with the date of the primary and ending 70 days before  
18 the date of the general election, the Board of Supervisors of Elections 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) (1) The student member shall be an eleventh or twelfth grade student in  
32 the Prince George's County public school system during the student's term in office.

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

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

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

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

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

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

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

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

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



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

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

7 [(2)] (3) The student member serves for a term of 1 year beginning at  
8 the end of a school year.

9 [(3)] (4) Subject to the confirmation of the County Council, the County  
10 Executive of Prince George's County shall appoint a qualified individual to fill any  
11 vacancy on the county Board until a successor is elected and qualifies at the next  
12 congressional election.

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

15 (i) Immorality;

16 (ii) Misconduct in office;

17 (iii) Incompetency; or

18 (iv) Willful neglect of duty.

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

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

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

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

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

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

32 [3-1003.] 3-1002.

33 (a) From and after December 4, 2006, at the beginning of each member's full  
34 term, the [Chairman] CHAIR of the county Board is entitled to receive [\$19,000]

1 \$24,000 annually as compensation and the other elected members are each entitled to  
2 receive [\$18,000] \$23,000 annually as compensation.

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

7 (2) A member of the county Board may not be reimbursed more than  
8 [\$7,000] \$5,000 in travel and other expenses incurred in a single fiscal year.

9 [3-1004.] 3-1003.

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

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

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

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

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

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

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

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

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

1 [3-1005.] 3-1004.

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

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

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

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

- 11 (i) The staff of the county Board of Education;
- 12 (ii) The staff of the County Executive;
- 13 (iii) The staff of the County Council;
- 14 (iv) The county Department of Social Services;
- 15 (v) The staff of the county Superintendent of Education;
- 16 (vi) The Prince George's County Planning Board;
- 17 (vii) The county Department of Aging;
- 18 (viii) The county Health Department;
- 19 (ix) The county Office of Coordination of Services to the  
20 Handicapped;
- 21 (x) The county Juvenile Services Administration;
- 22 (xi) The county Memorial Library System; [and]
- 23 (xii) The county Department of Program Planning and Economic  
24 Development;

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

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

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

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

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

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

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

14 (e) The Council shall report the results, findings, and recommendations  
15 derived from such survey, listing, and evaluation to the county Board of Education,  
16 the County Executive, the County Council and the mayor of each municipality in the  
17 county.

18 [3-1006.] 3-1005.

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

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

27 [3-1007.] 3-1006.

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

31 [3-1008.] 3-1007.

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

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

36 (2) Report directly to the County Superintendent.

1 (b) The County Superintendent shall, subject to the approval of the County  
2 Board:

3 (1) Select the Chief Financial Officer; and

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

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

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

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

12 **Article - Education**

13 **SUBTITLE 4. PRINCE GEORGE'S COUNTY.**

14 4-401.

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

17 4-402.

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

19 (B) THE COUNTY SUPERINTENDENT SHALL:

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

22 (2) REPORT DIRECTLY TO THE BOARD; AND

23 (3) DESIGNATE INDIVIDUALS WITH PRIMARY RESPONSIBILITY FOR  
24 EACH OF THE FOLLOWING FUNCTIONS:

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

27 (II) ASSESSMENT AND ACCOUNTABILITY OF THE ACADEMIC  
28 PERFORMANCE OF THE STUDENTS IN THE PRINCE GEORGE'S COUNTY PUBLIC  
29 SCHOOL SYSTEM;

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

1 (IV) DEVELOPMENT AND IMPLEMENTATION OF INITIATIVES FOR  
2 EDUCATIONAL REFORM; AND

3 (V) PROFESSIONAL HIRING AND DEVELOPMENT.

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

7 (D) THE BOARD SHALL EMPLOY THE COUNTY SUPERINTENDENT AND  
8 ESTABLISH THE SALARY OF THE COUNTY SUPERINTENDENT AT AN AMOUNT  
9 COMMENSURATE WITH THE CREDENTIALS, EXPERIENCE, AND PRIOR POSITIONS OF  
10 RESPONSIBILITY OF THE COUNTY SUPERINTENDENT.

11 (E) THE EMPLOYMENT CONTRACT OF THE COUNTY SUPERINTENDENT SHALL  
12 PROVIDE, AT A MINIMUM, THAT CONTINUED EMPLOYMENT IS CONTINGENT ON  
13 DEMONSTRABLE IMPROVEMENT IN THE ACADEMIC PERFORMANCE OF THE  
14 STUDENTS IN THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM AND THE  
15 SUCCESSFUL MANAGEMENT OF THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOLS.

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

18 (G) THE FULL TEXT OF THE COUNTY SUPERINTENDENT'S EMPLOYMENT  
19 CONTRACT AND ANY DOCUMENT OR RECORDS RELATING TO THE TERMS OF THE  
20 COUNTY SUPERINTENDENT'S FINANCIAL COMPENSATION OR TERMS OF  
21 EMPLOYMENT SHALL BE PUBLIC RECORDS.

22 4-403.

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

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

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

31 (3) REPORT DIRECTLY TO THE COUNTY SUPERINTENDENT.

32 (B) THE COUNTY SUPERINTENDENT SHALL, SUBJECT TO THE APPROVAL OF  
33 THE BOARD:

34 (1) SELECT THE CHIEF ACADEMIC OFFICER; AND

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

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

5 (D) THE FULL TEXT OF THE CHIEF ACADEMIC OFFICER'S EMPLOYMENT  
6 CONTRACT AND ANY DOCUMENT OR RECORDS RELATING TO THE TERMS OF THE  
7 CHIEF ACADEMIC OFFICER'S FINANCIAL COMPENSATION OR TERMS OF  
8 EMPLOYMENT SHALL BE PUBLIC RECORDS.

9 4-404.

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

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

15 (2) REPORT DIRECTLY TO THE COUNTY SUPERINTENDENT.

16 (B) THE COUNTY SUPERINTENDENT SHALL, SUBJECT TO THE APPROVAL OF  
17 THE BOARD:

18 (1) SELECT THE CHIEF FINANCIAL OFFICER; AND

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

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

23 (D) THE FULL TEXT OF THE CHIEF FINANCIAL OFFICER'S EMPLOYMENT  
24 CONTRACT AND ANY DOCUMENT OR RECORDS RELATING TO THE TERMS OF THE  
25 CHIEF FINANCIAL OFFICER'S FINANCIAL COMPENSATION OR TERMS OF  
26 EMPLOYMENT SHALL BE PUBLIC RECORDS.

27 4-405.

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

30 (1) PERFORM ONGOING RESEARCH AND EVALUATION REGARDING THE  
31 SYSTEMIC REFORM AND STUDENT ACHIEVEMENT;

32 (2) WORK WITH THE CHIEF ACADEMIC OFFICER TO ENSURE THAT  
33 EFFECTIVE PROGRAMS AND BEST PRACTICES ARE UTILIZED IN THE CURRICULUM;  
34 AND

35 (3) REPORT DIRECTLY TO THE COUNTY SUPERINTENDENT.

1 (B) THE CHIEF EXECUTIVE OFFICER SHALL:

2 (1) SELECT THE CHIEF ACCOUNTABILITY OFFICER; AND

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

4 (C) THE FULL TEXT OF THE CHIEF ACCOUNTABILITY OFFICER'S  
5 EMPLOYMENT CONTRACT AND ANY DOCUMENT OR RECORDS RELATING TO THE  
6 TERMS OF THE CHIEF ACCOUNTABILITY OFFICER'S FINANCIAL COMPENSATION OR  
7 TERMS OF EMPLOYMENT SHALL BE PUBLIC RECORDS.

8 SECTION 3. AND BE IT FURTHER ENACTED, That Sections 1 and 2 of this  
9 Act shall take effect on the taking effect of the termination provision specified in  
10 Section 20 of Chapter 289 of the Acts of the General Assembly of 2002.

11 SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an  
12 emergency measure, is necessary for the immediate preservation of the public health  
13 or safety, has been passed by a yea and nay vote supported by three-fifths of all the  
14 members elected to each of the two Houses of the General Assembly, except as  
15 provided in Section 3 of this Act, shall take effect from the date it is enacted.