

SENATE BILL 657

F3
HB 1360/06 – W&M

7lr1495

By: **Senators Muse, Britt, and Peters**

Introduced and read first time: February 2, 2007

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 22, 2007

CHAPTER _____

1 AN ACT concerning

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

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; requiring candidates for election to the County Board to include a
9 certain petition containing a certain number of signatures with the candidate's
10 certificate of candidacy; providing for the initial terms of the elected members of
11 the County Board; requiring that a vacancy on the County Board be filled by a
12 certain election if the vacancy occurs within a certain time period; requiring
13 that certain vacancies on the County Board remain vacant under certain
14 circumstances; providing that a member whose term expires may not hold over;
15 requiring certain special elections to take place within a certain number of days
16 under certain provisions of law; requiring the term of the chair and vice chair to
17 be a certain number of years; specifying that the State Open Meetings Act
18 applies to any committee or other entity created by the County Board; requiring
19 the County Board or certain entities of the County Board to take certain actions
20 before and after an executive session; altering the requirements for a quorum of
21 the County Board; requiring the presence of a certain quorum 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.



Board in order for the County Board to take any action; repealing provisions relating to the Shared Space Council in Prince George's County; repealing a certain provision relating to the composition of a committee of the County Board; requiring certain documents and records relating to employment terms and financial compensation of certain officers in a certain school system be public records; repealing certain provisions and altering the title of a certain officer in the Prince George's County school system; and generally relating to the election of members of the Prince George's County Board of Education.

BY repealing

Article – Education

Section 3–1001, 3–1005, and 3–1008

Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Education

Section 3–1002, 3–1003, 3–1004, 3–1006, and 3–1007

Annotated Code of Maryland

(2006 Replacement Volume)

BY adding to

Article – Education

Section 4–401 and 4–402 to be under the new subtitle “Subtitle 4. Prince George's County”

Annotated Code of Maryland

(2006 Replacement Volume)

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

Article – Education

[3–1001.

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

(b) School board district I consists of:

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

1 (5) Election district 18; and

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

3 (e) School board district IV consists of:

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

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

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

7 (4) Election district 12.

8 (f) School board district V consists of:

9 (1) Election district 3;

10 (2) Election district 4;

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

12 (4) Election district 7;

13 (5) Election district 8;

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

15 (7) Election district 11;

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

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

18 (10) Election district 15; and

19 (11) That part of election district 14, precinct 9 that consists of census
20 tract 8004.06, blocks 2004, 2005, 2011 through 2016, 2018 through 2022, 2028 through
21 2040, 3015, 3016, 3019 through 3025, 3029 through 3035, 3054 through 3065, and
22 3069.]

1 [3-1002.] **3-1001.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(5) [Each elected member of] **FOR THE PRIMARY ELECTION, EACH CANDIDATE FOR ELECTION TO** the County Board [for a position representing a school board district] shall [be nominated by] **FILE WITH THE INDIVIDUAL'S CERTIFICATE OF CANDIDACY A PETITION SIGNED BY NOT LESS THAN 1% OF** the registered voters of the [member's] school board district **THE CANDIDATE SEEKS TO REPRESENT.**

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

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

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

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

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

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

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

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

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

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

2 ~~(II) ELECTION DISTRICT 16;~~

3 ~~(III) ELECTION DISTRICT 19, PRECINCT 1;~~

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

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

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

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

10 ~~(II) ELECTION DISTRICT 19, PRECINCT 3; AND~~

11 ~~(III) ELECTION DISTRICT 21, PRECINCT 15.~~

12 ~~(5) SCHOOL BOARD DISTRICT IV CONSISTS OF:~~

13 ~~(I) ELECTION DISTRICT 2, PRECINCTS 1 THROUGH 10 AND~~
14 ~~99;~~

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

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

17 ~~(IV) ELECTION DISTRICT 19, PRECINCT 4;~~

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

20 ~~(VI) ELECTION DISTRICT 20, PRECINCTS 1, 2, 5, 6, 8, 9, AND~~
21 ~~10; AND~~

22 ~~(VII) ELECTION DISTRICT 21, PRECINCT 16.~~

23 ~~(6) SCHOOL BOARD DISTRICT V CONSISTS OF:~~

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

~~(III) ELECTION DISTRICT 8;~~

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

~~(V) ELECTION DISTRICT 11; AND~~

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

(2) SCHOOL BOARD DISTRICT I CONSISTS OF:

(I) ELECTION DISTRICT 1;

(II) ELECTION DISTRICT 10;

(III) ELECTION DISTRICT 14, PRECINCT 9; AND

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

(3) SCHOOL BOARD DISTRICT II CONSISTS OF:

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

(II) ELECTION DISTRICT 16, PRECINCT 1;

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

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

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

(4) SCHOOL BOARD DISTRICT III CONSISTS OF:

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

(II) ELECTION DISTRICT 17.

(5) SCHOOL BOARD DISTRICT IV CONSISTS OF:

(I) ELECTION DISTRICT 2;

(II) ELECTION DISTRICT 13, PRECINCTS 1 THROUGH 3, 8,

AND 17;

(III) ELECTION DISTRICT 14, PRECINCT 7;

(IV) ELECTION DISTRICT 16, PRECINCT 99;

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

(VI) ELECTION DISTRICT 19, PRECINCT 4; AND

(VII) ELECTION DISTRICT 20, PRECINCTS 2, 4, 7 THROUGH 9,

AND 11.

(6) SCHOOL BOARD DISTRICT V CONSISTS OF:

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

(II) ELECTION DISTRICT 7;

(III) ELECTION DISTRICT 14, PRECINCTS 1, 3 THROUGH 6,

AND 10; AND

(IV) ELECTION DISTRICT 15, PRECINCT 5.

(7) SCHOOL BOARD DISTRICT VI CONSISTS OF:

(I) ELECTION DISTRICT 6, PRECINCTS 19 AND 20;

(II) ELECTION DISTRICT 13, PRECINCTS 4 THROUGH 7 AND

9 THROUGH 16;

(III) ELECTION DISTRICT 18, PRECINCTS 1 THROUGH 4 AND

6 THROUGH 11; AND

(IV) ELECTION DISTRICT 20, PRECINCT 3.

(8) SCHOOL BOARD DISTRICT VII CONSISTS OF:

1 **(I) ELECTION DISTRICT 6, PRECINCTS 1, 3 THROUGH 7, 9**
2 **THROUGH 12, 15 THROUGH 18, AND 21 THROUGH 23;**

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

4 **(III) ELECTION DISTRICT 15, PRECINCT 2.**

5 **(9) SCHOOL BOARD DISTRICT VIII CONSISTS OF:**

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

7 **(II) ELECTION DISTRICT 5, PRECINCTS 2, 5, 6, AND 7;**

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

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

10 **(10) SCHOOL BOARD DISTRICT IX CONSISTS OF:**

11 **(I) ELECTION DISTRICT 4;**

12 **(II) ELECTION DISTRICT 8;**

13 **(III) ELECTION DISTRICT 11;**

14 **(IV) ELECTION DISTRICT 3, PRECINCT 1;**

15 **(V) ELECTION DISTRICT 5, PRECINCTS 1, 3, 4, AND 8**
16 **THROUGH 11;**

17 **(VI) ELECTION DISTRICT 9, PRECINCTS 1, 4, AND 6**
18 **THROUGH 11; AND**

19 **(VII) ELECTION DISTRICT 15, PRECINCTS 1, 3, AND 4.**

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

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

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

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

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

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

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

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

24 (i) Capital and operating budgets;

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

26 (iii) Collective bargaining decisions;

27 (iv) Student disciplinary matters;

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

30 (vi) Other personnel matters.

1 (4) On an affirmative vote of a majority of the elected members of the
2 County Board **PRESENT AND VOTING, A QUORUM BEING PRESENT**, the Board may
3 determine if a matter before the Board relates to a subject that the student member
4 may not vote on under paragraph (3) of this subsection.

5 (5) Unless invited to attend by an affirmative vote of a majority **OF**
6 **THE ELECTED MEMBERS** of the County Board **PRESENT AND VOTING, A QUORUM**
7 **BEING PRESENT**, the student member may not attend an executive session that
8 relates to hearings on appeals of special education placements, hearings held under §
9 6–202(a) of this article, or collective bargaining.

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

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

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

19 **(II) A MEMBER MAY NOT HOLD OVER BEYOND THE**
20 **MEMBER’S TERM.**

21 **(2) THE TERMS OF THE ELECTED MEMBERS ARE STAGGERED AS**
22 **FOLLOWS:**

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

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

29 **[(2)] (3)** The student member serves for a term of 1 year beginning at
30 the end of a school year.

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

5 (4) (I) **ANY VACANCY AMONG THE ELECTED MEMBERS OF THE**
6 **COUNTY BOARD SHALL BE FILLED, FOR THE REMAINDER OF THAT TERM, AT A**
7 **SPECIAL ELECTION, WHICH SHALL BE HELD NOT LATER THAN 60 DAYS AFTER**
8 **THE VACANCY OCCURS, EXCEPT THAT, IF THE SPECIAL ELECTION WOULD BE**
9 **HELD LESS THAN 4 MONTHS BEFORE A PRIMARY OR A GENERAL ELECTION, IT**
10 **SHALL BE DELAYED UNTIL THAT PRIMARY OR GENERAL ELECTION.**

11 (II) **IF THE TERM EXPIRES WITHIN THE SAME CALENDAR**
12 **YEAR AS THE PRIMARY OR GENERAL ELECTION, THE INDIVIDUAL ELECTED IN**
13 **THE SPECIAL ELECTION SHALL SERVE FOR THE REMAINDER OF THAT TERM AND**
14 **FOR THE ENSUING 4-YEAR TERM.**

15 (III) **THE COUNTY SHALL PROVIDE FUNDING TO COVER THE**
16 **COSTS OF THE SPECIAL ELECTION.**

17 (IV) **EXCEPT AS OTHERWISE PROVIDED IN THIS PARAGRAPH,**
18 **AND WHERE SUCH CONSTRUCTION WOULD BE UNREASONABLE, THE SPECIAL**
19 **ELECTION SHALL BE GOVERNED BY TITLE 8, SUBTITLE 8 OF THE ELECTION**
20 **LAW ARTICLE.**

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

- 23 (i) Immorality;
- 24 (ii) Misconduct in office;
- 25 (iii) Incompetency; or
- 26 (iv) Willful neglect of duty.

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

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

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

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

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

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

10 [3-1003.] **3-1002.**

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

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

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

21 [3-1004.] **3-1003.**

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

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

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

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

4 (c) (1) **THE PROVISIONS OF THE OPEN MEETINGS ACT UNDER TITLE**
5 **10, SUBTITLE 5 OF THE STATE GOVERNMENT ARTICLE SHALL APPLY TO ANY**
6 **COMMITTEE OR OTHER SUBSIDIARY ENTITY CREATED BY THE COUNTY BOARD.**

7 (2) **IN ADDITION TO THE PROVISIONS OF THE OPEN MEETINGS**
8 **ACT, AFTER AN EXECUTIVE SESSION OF THE COUNTY BOARD OR OF ANY**
9 **COMMITTEE OR SUBSIDIARY ENTITY CREATED BY THE COUNTY BOARD**
10 **CONCLUDES, ALL ACTIONS TAKEN IN THE EXECUTIVE SESSION, TOGETHER WITH**
11 **THE VOTE OF EACH MEMBER, SHALL BE ANNOUNCED IN OPEN SESSION AND**
12 **CONTAINED IN A PUBLIC RECORD OF THAT OPEN SESSION.**

13 (d) (1) Except as otherwise provided in paragraph (2) of this subsection,
14 [the affirmative vote of the members of the County Board for the passage of a motion
15 by the County Board shall be:

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

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

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

23 (3) **THE AFFIRMATIVE VOTE OF A MAJORITY OF THE MEMBERS OF**
24 **THE COUNTY BOARD PRESENT AND VOTING, A QUORUM BEING PRESENT, IS**
25 **REQUIRED TO PASS A MOTION OF THE COUNTY BOARD.**

26 [3-1005.

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

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

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

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

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

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

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

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

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

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

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

14 [3-1006.] **3-1004.**

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

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

23 [3-1007.] **3-1005.**

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

27 [3-1008.

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

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

(2) Report directly to the County Superintendent.

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

(1) Select the Chief Financial Officer; and

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

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

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

SUBTITLE 4. PRINCE GEORGE'S COUNTY.

4-401.

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

4-402.

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

(B) THE COUNTY SUPERINTENDENT SHALL:

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

(2) REPORT DIRECTLY TO THE BOARD; AND

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

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

1 **(II) ASSESSMENT AND ACCOUNTABILITY OF THE ACADEMIC**
2 **PERFORMANCE OF THE STUDENTS IN THE PRINCE GEORGE'S COUNTY PUBLIC**
3 **SCHOOL SYSTEM;**

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

6 **(IV) DEVELOPMENT AND IMPLEMENTATION OF INITIATIVES**
7 **FOR EDUCATIONAL REFORM; AND**

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

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

12 **(D) THE BOARD SHALL EMPLOY THE COUNTY SUPERINTENDENT AND**
13 **ESTABLISH THE SALARY OF THE COUNTY SUPERINTENDENT AT AN AMOUNT**
14 **COMMENSURATE WITH THE CREDENTIALS, EXPERIENCE, AND PRIOR POSITIONS**
15 **OF RESPONSIBILITY OF THE COUNTY SUPERINTENDENT.**

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

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

24 **(G) THE FULL TEXT OF THE COUNTY SUPERINTENDENT'S EMPLOYMENT**
25 **CONTRACT AND ANY DOCUMENT OR RECORDS RELATING TO THE TERMS OF THE**
26 **COUNTY SUPERINTENDENT'S FINANCIAL COMPENSATION OR TERMS OF**
27 **EMPLOYMENT SHALL BE PUBLIC RECORD.**

28 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
29 **October 1, 2007.**