

HOUSE BILL 638

F3
HB 1360/06 – W&M

71r0473

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

Introduced and read first time: February 8, 2007

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Board of Education – Election of Members**

3 **PG 403–07**

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
12 certain vacancies on the County Board remain vacant under certain
13 circumstances; requiring certain special elections to take place within a certain
14 number of days under certain provisions of law; authorizing a member of the
15 County Board to take a certain unpaid leave of absence to be a candidate in a
16 primary election; providing the limits on an unpaid leave of absence; requiring
17 the term of the chair and vice chair to be a certain number of years; providing
18 for the 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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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; and generally relating to the election of members of the Prince
 4 George's County Board of Education.

5 BY repealing

6 Article – Education
 7 Section 3–1001 and 3–1005
 8 Annotated Code of Maryland
 9 (2006 Replacement Volume)

10 BY repealing and reenacting, with amendments,

11 Article – Education
 12 Section 3–1002, 3–1003, 3–1004, 3–1006, 3–1007, and 3–1008
 13 Annotated Code of Maryland
 14 (2006 Replacement Volume)

15 BY adding to

16 Article – Education
 17 Section 4–401 through 4–405, inclusive, to be under the new subtitle “Subtitle 4.
 18 Prince George’s County”
 19 Annotated Code of Maryland
 20 (2006 Replacement Volume)

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

23 **Article – Education**

24 [3–1001.

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

31 (b) School board district I consists of:

- 32 (1) Election district 1;
 33 (2) Election district 10;

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

1 (e) School board district IV consists of:

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

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

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

5 (4) Election district 12.

6 (f) School board district V consists of:

7 (1) Election district 3;

8 (2) Election district 4;

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

10 (4) Election district 7;

11 (5) Election district 8;

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

13 (7) Election district 11;

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

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

16 (10) Election district 15; and

17 (11) That part of election district 14, precinct 9 that consists of census
18 tract 8004.06, blocks 2004, 2005, 2011 through 2016, 2018 through 2022, 2028 through
19 2040, 3015, 3016, 3019 through 3025, 3029 through 3035, 3054 through 3065, and
20 3069.]

21 [3-1002.] **3-1001.**

1 (a) In this subtitle, “elected member” means one of the nine elected members
2 of the Prince George’s County Board [or a member appointed to fill a vacancy of one of
3 these nine members].

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

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

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

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

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

15 **(II) THE MEMBERS OF THE COUNTY BOARD SHALL BE**
16 **ELECTED AS FOLLOWS:**

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

19 **2. BY THE VOTERS OF THE SCHOOL BOARD DISTRICT**
20 **THAT EACH MEMBER REPRESENTS.**

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

25 (3) An elected County Board member shall forfeit the office if the
26 member:

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

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

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

4 (5) Each elected member of the County Board for a position
5 representing a school board district shall be nominated by the registered voters of the
6 member's school board district.

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

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

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

11 **(D) (1) THE DESCRIPTIONS OF SCHOOL BOARD DISTRICTS IN THIS**
12 **SUBSECTION ARE TO THE ELECTION DISTRICT AND PRECINCT BOUNDARIES AS**
13 **REVIEWED AND CERTIFIED BY THE PRINCE GEORGE'S COUNTY BOARD OF**
14 **ELECTIONS OR ITS DESIGNEES AS THEY WERE ESTABLISHED ON SEPTEMBER 1,**
15 **2002, AND AS THOSE ELECTION DISTRICT AND PRECINCT LINES ARE**
16 **SPECIFICALLY SHOWN ON THE PUBLIC LAW 94-171 CENSUS BLOCK MAPS**
17 **PROVIDED BY THE UNITED STATES BUREAU OF THE CENSUS.**

18 **(2) SCHOOL BOARD DISTRICT I CONSISTS OF:**

19 **(I) ELECTION DISTRICT 1;**

20 **(II) ELECTION DISTRICT 10; AND**

21 **(III) ELECTION DISTRICT 21, PRECINCTS 4, 5, 14, AND 99.**

22 **(3) SCHOOL BOARD DISTRICT II CONSISTS OF:**

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

24 **(II) ELECTION DISTRICT 16;**

25 **(III) ELECTION DISTRICT 19, PRECINCT 1;**

1 (IV) THAT PART OF ELECTION DISTRICT 19, PRECINCT 2,
2 THAT IS GENERALLY WEST OF THE BALTIMORE–WASHINGTON PARKWAY; AND

3 (V) ELECTION DISTRICT 21, PRECINCTS 1 THROUGH 3, 6
4 THROUGH 13, 17, 97, AND 98.

5 (4) SCHOOL BOARD DISTRICT III CONSISTS OF:

6 (I) ELECTION DISTRICT 17, PRECINCTS 1 THROUGH 12;

7 (II) ELECTION DISTRICT 19, PRECINCT 3; AND

8 (III) ELECTION DISTRICT 21, PRECINCT 15.

9 (5) SCHOOL BOARD DISTRICT IV CONSISTS OF:

10 (I) ELECTION DISTRICT 2, PRECINCTS 1 THROUGH 10, AND
11 99;

12 (II) ELECTION DISTRICT 13, PRECINCTS 2 AND 17;

13 (III) ELECTION DISTRICT 18, PRECINCTS 3, 5, AND 12;

14 (IV) ELECTION DISTRICT 19, PRECINCT 4;

15 (V) THAT PART OF ELECTION DISTRICT 19, PRECINCT 2,
16 THAT IS GENERALLY EAST OF THE BALTIMORE–WASHINGTON PARKWAY;

17 (VI) ELECTION DISTRICT 20, PRECINCTS 1, 2, 5, 6, 8, 9, AND
18 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,
23 AND 10;

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

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

3 (V) ELECTION DISTRICT 11; AND

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

5 (e) (1) If a candidate for the County Board dies or withdraws the
6 candidacy during the period beginning with the date of the primary and ending 70
7 days before the date of the general election, the Board of Supervisors of Elections
8 shall:

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

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

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

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

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

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

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

- 1 (i) Capital and operating budgets;
- 2 (ii) School closings, reopenings, and boundaries;
- 3 (iii) Collective bargaining decisions;
- 4 (iv) Student disciplinary matters;
- 5 (v) Teacher and administrator disciplinary matters as provided
6 under § 6–202(a) of this article; and
- 7 (vi) Other personnel matters.

8 (4) On an affirmative vote of a majority of **A QUORUM OF** the elected
9 members of the County Board, the Board may determine if a matter before the Board
10 relates to a subject that the student member may not vote on under paragraph (3) of
11 this subsection.

12 (5) Unless invited to attend by an affirmative vote of a majority **OF A**
13 **QUORUM OF THE ELECTED MEMBERS** of the County Board, the student member
14 may not attend an executive session that relates to hearings on appeals of special
15 education placements, hearings held under § 6–202(a) of this article, or collective
16 bargaining.

17 (6) The Prince George’s Regional Association of Student Governments
18 may establish procedures for the election of the student member of the County Board.

19 (7) The election procedures established by the Prince George’s
20 Regional Association of Student Governments are subject to the approval of the elected
21 members of the County Board.

22 (g) (1) **[An] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
23 **SUBSECTION, AN** elected member serves for a term of 4 years beginning on the first
24 Monday in December after the member’s election and until the member’s successor is
25 elected and qualifies.

26 (2) **THE TERMS OF THE ELECTED MEMBERS ARE STAGGERED AS**
27 **FOLLOWS:**

28 (I) **THE FOUR ELECTED MEMBERS WHO RECEIVED THE**
29 **LOWEST TOTAL VOTES, AS DETERMINED BY THE FINAL VOTE COUNT OF THE**

1 **2010 GENERAL ELECTION AS CERTIFIED BY THE BOARD OF SUPERVISORS OF**
2 **ELECTIONS, SHALL SERVE FOR A TERM OF 2 YEARS; AND**

3 **(II) THE OTHER FIVE MEMBERS ELECTED IN THE 2010**
4 **GENERAL ELECTION SHALL SERVE FOR A TERM OF 4 YEARS.**

5 ~~[(2)]~~ **(3)** The student member serves for a term of 1 year beginning at
6 the end of a school year.

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

11 **(4) (I) ANY VACANCY ON THE COUNTY BOARD THAT OCCURS**
12 **MORE THAN 240 DAYS BEFORE THE EXPIRATION OF THE TERM OF OFFICE OF**
13 **ANY MEMBER SHALL BE FILLED FOR THE REMAINDER OF THAT TERM:**

14 **1. AT THE NEXT GENERAL ELECTION IF THE**
15 **VACANCY OCCURS WITHIN 150 DAYS OF A GENERAL ELECTION; OR**

16 **2. AT A SPECIAL ELECTION.**

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

21 **(III) THE SPECIAL ELECTION PROVIDED FOR IN**
22 **SUBPARAGRAPH (I)2 OF THIS PARAGRAPH SHALL:**

23 **1. TAKE PLACE NO LATER THAN 60 DAYS AFTER THE**
24 **VACANCY OCCURS; AND**

25 **2. BE GOVERNED BY TITLE 8, SUBTITLE 8 OF THE**
26 **ELECTION LAW ARTICLE.**

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:**

- 1 (i) Immorality;
- 2 (ii) Misconduct in office;
- 3 (iii) Incompetency; or
- 4 (iv) Willful neglect of duty.

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

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

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

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

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

16 (i) **(1) [While] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
17 **SUBSECTION, WHILE** serving on the County Board, a member may not be a candidate
18 for a public office other than a position on the County Board.

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

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

27 **[3-1003.] 3-1002.**

28 (a) From and after December 4, 2006, at the beginning of each member's full
29 term, the [chairman] **CHAIR** of the County Board is entitled to receive \$19,000

1 annually as compensation and the other elected members are each entitled to receive
2 \$18,000 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 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**
12 and 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**
15 **BOARD** shall be taken at a public meeting and a record of the meeting and all actions
16 shall be 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 (c) (1) **THE COUNTY BOARD OR A SUBDIVISION OF THE COUNTY**
21 **BOARD SHALL PROVIDE PUBLIC NOTICE, INCLUDING A COPY OF THE AGENDA,**
22 **OF ANY MEETING OR WORK SESSION.**

23 (2) **REASONABLE ADVANCE PUBLIC NOTICE SHALL BE GIVEN IF A**
24 **MEETING OR WORK SESSION OF THE COUNTY BOARD OR A SUBDIVISION OF THE**
25 **COUNTY BOARD IS CANCELED, POSTPONED, RESCHEDULED, OR HAS A CHANGE**
26 **OF LOCATION OR PURPOSE AND SHALL INCLUDE DETAILS OF THE NEXT**
27 **MEETING, LOCATION, OR PURPOSE.**

28 (d) (1) **THE COUNTY BOARD OR A SUBDIVISION OF THE COUNTY**
29 **BOARD MAY MEET AND DELIBERATE IN AN EXECUTIVE SESSION FOR ACTION ON**
30 **ONLY THE FOLLOWING ISSUES:**

- 1 (I) COLLECTIVE BARGAINING AGREEMENTS;
 2 (II) PERSONNEL MATTERS;
 3 (III) CASES OF STUDENT DISCIPLINE; AND
 4 (IV) APPEALS TAKEN IN ACCORDANCE WITH § 3-1004 OF
 5 THIS SUBTITLE.

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

8 (I) CONDUCT A RECORDED VOTE ON THE CLOSING OF THE
 9 SESSION; AND

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

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

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

21 [(d)] (E) (1) Except as otherwise provided in paragraph (2) of this
 22 subsection, [the affirmative vote of the members of the County Board for the passage
 23 of a motion by the County Board shall be:

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

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

27 (2) When there [is one vacancy or more than one vacancy] ARE TWO
 28 OR MORE VACANCIES on the County Board, [the affirmative vote of the members of

1 the County Board for the passage of a motion by the Board shall be five] **A QUORUM**
2 **OF THE COUNTY BOARD IS FOUR ELECTED** members.

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

5 **(4) THE AFFIRMATIVE VOTE OF A MAJORITY OF A QUORUM OF**
6 **THE COUNTY BOARD IS REQUIRED TO PASS A MOTION OF THE COUNTY BOARD.**

7 [3-1005.

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

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

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

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

17 (i) The staff of the County Board of Education;

18 (ii) The staff of the County Executive;

19 (iii) The staff of the County Council;

20 (iv) The county Department of Social Services;

21 (v) The staff of the county Superintendent of Education;

22 (vi) The Prince George's County Planning Board;

23 (vii) The county Department of Aging;

24 (viii) The county Health Department;

25 (ix) The county Office of Coordination of Services to the
26 Handicapped;

- 1 (x) The county Juvenile Services Administration;
- 2 (xi) The county Memorial Library System; and
- 3 (xii) The county Department of Program Planning and Economic
4 Development.

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

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

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

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

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

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

25 [3-1006.] **3-1004.**

26 (a) In addition to the powers otherwise granted to the County Board in this
27 article, the County Board or a designated committee of the County Board may hear an
28 appeal from a decision of the County Superintendent that relates to the grade,
29 transfer, tuition, or any aspect of participation in a program or activity of a specific
30 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
2 MAJORITY of the ELECTED MEMBERS OF THE Board and [at least 5 members] A
3 MAJORITY of a designated committee shall be present to constitute a quorum of the
4 committee.

5 [3-1007.] **3-1005.**

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

9 [3-1008.] **3-1006.**

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

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

14 (2) Report directly to the County Superintendent.

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

17 (1) Select the Chief Financial Officer; and

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

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

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

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

25 **4-401.**

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

1 **4-402.**

2 (A) **THERE IS A COUNTY SUPERINTENDENT OF THE BOARD.**

3 (B) **THE COUNTY SUPERINTENDENT SHALL:**

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

6 (2) **REPORT DIRECTLY TO THE BOARD; AND**

7 (3) **DESIGNATE INDIVIDUALS WITH PRIMARY RESPONSIBILITY**
8 **FOR EACH OF THE FOLLOWING FUNCTIONS:**

9 (I) **MANAGEMENT AND ADMINISTRATION OF THE PRINCE**
10 **GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM;**

11 (II) **ASSESSMENT AND ACCOUNTABILITY OF THE ACADEMIC**
12 **PERFORMANCE OF THE STUDENTS IN THE PRINCE GEORGE'S COUNTY PUBLIC**
13 **SCHOOL SYSTEM;**

14 (III) **PROVISION OF SERVICES TO STUDENTS WITH**
15 **DISABILITIES IN ACCORDANCE WITH FEDERAL AND STATE LAW;**

16 (IV) **DEVELOPMENT AND IMPLEMENTATION OF INITIATIVES**
17 **FOR EDUCATIONAL REFORM; AND**

18 (V) **PROFESSIONAL HIRING AND DEVELOPMENT.**

19 (C) **NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (B)(3) OF**
20 **THIS SECTION, THE COUNTY SUPERINTENDENT AND THE BOARD SHALL BE**
21 **HELD ACCOUNTABLE FOR THE DELEGATED FUNCTIONS.**

22 (D) **THE BOARD SHALL EMPLOY THE COUNTY SUPERINTENDENT AND**
23 **ESTABLISH THE SALARY OF THE COUNTY SUPERINTENDENT AT AN AMOUNT**
24 **COMMENSURATE WITH THE CREDENTIALS, EXPERIENCE, AND PRIOR POSITIONS**
25 **OF RESPONSIBILITY OF THE COUNTY SUPERINTENDENT.**

1 **(E) THE EMPLOYMENT CONTRACT OF THE COUNTY SUPERINTENDENT**
2 **SHALL PROVIDE, AT A MINIMUM, THAT CONTINUED EMPLOYMENT IS**
3 **CONTINGENT ON DEMONSTRABLE IMPROVEMENT IN THE ACADEMIC**
4 **PERFORMANCE OF THE STUDENTS IN THE PRINCE GEORGE'S COUNTY PUBLIC**
5 **SCHOOL SYSTEM AND THE SUCCESSFUL MANAGEMENT OF THE PRINCE**
6 **GEORGE'S COUNTY PUBLIC SCHOOLS.**

7 **(F) THE TERM OF THE INITIAL CONTRACT AND ANY RENEWAL MAY NOT**
8 **EXCEED 4 YEARS.**

9 **(G) THE FULL TEXT OF THE COUNTY SUPERINTENDENT'S EMPLOYMENT**
10 **CONTRACT AND ANY DOCUMENT OR RECORDS RELATING TO THE TERMS OF THE**
11 **COUNTY SUPERINTENDENT'S FINANCIAL COMPENSATION OR TERMS OF**
12 **EMPLOYMENT SHALL BE PUBLIC RECORD.**

13 **4-403.**

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

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

19 **(2) WORK WITH THE CHIEF ACCOUNTABILITY OFFICER TO**
20 **ENSURE THAT EFFECTIVE PROGRAMS AND BEST PRACTICES ARE UTILIZED IN**
21 **THE CURRICULUM; AND**

22 **(3) REPORT DIRECTLY TO THE COUNTY SUPERINTENDENT.**

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

25 **(1) SELECT THE CHIEF ACADEMIC OFFICER; AND**

26 **(2) ESTABLISH THE SALARY OF THE CHIEF ACADEMIC OFFICER.**

27 **(C) THE EMPLOYMENT CONTRACT OF THE CHIEF ACADEMIC OFFICER**
28 **SHALL PROVIDE, AT A MINIMUM, THAT CONTINUED EMPLOYMENT IS**

1 CONTINGENT ON A DEMONSTRABLE IMPROVEMENT IN ACADEMIC
2 PERFORMANCE OF THE STUDENTS IN THE PRINCE GEORGE'S COUNTY PUBLIC
3 SCHOOL SYSTEM.

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

8 **4-404.**

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

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

14 (2) REPORT DIRECTLY TO THE COUNTY SUPERINTENDENT.

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

17 (1) SELECT THE CHIEF FINANCIAL OFFICER; AND

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

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

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

27 **4-405.**

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

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

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

8 **(3) REPORT DIRECTLY TO THE COUNTY SUPERINTENDENT.**

9 **(B) THE COUNTY SUPERINTENDENT SHALL:**

10 **(1) SELECT THE CHIEF ACCOUNTABILITY OFFICER; AND**

11 **(2) ESTABLISH THE SALARY OF THE CHIEF ACCOUNTABILITY**
12 **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**
16 **OR TERMS OF EMPLOYMENT SHALL BE PUBLIC RECORD.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2007.