

HOUSE BILL 1239

F3

71r3075

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

Introduced and read first time: February 21, 2007

Assigned to: Rules and Executive Nominations

Re-referred to: Ways and Means, March 5, 2007

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 21, 2007

CHAPTER _____

1 AN ACT concerning

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

3 **PG 433-07**

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; requiring that certain special
15 elections be funded by Prince George's County; requiring a certain individual
16 elected to the County Board to serve for the remainder of a certain term and the
17 following term; prohibiting a member of the County Board from holding an
18 office of profit in Prince George's County government; repealing certain
19 provisions relating to public meetings and executive sessions of the County

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Board; requiring a certain vote of the County Board to pass a motion of the
 2 County Board; ~~requiring the presence of a certain quorum of the County Board~~
 3 ~~in order for the County Board to take any action; altering the requirements for a~~
 4 quorum of the County Board; repealing a certain provision relating to the
 5 composition of a committee of the County Board; repealing certain provisions
 6 relating to the Chief Financial Officer of the county public school system;
 7 repealing a certain requirement that the County Board and the Maryland State
 8 Department of Education hire a consultant to conduct a comprehensive review
 9 of the Prince George's County school system; repealing certain requirements
 10 that the County Board and the Maryland State Department of Education
 11 conduct certain hearings and prepare certain reports concerning a certain
 12 comprehensive review; making stylistic changes; and generally relating to the
 13 Prince George's County Board of Education.

14 BY repealing
 15 Article – Education
 16 Section 3–1001 and 3–1008
 17 Annotated Code of Maryland
 18 (2006 Replacement Volume)

19 BY repealing and reenacting, with amendments,
 20 Article – Education
 21 Section 3–1002 through 3–1007
 22 Annotated Code of Maryland
 23 (2006 Replacement Volume)

24 BY repealing
 25 Chapter 289 of the Acts of the General Assembly of 2002, as amended by
 26 Chapter 344 of the Acts of the General Assembly of 2005
 27 Section 17 and 18

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

30 **Article – Education**

31 [3–1001.

32 (a) The descriptions of school board districts in this section are to the election
 33 district and precinct boundaries as reviewed and certified by the Prince George's
 34 County Board of Elections or their designees before they were reported to the United
 35 States Bureau of the Census as part of the 2000 Census Redistricting Data Program

1 and as those election district and precinct lines are specifically shown on the Public
2 Law 94–171 census block maps provided by the United States Bureau of the Census.

3 (b) School board district I consists of:

4 (1) Election district 1;

5 (2) Election district 10;

6 (3) Election district 14, precincts 2, 7, and 8;

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

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

9 and

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

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

13 (ii) Census tract 8004.06, blocks 1000 through 1002, 1011, 1012,
14 1020 through 1028, 1999 through 2003, 2006 through 2010, 2017, 2023 through 2027,
15 2041 through 2048, 3000 through 3014, 3017, 3018, and 3068.

16 (c) School board district II consists of:

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

18 (2) Election district 16;

19 (3) Election district 17;

20 (4) Election district 19; and

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

22 (d) School board district III consists of:

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

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

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- 1 (3) Election district 13, precincts 1, 2, 3, 7, 8, 9, 10, 14, 16, and 17;
- 2 (4) Election district 15, precinct 2;
- 3 (5) Election district 18; and
- 4 (6) Election district 20, precincts 3, 4, and 8.
- 5 (e) School board district IV consists of:
 - 6 (1) Election district 5, precincts 2 through 7;
 - 7 (2) Election district 6, precincts 2, 7, 8, 9, 12, 13, 14, 17, and 18;
 - 8 (3) Election district 9, precincts 1, 2, 3, 4, 5, 7, 10, and 11; and
 - 9 (4) Election district 12.
- 10 (f) School board district V consists of:
 - 11 (1) Election district 3;
 - 12 (2) Election district 4;
 - 13 (3) Election district 5, precincts 1 and 8;
 - 14 (4) Election district 7;
 - 15 (5) Election district 8;
 - 16 (6) Election district 9, precincts 6, 8, and 9;
 - 17 (7) Election district 11;
 - 18 (8) Election district 13, precincts 4, 5, 6, 11, 12, 13, and 15;
 - 19 (9) Election district 14, precincts 1, 3 through 6, and 10;
 - 20 (10) Election district 15; and
 - 21 (11) That part of election district 14, precinct 9 that consists of census
22 tract 8004.06, blocks 2004, 2005, 2011 through 2016, 2018 through 2022, 2028 through

1 2040, 3015, 3016, 3019 through 3025, 3029 through 3035, 3054 through 3065, and
2 3069.]

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

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

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

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

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

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

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

18 **(II) THE ELECTED MEMBERS OF THE COUNTY BOARD**
19 **SHALL BE ELECTED AS FOLLOWS:**

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

22 **2. BY THE VOTERS OF THE SCHOOL BOARD DISTRICT**
23 **THAT EACH MEMBER REPRESENTS.**

24 (2) From the time of filing as a candidate for election, each candidate
25 [for a position on the County Board representing a school board district shall reside in
26 the school board district the candidate seeks to represent] **SHALL BE A REGISTERED**
27 **VOTER OF THE COUNTY AND A RESIDENT OF THE SCHOOL BOARD DISTRICT THE**
28 **CANDIDATE SEEKS TO REPRESENT.**

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 ~~THE county~~ **PRINCE GEORGE'S COUNTY** government during the member's term.

9 (5) Each elected member of the County Board for a position
10 representing a school board district shall be nominated by the registered voters of the
11 member's 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)
14 of this section; and

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

16 **(D) (1) THE DESCRIPTIONS OF SCHOOL BOARD DISTRICTS IN THIS**
17 **SUBSECTION ARE TO THE ELECTION DISTRICT AND PRECINCT BOUNDARIES AS**
18 **REVIEWED AND CERTIFIED BY THE PRINCE GEORGE'S COUNTY BOARD OF**
19 **ELECTIONS OR ITS DESIGNEES AS THEY WERE ESTABLISHED ON SEPTEMBER 1,**
20 **2002, AND AS THOSE ELECTION DISTRICT AND PRECINCT LINES ARE**
21 **SPECIFICALLY SHOWN ON THE PUBLIC LAW 94-171 CENSUS BLOCK MAPS**
22 **PROVIDED BY THE UNITED STATES 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**
28 **99.**

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

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

3 **(II) ELECTION DISTRICT 16, PRECINCT 1;**

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

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

6 **(V) ELECTION DISTRICT 21, PRECINCTS 1, 2, 3, 6 THROUGH**
7 **13, 16, 17, AND 98.**

8 **(4) SCHOOL BOARD DISTRICT III CONSISTS OF:**

9 **(I) ELECTION DISTRICT 16, PRECINCTS 2 THROUGH 4; AND**

10 **(II) ELECTION DISTRICT 17.**

11 **(5) SCHOOL BOARD DISTRICT IV CONSISTS OF:**

12 **(I) ELECTION DISTRICT 2;**

13 **(II) ELECTION DISTRICT 13, PRECINCTS 1 THROUGH 3, 8,**
14 **AND 17;**

15 **(III) ELECTION DISTRICT 14, PRECINCT 7;**

16 **(IV) ELECTION DISTRICT 16, PRECINCT 99;**

17 **(V) ELECTION DISTRICT 18, PRECINCTS 5 AND 12;**

18 **(VI) ELECTION DISTRICT 19, PRECINCT 4; AND**

19 **(VII) ELECTION DISTRICT 20, PRECINCTS 2, 4, 7 THROUGH 9,**
20 **AND 11.**

21 **(6) SCHOOL BOARD DISTRICT V CONSISTS OF:**

22 **(I) ELECTION DISTRICT 3, PRECINCTS 2 AND 3;**

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

- 1 (I) **ELECTION DISTRICT 4;**
- 2 (II) **ELECTION DISTRICT 8;**
- 3 (III) **ELECTION DISTRICT 11;**
- 4 (IV) **ELECTION DISTRICT 3, PRECINCT 1;**
- 5 ~~(IV)~~ (V) **ELECTION DISTRICT 5, PRECINCTS 1 ~~THROUGH 5,~~**
6 **3, 4, AND 7 8 THROUGH 11;**
- 7 ~~(V)~~ (VI) **ELECTION DISTRICT 9, PRECINCTS 1, 4, AND 6**
8 **THROUGH 11; AND**
- 9 ~~(VI)~~ (VII) **ELECTION DISTRICT 15, PRECINCTS 1, 3, AND 4.**

10 (e) (1) If a candidate for the County Board dies or withdraws the
11 candidacy during the period beginning with the date of the primary and ending 70
12 days before the date of the general election, the Board of [Supervisors of] Elections
13 shall:

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

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

19 (2) (i) Except as otherwise provided in subparagraph (ii) of this
20 paragraph, the Board of [Supervisors of] Elections shall add to the ballot for the
21 general election the name of any person who files as a candidate in accordance with
22 paragraph (1)(ii) of this subsection.

23 (ii) The Board of [Supervisors of] Elections may not add
24 additional candidates to the ballot for the general election within 70 days before the
25 date of the election.

26 (f) (1) The student member shall be an eleventh or twelfth grade student
27 in 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
9 except 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 the elected members of the
18 County Board **PRESENT AND VOTING AT A MEETING AT WHICH A QUORUM IS**
19 **PRESENT**, the Board may determine if a matter before the Board relates to a subject
20 that the student member may not vote on under paragraph (3) of this subsection.

21 (5) Unless invited to attend by an affirmative vote of a majority **OF**
22 **THE ELECTED MEMBERS** of the County Board **PRESENT AND VOTING AT A**
23 **MEETING AT WHICH A QUORUM IS PRESENT**, the student member may not attend
24 an executive session that relates to hearings on appeals of special education
25 placements, hearings held under § 6-202(a) of this article, or collective 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
29 Regional Association of Student Governments are subject to the approval of the elected
30 members of the County Board.

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

5 **(2) THE TERMS OF THE ELECTED MEMBERS ARE STAGGERED AS**
6 **FOLLOWS:**

7 **(I) THE FIVE ELECTED MEMBERS WHO RECEIVED THE**
8 **LOWEST PERCENTAGE OF VOTES, AS DETERMINED BY THE FINAL VOTE COUNT**
9 **OF THE 2010 GENERAL ELECTION AS CERTIFIED BY THE BOARD OF**
10 **ELECTIONS, SHALL SERVE FOR A TERM OF 2 YEARS; AND**

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

13 **[(2)] (3)** The student member serves for a term of 1 year beginning at
14 the end of a school year.

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

19 **(4) (I) A SEAT ON THE COUNTY BOARD HELD BY AN ELECTED**
20 **MEMBER THAT BECOMES VACANT MORE THAN 180 DAYS BEFORE THE END OF**
21 **THAT MEMBER'S TERM OF OFFICE SHALL BE FILLED FOR THE REMAINDER OF**
22 **THE TERM AT A SPECIAL ELECTION.**

23 **(II) A SPECIAL ELECTION UNDER SUBPARAGRAPH (I) OF**
24 **THIS PARAGRAPH SHALL BE HELD:**

25 **1. AT THE NEXT PRIMARY OR GENERAL ELECTION IF**
26 **THE VACANCY OCCURS 180 DAYS OR LESS BEFORE A PRIMARY OR GENERAL**
27 **ELECTION; OR**

28 **2. NO LATER THAN 60 DAYS AFTER THE VACANCY**
29 **OCCURS IF THE VACANCY OCCURS MORE THAN 180 DAYS BEFORE A PRIMARY OR**
30 **GENERAL ELECTION.**

1 **(III) A SPECIAL ELECTION UNDER SUBPARAGRAPH (I) OF**
2 **THIS PARAGRAPH SHALL BE:**

3 **1. FUNDED BY PRINCE GEORGE’S COUNTY; AND**

4 **2. GOVERNED BY TITLE 8, SUBTITLE 8 OF THE**
5 **ELECTION LAW ARTICLE EXCEPT AS OTHERWISE PROVIDED IN THIS**
6 **PARAGRAPH OR WHERE SUCH CONSTRUCTION WOULD BE UNREASONABLE.**

7 **(IV) A VACANCY THAT OCCURS 180 DAYS OR LESS BEFORE**
8 **THE EXPIRATION OF A MEMBER’S TERM OF OFFICE SHALL CONTINUE UNTIL A**
9 **SUCCESSOR IS ELECTED AND QUALIFIES.**

10 **(V) AN INDIVIDUAL ELECTED TO A VACANT SEAT ON THE**
11 **COUNTY BOARD AT THE GENERAL ELECTION HELD IN THE YEAR THAT THE**
12 **TERM EXPIRES SHALL SERVE FOR THE REMAINDER OF THE EXPIRING TERM AND**
13 **FOR THE FOLLOWING TERM.**

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

16 (i) Immorality;

17 (ii) Misconduct in office;

18 (iii) Incompetency; or

19 (iv) Willful neglect of duty.

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

23 (3) If the member requests a hearing within the 10–day period:

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

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

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

3 (i) While serving on the County Board, a member may not be a candidate for
4 a public office other than a position on the County Board.

5 ~~[3-1003.]~~ **3-1002.**

6 (a) From and after December 4, 2006, at the beginning of each member's full
7 term, the [chairman] **CHAIR** of the County Board is entitled to receive \$19,000
8 annually as compensation and the other elected members are each entitled to receive
9 \$18,000 annually as compensation.

10 (b) (1) After submitting vouchers under the rules and regulations adopted
11 by the County Board, the [chairman] **CHAIR** and the other members, including the
12 student member, are entitled to the allowances for travel and other expenses provided
13 in the Prince George's County budget.

14 (2) A member of the County Board may not be reimbursed more than
15 \$7,000 in travel and other expenses incurred in a single fiscal year.

16 ~~[3-1004.]~~ **3-1003.**

17 (a) The County Board shall hold an annual meeting on the first Monday in
18 December to elect a [chairman] **CHAIR** and vice [chairman] **CHAIR** from among its
19 members.

20 [(b) All actions of the County Board shall be taken at a public meeting and a
21 record of the meeting and all actions shall be made public.

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

25 [(d)] **(B)** (1) Except as otherwise provided in paragraph (2) of this
26 subsection, [the affirmative vote of the members of the County Board for the passage
27 of a motion by the County Board shall be:

28 (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 on the~~
 4 ~~County Board, the affirmative vote of the members of the County Board for the~~
 5 ~~passage of a motion by the Board shall be five members.~~

6 **(2) WHEN THERE ARE TWO OR MORE VACANCIES ON THE COUNTY**
 7 **BOARD, A QUORUM OF THE COUNTY BOARD IS FOUR ELECTED MEMBERS.**

8 **(3) THE AFFIRMATIVE VOTE OF A MAJORITY OF THE ELECTED**
 9 **MEMBERS OF THE COUNTY BOARD PRESENT AND VOTING AT A MEETING AT**
 10 **WHICH A QUORUM IS PRESENT IS REQUIRED TO PASS A MOTION OF THE COUNTY**
 11 **BOARD.**

12 [3-1005.] **3-1004.**

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

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

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

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

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

23 (ii) The staff of the County Executive;

24 (iii) The staff of the County Council;

25 (iv) The county Department of Social Services;

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

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

- 1 (vii) The county Department of Aging;
- 2 (viii) The county health department;
- 3 (ix) The county Office of Coordination of Services to the
4 Handicapped;
- 5 (x) The county Juvenile Services Administration;
- 6 (xi) The county Memorial Library System; and
- 7 (xii) The county Department of Program Planning and Economic
8 Development.

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

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

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

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

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

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

29 [3-1006.] **3-1005.**

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

6 [(b) A designated committee shall consist of at least 5 members of the Board
7 and at least 5 members of a designated committee shall be present to constitute a
8 quorum of the committee.]

9 [3-1007.] **3-1006.**

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

13 [3-1008.

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

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

18 (2) Report directly to the County Superintendent.

19 (b) The County Superintendent shall, subject to the approval of the County
20 Board:

21 (1) Select the Chief Financial Officer; and

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

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

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

28 **Chapter 289 of the Acts of 2002, as amended by Chapter 344 of the Acts of**
29 **2005**

1 [SECTION 17. AND BE IT FURTHER ENACTED, That, on or before June 1,
2 2007, a consultant shall conduct a comprehensive review of the Prince George's
3 County public school system and the New Prince George's County Board of Education
4 (New Board). The Prince George's County Board of Education (Board) and the
5 Maryland State Department of Education shall jointly select and equally share the
6 cost of the consultant and determine the scope of the comprehensive review. At a
7 minimum, the comprehensive review shall evaluate both the educational and
8 management reforms made by the New Board and shall determine whether there has
9 been improvement in the management of and student achievement in the public
10 schools in Prince George's County. The review may include recommendations to the
11 General Assembly concerning the organizational structure of the Prince George's
12 County public school system, in addition to recommendations to the Board concerning
13 modifications to the master plan adopted in accordance with this Act. The consultant
14 shall report the findings of the evaluation to the Governor, the County Executive of
15 Prince George's County, the Board and, in accordance with § 2-1246 of the State
16 Government Article, the General Assembly.]

17 [SECTION 18. AND BE IT FURTHER ENACTED, That the Prince George's
18 County Board and the State Board of Education shall review the findings of the
19 comprehensive review set forth in Section 17 of this Act and shall conduct four public
20 hearings throughout Prince George's County. On or before September 1, 2007, the
21 Prince George's County Board and State Board of Education shall report to the
22 General Assembly the results of the public hearings and the review of the final
23 comprehensive review, and propose to the General Assembly any changes appropriate
24 in the management structure and levels of funding of the Prince George's County
25 public school system.]

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.