

HOUSE BILL 1107

F3

EMERGENCY BILL
ENROLLED BILL

(3lr0522)

— *Ways and Means/ Education, Health, and Environmental Affairs* —

Introduced by **Prince George's County Delegation**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 ~~**Task Force on the Membership and to Evaluate Best Practices for School**~~
3 ~~**Board Operation of the in Prince George's County – School System –**~~
4 ~~**Academic Revitalization and Management Effectiveness Initiative Board of**~~
5 ~~**Education**~~

6 PG 411-13

7 FOR the purpose of ~~establishing the Task Force on the Membership and to Evaluate~~
8 ~~Best Practices for School Board Operation of the in Prince George's County~~
9 ~~Board of Education; providing for the chairs and staff for the Task Force;~~
10 ~~prohibiting a member of the Task Force from receiving certain compensation~~
11 ~~but entitling members to reimbursement for certain expenses; requiring the~~
12 ~~Task Force to make certain recommendations, including recommendations~~
13 ~~regarding the method of selecting the Prince George's County Board of~~
14 ~~Education; requiring the Task Force to hold a certain number of public meetings~~

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.

Italics indicate opposite chamber/conference committee amendments.



~~in certain locations that allow certain persons to testify about certain issues; requiring the Task Force to review information, reports, and testimony regarding certain innovations in school board operation from certain organizations; requiring the Task Force to submit a certain report reports to certain persons on or before a certain date; dates; requiring the Task Force to publish a draft of certain findings and recommendations and to hold a certain public hearing to allow certain public comment; providing for the termination of this Act; and generally relating to the Task Force on the Membership and to Evaluate Best Practices for School Board Operation of the in Prince George's County Board of Education.~~ *revising the composition of the Prince George's County Board of Education; providing for the appointment of certain members of the county board by the County Executive of Prince George's County and the Prince George's County Council; providing for the qualifications, terms of office, and the filling of a vacancy of certain members of the county board; authorizing the appointed members of the county board to participate in certain votes relating to the student member; repealing certain provisions for the filling of a vacancy of certain members of the county board; authorizing the provision of compensation, health insurance, and other fringe benefits for appointed members of the county board; requiring the County Executive to appoint a chair and vice chair of the county board; requiring the County Executive to select the vice chair of the county board from among the elected members of the county board; providing for the terms of the chair and vice chair of the county board; requiring the affirmative vote of a certain number of members of the county board for the passage of a certain motion; establishing that, in Prince George's County, the county superintendent is the Chief Executive Officer of the Prince George's County public school system; authorizing the Chief Executive Officer to consolidate schools under certain circumstances; exempting Prince George's County from certain provisions of law relating to county superintendents; subject to certain provisions of law, requiring the County Executive to select the Chief Executive Officer from a certain list recommended by a certain search committee; requiring the county board to appoint the Chief Executive Officer after agreement on certain contract terms; providing for the qualifications, term of office, reappointment, suspension, removal, and filling of a vacancy in the office of the Chief Executive Officer; providing for the compensation of the Chief Executive Officer; providing for the administration of the office of the Chief Executive Officer; requiring the Chief Executive Officer to immediately notify the County Executive and the county board in writing of certain criminal charges; establishing the purpose of the county board; establishing certain responsibilities, powers, and duties of the Chief Executive Officer, including hiring and setting the salary of certain executive officers and staff of the Prince George's County public school system and entering into a certain memorandum of understanding with certain institutions of higher education; authorizing the Chief Executive Officer to delegate certain responsibilities; prohibiting the county board from implementing a certain policy or taking a certain action except by a certain vote, except in certain circumstances; requiring the County Executive and the County Council to appoint certain members and the chair and vice chair of the county board by a certain date; requiring that, to fill a certain vacancy, a*

1 certain search committee be appointed by a certain date and a certain chair of
 2 the county board include a certain requirement in the terms of the contract of a
 3 certain Chief Executive Officer; authorizing the selection and appointment of a
 4 certain Chief Executive Officer after a certain date to a certain term; requiring
 5 the Chief Executive Officer and the county board to hire a consultant to conduct
 6 a school utilization study and make certain recommendations to the Chief
 7 Executive Officer, county board, County Executive, and County Council on or
 8 before a certain date; requiring the County Executive, Chief Executive Officer,
 9 and county board to submit an interim report on the implementation of this Act
 10 to certain committees of the General Assembly on or before a certain date;
 11 requiring the County Executive, Chief Executive Officer, and county board to
 12 submit a final report on academic progress and improvement in the management
 13 of the Prince George's County public school system and make certain
 14 recommendations to certain committees of the General Assembly on or before a
 15 certain date; requiring the General Assembly to make a certain determination
 16 during a certain legislative session; making this Act an emergency measure; and
 17 generally relating to the academic revitalization and management of the Prince
 18 George's County public school system.

19 BY repealing and reenacting, with amendments,

20 Article – Education

21 Section 3–105, 3–114, 3–1002 through 3–1004, 4–101, 4–102(a), 4–120, 4–201,
 22 4–202, 4–204, 4–206, and 6–201(a) and (b)

23 Annotated Code of Maryland

24 (2008 Replacement Volume and 2012 Supplement)

25 BY adding to

26 Article – Education

27 Section 4–201.1; and 4–401 through 4–403 to be under the new subtitle
 28 “Subtitle 4. Prince George's County”

29 Annotated Code of Maryland

30 (2008 Replacement Volume and 2012 Supplement)

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

33 ~~(a) There is a Task Force on the Membership and to Evaluate Best Practices~~
 34 ~~for School Board Operation of the in Prince George's County Board of Education.~~

35 ~~(b) The Task Force consists of the following nine 13 members:~~

36 ~~(1) the Chair of the Prince George's County Senate Delegation, or the~~
 37 ~~Chair's designee;~~

38 ~~(2) one member of the Senate of Maryland who represents Prince~~
 39 ~~George's County, appointed by the Chair of the Prince George's County Senate~~
 40 ~~Delegation;~~

1 ~~(3) the Chair of the Prince George's County House Delegation, or the~~
2 ~~Chair's designee;~~

3 ~~(4) one member of the House of Delegates who represents Prince~~
4 ~~George's County, appointed by the Chair of the Prince George's County House~~
5 ~~Delegation;~~

6 ~~(5) (3) the Chair of the Prince George's County Board of Education, or~~
7 ~~the Chair's designee;~~

8 ~~(6) (4) the Superintendent of Prince George's County Public Schools, or~~
9 ~~the Superintendent's designee;~~

10 ~~(7) (5) the Prince George's County Executive, or the County Executive's~~
11 ~~designee;~~

12 ~~(8) one member of the Prince George's County Council, appointed by~~
13 ~~the Chair of the Prince George's County Council; and~~

14 ~~(9) one member who represents the Maryland Association of Boards of~~
15 ~~Education, appointed by the Association.~~

16 ~~(6) the Chair of the Prince George's County Council, or the Chair's~~
17 ~~designee;~~

18 ~~(7) one teacher appointed by the Prince George's County Educators'~~
19 ~~Association; and~~

20 ~~(8) the following individuals jointly appointed by the Prince George's~~
21 ~~County Executive and the Chair of the Prince George's County Board of Education:~~

22 ~~(i) two individuals who have experience in management or~~
23 ~~business enterprise;~~

24 ~~(ii) two individuals who have expertise in the education field;~~
25 ~~and~~

26 ~~(iii) two individuals who are parents of students in the Prince~~
27 ~~George's County Public Schools, at least one of whom has a child who receives special~~
28 ~~education services.~~

29 ~~(e) The Chair of the Prince George's County Senate Delegation and the Chair~~
30 ~~of the Prince George's County House Delegation shall jointly designate the cochairs of~~
31 ~~the Task Force from among the members of the Task Force from the Senate of~~
32 ~~Maryland and the House of Delegates.~~

1 ~~(d) The Department of Legislative Services and staff of the Prince George's~~
2 ~~County Delegation shall provide staff for the Task Force.~~

3 ~~(e) A member of the Task Force:~~

4 ~~(1) may not receive compensation as a member of the Task Force; but~~

5 ~~(2) is entitled to reimbursement for expenses under the Standard~~
6 ~~State Travel Regulations, as provided in the State budget.~~

7 ~~(f) The Task Force shall study and make recommendations regarding the~~
8 ~~Prince George's County Board of Education as to:~~

9 ~~(1) the composition, qualifications, and compensation of members of~~
10 ~~the Board;~~

11 ~~(2) methods for selecting the members of the Board;~~

12 ~~(3) an appropriate phase-in period for any recommended changes to~~
13 ~~the existing Board composition;~~

14 ~~(4) a Board composition that reflects the gender and racial diversity of~~
15 ~~Prince George's County;~~

16 ~~(5) criteria that improve standards and protocols to maximize Board~~
17 ~~results, accountability, transparency, and oversight;~~

18 ~~(6) criteria (3) standards and protocols for establishing and measuring~~
19 ~~Board outcomes;~~

20 ~~(4) protocols for increasing public awareness and providing objective~~
21 ~~voter information regarding school board elections;~~

22 ~~(7) (5) a protocol for the review of Board audits and protocols for~~
23 ~~addressing audit findings, including financial, performance, and outcome audits; and~~

24 ~~(6) the means to increase the efficiency of the school board; and~~

25 ~~(8) (7) any other relevant issues.~~

26 ~~(g) (1) (i) The Task Force shall hold at least three public meetings in~~
27 ~~geographically diverse areas of Prince George's County that allow members of the~~
28 ~~general public and stakeholder organizations to testify on issues being studied by the~~
29 ~~Task Force.~~

30 ~~(ii) One of the meetings required under subparagraph (i) of this~~
31 ~~paragraph may include a regularly scheduled public hearing of the Board.~~

1 ~~(2) The Task Force shall extend an invitation to testify at a public~~
2 ~~meeting to representatives from the following stakeholder organizations to testify at a~~
3 ~~public meeting, including:~~

4 ~~(i) the Prince George's County Educator's Association;~~

5 ~~(ii) the Prince George's County SEIU Local 400;~~

6 ~~(iii) the Prince George's County Association of Supervisory and~~
7 ~~Administrative School Personnel;~~

8 ~~(iv) the Prince George's County AFSCME 2250;~~

9 ~~(v) the PTA Council of Prince George's County;~~

10 ~~(vi) the Prince George's County Student Councils;~~

11 ~~(vii) the Prince George's County chapter of the NAACP;~~

12 ~~(viii) the Prince George's County Board of Education; and~~

13 ~~(ix) the Prince George's County Municipal Association.~~

14 ~~(3) The Task Force shall review information, reports, and testimony~~
15 ~~relating to innovations in school board operation published by national organizations,~~
16 ~~including:~~

17 ~~(i) the United States Department of Education;~~

18 ~~(ii) the Council of Chief State School Officers;~~

19 ~~(iii) the Council of State Governments;~~

20 ~~(iv) the Education Commission of the States;~~

21 ~~(v) the Alliance for Excellent Education;~~

22 ~~(vi) the National Governor's Association for Best Practices;~~

23 ~~(vii) the National Association of State Boards of Education; and~~

24 ~~(viii) the National Parent Teachers Association.~~

25 ~~(h) (1) On or before December 1, 2013, the Task Force shall report its~~
26 ~~interim findings and recommendations to the Prince George's County Executive, the~~
27 ~~Prince George's County Council, the Prince George's County Superintendent of~~

~~1 Schools, the Prince George's County Board of Education, and, in accordance with §
2 2-1246 of the State Government Article, the Prince George's County Senate
3 Delegation and the Prince George's County House Delegation.~~

~~4 (2) Before reporting its final findings and recommendations as
5 required under paragraph (3) of this subsection, the Task Force shall:~~

~~6 (i) publish a draft of its final findings and recommendations;
7 and~~

~~8 (ii) hold a public hearing to allow public comment on the draft
9 final findings and recommendations.~~

~~10 (3) On or before October 31, 2013 December 1, 2014, the Task Force
11 shall report its final findings and recommendations to the Governor, the State
12 Superintendent of Schools, the Prince George's County Executive, the Prince George's
13 County Council, the Prince George's County Superintendent of Schools, the Prince
14 George's County Board of Education, and, in accordance with § 2-1246 of the State
15 Government Article, the Prince George's County Senate Delegation and the Prince
16 George's County House Delegation.~~

~~17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 July 1, 2013. It shall remain effective for a period of 1 year 2 years and, at the end of
19 June 30, 2014 2015, with no further action required by the General Assembly, this Act
20 shall be abrogated and of no further force and effect.~~

Article – Education

3-105.

~~23 (a) Subsections (b), (c), and (d) of this section do not apply to a county if the
24 number of members of the county board is regulated by other provisions of this title.~~

~~25 (b) If a county school system has an enrollment of less than 50,000 students,
26 the county board shall have five members, except that:~~

~~27 (1) The Worcester County Board shall have the number of members
28 provided in subsection (e) of this section;~~

~~29 (2) Any county board that had more than five members on July 1,
30 1969, shall retain that number of members; and~~

~~31 (3) The Wicomico County Board shall have the number of members
32 provided in subsection (f) of this section.~~

~~33 (c) If a county school system has an enrollment of 50,000 students or more but
34 less than 100,000 students, the county board shall have seven members.~~

1 (d) If a county school system has an enrollment of 100,000 students or more,
 2 the county board shall have nine members except as provided in § 3-901 of this title for
 3 Montgomery County AND § 3-1002 OF THIS TITLE FOR PRINCE GEORGE'S
 4 COUNTY.

5 (e) The Worcester County Board consists of seven voting members and one
 6 nonvoting student member from each public high school in the county.

7 (f) (1) The Wicomico County Board consists of seven members.

8 (2) The term of a member is 5 years.

9 3-114.

10 (a) In the following counties, the members of the county board shall be elected:

11 (1) Allegany;

12 (2) Calvert;

13 (3) Carroll;

14 (4) Cecil;

15 (5) Charles;

16 (6) Dorchester;

17 (7) Frederick;

18 (8) Garrett;

19 (9) Howard;

20 (10) Kent;

21 [(11) Prince George's;]

22 [(12)] (11) Montgomery;

23 [(13)] (12) Queen Anne's;

24 [(14)] (13) St. Mary's;

25 [(15)] (14) Somerset;

1 ~~[(16)]~~ **(15)** Talbot;

2 ~~[(17)]~~ **(16)** Washington; and

3 ~~[(18)]~~ **(17)** Worcester.

4 (b) In Caroline County, in accordance with Subtitle 3A of this title, the
5 members of the county board shall be a combination of members who are elected and
6 appointed.

7 (c) In Harford County, in accordance with Subtitle 6A of this title, the
8 members of the county board shall be a combination of members who are elected and
9 appointed.

10 **(D) IN PRINCE GEORGE'S COUNTY, IN ACCORDANCE WITH SUBTITLE 10**
11 **OF THIS TITLE, THE MEMBERS OF THE COUNTY BOARD SHALL BE A**
12 **COMBINATION OF MEMBERS WHO ARE ELECTED AND APPOINTED.**

13 ~~[(d)]~~ **(E)** An individual subject to the authority of the county board may not
14 serve as a member of the county board. At the time of filing a certificate of candidacy for
15 election to a county board, a person shall certify to the local board of supervisors of
16 elections whether or not he is subject to the authority of the county board. The Governor
17 shall not issue a commission of election to a person who has certified affirmatively and
18 who is elected to a county board until the member-elect offers proof that he is no longer
19 subject to the authority of the county board.

20 ~~[(e)]~~ **(F)** The election of the county boards shall be held as provided in
21 Subtitles 2 through 14 of this title and the Election Law Article.

22 3-1002.

23 (a) (1) In this subtitle[, "elected"] THE FOLLOWING WORDS HAVE THE
24 MEANINGS INDICATED.

25 (2) "APPOINTED MEMBER" MEANS A MEMBER OF THE PRINCE
26 GEORGE'S COUNTY BOARD APPOINTED UNDER SUBSECTION (F) OF THIS
27 SECTION.

28 (3) "ELECTED member" means a member of the Prince George's
29 County Board elected from one of the nine school board districts described in § 3-1001
30 of this subtitle.

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

1 (1) Nine elected members, each of whom resides in a different school
2 board district; [and]

3 (2) **FOUR APPOINTED MEMBERS; AND**

4 [(2)] (3) One student member selected under subsection [(f)(2)] (G)(2)
5 of this section.

6 (c) (1) One member of the county board shall be elected from each of the
7 nine school board districts described in § 3-1001 of this subtitle.

8 (2) From the time of filing as a candidate for election, each candidate
9 shall be a registered voter of the county and a resident of the school board district the
10 candidate seeks to represent.

11 (3) An elected county board member shall forfeit the office if the
12 member:

13 (i) Fails to reside in the school board district from which the
14 member was elected, unless this change is caused by a change in the boundaries of the
15 district; or

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

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

19 (5) Each elected member of the county board shall be nominated by the
20 registered voters of the member's school board district.

21 (d) The elected members of the county board shall be elected:

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

24 (2) By the voters of the school board district that each member
25 represents.

26 (e) (1) If a candidate for the county board dies or withdraws the candidacy
27 during the period beginning with the date of the primary and ending 70 days before the
28 date of the general election, the Board of Elections shall:

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

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

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

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

9 **(F) (1) THE APPOINTED MEMBERS OF THE COUNTY BOARD SHALL BE**
10 **APPOINTED AS FOLLOWS:**

11 **(I) THREE MEMBERS SHALL BE APPOINTED BY THE COUNTY**
12 **EXECUTIVE OF PRINCE GEORGE'S COUNTY AS FOLLOWS:**

13 **1. ONE MEMBER SHALL POSSESS A HIGH LEVEL OF**
14 **KNOWLEDGE AND EXPERTISE CONCERNING EDUCATION;**

15 **2. ONE MEMBER SHALL POSSESS A HIGH LEVEL OF**
16 **BUSINESS, FINANCE, OR HIGHER EDUCATION EXPERIENCE; AND**

17 **3. ONE MEMBER SHALL POSSESS A HIGH LEVEL OF**
18 **KNOWLEDGE AND EXPERTISE CONCERNING THE SUCCESSFUL ADMINISTRATION**
19 **OF A LARGE BUSINESS, NONPROFIT, OR GOVERNMENTAL ENTITY; AND**

20 **(II) THE PRINCE GEORGE'S COUNTY COUNCIL SHALL**
21 **APPOINT ONE MEMBER WHO IS A PARENT OF A STUDENT ENROLLED IN THE**
22 **PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM AS OF THE DATE OF THE**
23 **APPOINTMENT OF THE MEMBER.**

24 **(2) EACH APPOINTED MEMBER OF THE COUNTY BOARD SHALL BE**
25 **A RESIDENT OF PRINCE GEORGE'S COUNTY.**

26 **[(f)] (G) (1) The student member shall be an eleventh or twelfth grade**
27 **student in the Prince George's County public school system during the student's term in**
28 **office.**

29 **(2) An eligible student shall file a nomination form at least 2 weeks**
30 **before a special election meeting of the Prince George's Regional Association of Student**
31 **Governments. Nomination forms shall be made available in the administrative offices**
32 **of all public senior high schools in the county, the office of student concerns, and the**
33 **office of the president of the regional association. The delegates to the regional**

1 association annually shall elect the student member to the board at a special election
2 meeting to be held each school year.

3 (3) The student member may vote on all matters before the board except
4 those relating to:

5 (i) Capital and operating budgets;

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

7 (iii) Collective bargaining decisions;

8 (iv) Student disciplinary matters;

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

11 (vi) Other personnel matters.

12 (4) On an affirmative vote of a majority of the elected AND APPOINTED
13 members of the county board, the board may determine if a matter before the board
14 relates to a subject that the student member may not vote on under paragraph (3) of
15 this subsection.

16 (5) Unless invited to attend by an affirmative vote of a majority of the
17 elected AND APPOINTED members of the county board, the student member may not
18 attend an executive session that relates to hearings on appeals of special education
19 placements, hearings held under § 6-202(a) of this article, or collective bargaining.

20 (6) The Prince George's Regional Association of Student Governments
21 may establish procedures for the election of the student member of the county board.

22 (7) The election procedures established by the Prince George's Regional
23 Association of Student Governments are subject to the approval of the elected AND
24 APPOINTED members of the county board.

25 [(g)] (H) (1) Except as provided in paragraph (2) of this subsection, an
26 elected member serves for a term of 4 years beginning on the first Monday in December
27 after the member's election and until the member's successor is elected and qualifies.

28 (2) The terms of the elected members are staggered as follows:

29 (i) The five elected members who received the lowest percentage
30 of votes, as determined by the final vote count of the 2010 General Election as certified
31 by the Board of Elections, shall serve for a term of 2 years; and

1 (ii) The other four members elected in the 2010 General Election
2 shall serve for a term of 4 years.

3 **(3) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS**
4 **SUBSECTION, AN APPOINTED MEMBER:**

5 **(I) SERVES FOR A TERM OF 4 YEARS BEGINNING ON THE**
6 **DATE OF APPOINTMENT;**

7 **(II) MAY BE REAPPOINTED; AND**

8 **(III) SERVES UNTIL A SUCCESSOR IS APPOINTED AND**
9 **QUALIFIES.**

10 **(4) THE TERMS OF THE APPOINTED MEMBERS ARE STAGGERED AS**
11 **FOLLOWS:**

12 **(I) THE MEMBERS APPOINTED UNDER SUBSECTION**
13 **(F)(1)(I)1 AND 2 OF THIS SECTION ON OR BEFORE JUNE 1, 2013, SHALL SERVE**
14 **FOR AN INITIAL TERM OF 4 YEARS; AND**

15 **(II) THE MEMBER APPOINTED UNDER SUBSECTION**
16 **(F)(1)(I)3 AND (II) OF THIS SECTION ON OR BEFORE JUNE 1, 2013, SHALL SERVE**
17 **FOR AN INITIAL TERM OF 2 YEARS.**

18 **[(3)] (5) The student member serves for a term of 1 year beginning at**
19 **the end of a school year.**

20 **[(4) (i) 1. A seat on the county board held by an elected member**
21 **that becomes vacant more than 180 days before the end of that member's term of office**
22 **shall be filled for the remainder of the term at a special election.**

23 **2. A seat on the county board held by an elected member**
24 **that becomes vacant 180 days or less before the end of that member's term of office shall**
25 **remain vacant until a successor is elected and qualifies.**

26 (ii) 1. A. **No later than 7 days after the occurrence of a**
27 **vacancy on the county board that must be filled at a special election, the County**
28 **Council shall adopt a resolution directing that a special primary election and special**
29 **general election be held in the school board district where the vacancy occurs.**

30 **B. The County Council shall consult with the Board of**
31 **Elections before adopting the resolution.**

1 2. Subject to subparagraph (iii) of this paragraph, the
2 County Council resolution shall specify:

3 A. The date by which a certificate of candidacy must be
4 filed with the Board of Elections;

5 B. The date of the special primary election; and

6 C. The date of the special general election.

7 3. No later than 7 days after the adoption of the County
8 Council resolution, the Board of Elections shall publish the information contained in
9 the resolution once in at least one newspaper of general circulation.

10 (iii) 1. A candidate shall file a certificate of candidacy with
11 the Board of Elections no later than 28 days before a special primary election in order
12 to appear on the ballot.

13 2. The following provisions are subject to
14 subsubparagraph 3 of this subparagraph:

15 A. A special primary election shall be held on a Tuesday
16 at least 45 days but no later than 60 days after the occurrence of a vacancy.

17 B. A special general election shall be held on a Tuesday
18 at least 60 days but no later than 90 days after the occurrence of a vacancy.

19 3. A special election may not be held less than 30 days
20 before a regularly scheduled election.

21 4. On the day of a special election, polling places shall be
22 open from 7 a.m. to 8 p.m.

23 (iv) 1. No later than 10 days before a special primary election
24 and special general election, the Board of Elections shall mail a specimen ballot to the
25 household of each registered voter in the school board district where the vacancy occurs.

26 2. The specimen ballot shall include the names of the
27 candidates in the order and form in which they are to appear on the ballot, together
28 with a statement, not to exceed 500 words, provided by each candidate.

29 (v) 1. Prince George's County shall fund a special election
30 held under this paragraph.

31 2. The Board of Elections shall submit a request for a
32 supplemental budget appropriation to the Director of the Office of Management and
33 Budget to cover the cost of a special election no later than 60 days after the election.

1 (vi) A special election under this paragraph shall be governed by
 2 Title 8, Subtitle 8 of the Election Law Article and all other relevant provisions of law
 3 relating to the conduct of elections except as otherwise provided in this subtitle or where
 4 such construction would be unreasonable.]

5 **(6) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,**
 6 **IF A SEAT HELD BY AN ELECTED MEMBER OF THE COUNTY BOARD BECOMES**
 7 **VACANT, THE COUNTY EXECUTIVE SHALL APPOINT A QUALIFIED INDIVIDUAL TO**
 8 **FILL THE SEAT FOR THE REMAINDER OF THE TERM.**

9 **(II) THE COUNTY COUNCIL SHALL REQUIRE A TWO-THIRDS**
 10 **VOTE OF ALL MEMBERS OF THE COUNTY COUNCIL TO REJECT AN APPOINTMENT**
 11 **UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.**

12 [(h)] (I) (1) With the approval of the Governor, the State Board may
 13 remove a member of the county board for any of the following reasons:

14 (i) Immorality;

15 (ii) Misconduct in office;

16 (iii) Incompetency; or

17 (iv) Willful neglect of duty.

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

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

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

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

27 (4) A member removed under this subsection has the right to judicial
 28 review of the removal by the Circuit Court for Prince George's County based on an
 29 administrative record and such additional evidence as would be authorized by §
 30 10-222(f) and (g) of the State Government Article.

31 [(i)] (J) While serving on the county board, a member may not be a
 32 candidate for a public office other than a position on the county board.

1 3-1003.

2 (a) (1) From and after December 4, 2006, at the beginning of each
3 member's full term, the chair of the county board is entitled to receive \$19,000 annually
4 as compensation and the other elected AND APPOINTED members are each entitled to
5 receive \$18,000 annually as compensation.

6 (2) Each elected AND APPOINTED member of the county board may be
7 provided health insurance and other fringe benefits regularly provided to employees of
8 the Board of Education under the same terms and conditions extended to other
9 employees of the Board of Education.

10 (b) (1) After submitting vouchers under the rules and regulations adopted
11 by the county board, the chair and the other members, including the student member,
12 are entitled to the allowances for travel and other expenses provided in the Prince
13 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.

17 (a) (1) The [county board shall hold an annual meeting on the first
18 Monday in December to elect] COUNTY EXECUTIVE SHALL APPOINT a chair and vice
19 chair OF THE COUNTY BOARD from among [its] THE members OF THE COUNTY
20 BOARD.

21 (2) THE COUNTY EXECUTIVE SHALL SELECT THE VICE CHAIR
22 FROM AMONG THE ELECTED MEMBERS OF THE COUNTY BOARD.

23 (3) THE TERM OF THE CHAIR AND VICE CHAIR APPOINTED UNDER
24 THIS SUBSECTION SHALL BE 2 YEARS.

25 (b) SUBJECT TO THE PROVISIONS OF § 4-403 OF THIS ARTICLE, THE
26 AFFIRMATIVE VOTE OF THE MEMBERS OF THE COUNTY BOARD FOR THE PASSAGE
27 OF A MOTION BY THE COUNTY BOARD SHALL BE:

28 (1) Except as otherwise provided in paragraph (2) of this subsection[,
29 the affirmative vote of the members of the county board for the passage of a motion by
30 the county board shall be]:

31 (i) [Six] EIGHT members when the student member is voting; or

1 (IV) THE CHIEF EXECUTIVE OFFICER IS NOT A PUBLIC
2 OFFICER UNDER THE CONSTITUTION OR THE LAWS OF THE STATE.

3 ~~[(3)] (4)~~ A county superintendent is not a public officer under the
4 Constitution or the laws of the State.

5 4-120.

6 (a) [If] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, IF a
7 county board considers it practicable, it shall consolidate schools.

8 (b) [Each] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION,
9 EACH county board shall arrange for the transportation of students to and from
10 consolidated schools.

11 (C) IN PRINCE GEORGE'S COUNTY, THE CHIEF EXECUTIVE OFFICER
12 SHALL HAVE THE AUTHORITY TO:

13 (1) CONSOLIDATE SCHOOLS IF CONSIDERED PRACTICABLE; AND

14 (2) ARRANGE FOR THE TRANSPORTATION OF STUDENTS TO AND
15 FROM CONSOLIDATED SCHOOLS.

16 4-201.

17 (a) (1) This section does not apply to Baltimore City.

18 (2) SUBSECTIONS (B), (C), (D), AND (F) OF THIS SECTION DO NOT
19 APPLY IN PRINCE GEORGE'S COUNTY.

20 (b) (1) The term of a county superintendent is 4 years beginning on July 1.
21 A county superintendent continues to serve until a successor is appointed and qualifies.

22 (2) By February 1 of the year in which a term ends, the county
23 superintendent shall notify the county board whether the superintendent is a candidate
24 for reappointment.

25 (3) In the year in which a term begins, the county board shall appoint a
26 county superintendent between February 1 and June 30. However, if the county board
27 decides to reappoint the incumbent superintendent, the county board shall take final
28 action at a public meeting no later than March 1 of that year.

29 (4) If a county board is unable to appoint a county superintendent by
30 July 1 of a year in which a term begins, the provisions of subsection (d) of this section
31 apply.

1 (c) (1) An individual may not be appointed as county superintendent
2 unless he:

3 (i) Is eligible to be issued a certificate for the office by the State
4 Superintendent;

5 (ii) Has graduated from an accredited college or university; and

6 (iii) Has completed 2 years of graduate work at an accredited
7 college or university, including public school administration, supervision, and methods
8 of teaching.

9 (2) The appointment of a county superintendent is not valid unless
10 approved in writing by the State Superintendent.

11 (3) If the State Superintendent disapproves an appointment, he shall
12 give his reasons for disapproval in writing to the county board.

13 (d) If a vacancy occurs in the office of county superintendent, the county board
14 shall appoint an interim county superintendent who serves until July 1 after his
15 appointment.

16 (e) (1) The State Superintendent may remove a county superintendent for:

17 (i) Immorality;

18 (ii) Misconduct in office;

19 (iii) Insubordination;

20 (iv) Incompetency; or

21 (v) Willful neglect of duty.

22 (2) Before removing a county superintendent, the State Superintendent
23 shall send the county superintendent a copy of the charges against the county
24 superintendent and give the county superintendent an opportunity within 10 days to
25 request a hearing.

26 (3) If the county superintendent requests a hearing within the 10-day
27 period:

28 (i) The State Superintendent promptly shall hold a hearing, but
29 a hearing may not be set within 10 days after the State Superintendent sends the
30 county superintendent a notice of the hearing; and

1 (ii) The county superintendent shall have an opportunity to be
2 heard publicly before the State Superintendent in the county superintendent's own
3 defense, in person or by counsel.

4 (f) On notification of pending criminal charges against a county
5 superintendent as provided under § 4-206 of this subtitle, the county board may
6 suspend the county superintendent with pay until the final disposition of the criminal
7 charges.

8 **4-201.1.**

9 **(A) THIS SECTION APPLIES ONLY IN PRINCE GEORGE'S COUNTY.**

10 **(B) SUBJECT TO THE PROVISIONS OF SUBSECTION (E) OF THIS**
11 **SECTION, THE CHIEF EXECUTIVE OFFICER OF THE PRINCE GEORGE'S COUNTY**
12 **PUBLIC SCHOOL SYSTEM SHALL BE:**

13 **(1) SELECTED BY THE COUNTY EXECUTIVE IN ACCORDANCE WITH**
14 **SUBSECTION (C) OF THIS SECTION; AND**

15 **(2) APPOINTED BY THE COUNTY BOARD AFTER AGREEMENT ON**
16 **CONTRACT TERMS NEGOTIATED BY THE CHAIR OF THE COUNTY BOARD.**

17 **(C) (1) THE COUNTY EXECUTIVE SHALL SELECT A CHIEF EXECUTIVE**
18 **OFFICER FROM A LIST OF THREE NOMINEES RECOMMENDED BY A SEARCH**
19 **COMMITTEE THAT IS COMPRISED OF:**

20 **(I) ONE MEMBER OF THE STATE BOARD, APPOINTED BY**
21 **THE STATE SUPERINTENDENT; AND**

22 **(II) TWO RESIDENTS OF PRINCE GEORGE'S COUNTY,**
23 **APPOINTED BY THE GOVERNOR.**

24 **(2) THE SEARCH COMMITTEE SHALL BE CHAIRED BY A MEMBER**
25 **SELECTED BY THE STATE SUPERINTENDENT.**

26 **(D) (1) THE TERM OF THE CHIEF EXECUTIVE OFFICER IS 4 YEARS**
27 **BEGINNING ON JULY 1.**

28 **(2) THE CHIEF EXECUTIVE OFFICER CONTINUES TO SERVE UNTIL**
29 **A SUCCESSOR IS APPOINTED AND QUALIFIES.**

30 **(3) BY FEBRUARY 1 OF THE YEAR IN WHICH A TERM ENDS, THE**
31 **CHIEF EXECUTIVE OFFICER SHALL NOTIFY THE COUNTY EXECUTIVE AND THE**

1 COUNTY BOARD IF THE CHIEF EXECUTIVE OFFICER IS A CANDIDATE FOR
2 REAPPOINTMENT.

3 (4) (I) IN THE YEAR A TERM BEGINS, THE COUNTY EXECUTIVE
4 SHALL SELECT A CHIEF EXECUTIVE OFFICER BETWEEN FEBRUARY 1 AND JUNE
5 1, AND THE COUNTY BOARD SHALL COMPLETE THE APPOINTMENT ON OR
6 BEFORE JUNE 30.

7 (II) IF THE COUNTY EXECUTIVE DECIDES TO SELECT THE
8 INCUMBENT CHIEF EXECUTIVE OFFICER, THE COUNTY BOARD SHALL
9 COMPLETE THE REAPPOINTMENT NO LATER THAN MARCH 1 OF THAT YEAR.

10 (5) IF THE COUNTY BOARD IS UNABLE TO APPOINT A CHIEF
11 EXECUTIVE OFFICER BY JULY 1 OF THE YEAR A TERM BEGINS, THE PROVISIONS
12 OF SUBSECTION (F) OF THIS SECTION APPLY.

13 (E) (1) AN INDIVIDUAL MAY NOT BE APPOINTED AS CHIEF EXECUTIVE
14 OFFICER UNLESS THE INDIVIDUAL:

15 (I) IS ELIGIBLE TO BE ISSUED A CERTIFICATE FOR THE
16 OFFICE BY THE STATE SUPERINTENDENT;

17 (II) HAS GRADUATED FROM AN ACCREDITED COLLEGE OR
18 UNIVERSITY; AND

19 (III) HAS COMPLETED 2 YEARS OF GRADUATE WORK AT AN
20 ACCREDITED COLLEGE OR UNIVERSITY, INCLUDING PUBLIC SCHOOL
21 ADMINISTRATION, SUPERVISION, AND METHODS OF TEACHING.

22 (2) THE APPOINTMENT OF THE CHIEF EXECUTIVE OFFICER IS
23 NOT VALID UNLESS APPROVED IN WRITING BY THE STATE SUPERINTENDENT.

24 (3) IF THE STATE SUPERINTENDENT DISAPPROVES AN
25 APPOINTMENT, THE STATE SUPERINTENDENT SHALL GIVE THE REASONS FOR
26 DISAPPROVAL IN WRITING TO THE COUNTY BOARD AND THE COUNTY
27 EXECUTIVE.

28 (F) IF A VACANCY OCCURS IN THE OFFICE OF CHIEF EXECUTIVE
29 OFFICER, THE COUNTY EXECUTIVE SHALL SELECT AND THE COUNTY BOARD
30 SHALL APPOINT AN INTERIM CHIEF EXECUTIVE OFFICER TO SERVE UNTIL JULY
31 1 AFTER THE APPOINTMENT.

32 (G) ON NOTIFICATION OF PENDING CRIMINAL CHARGES AGAINST THE
33 CHIEF EXECUTIVE OFFICER AS PROVIDED UNDER § 4-206 OF THIS SUBTITLE,

1 THE COUNTY BOARD MAY SUSPEND THE CHIEF EXECUTIVE OFFICER WITH PAY
2 UNTIL THE FINAL DISPOSITION OF THE CRIMINAL CHARGES.

3 4-202.

4 (a) (1) [Each] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
5 SUBSECTION, EACH county superintendent is entitled to the compensation set by the
6 county board.

7 (2) IN PRINCE GEORGE'S COUNTY, THE CHIEF EXECUTIVE
8 OFFICER IS ENTITLED TO THE COMPENSATION SET BY THE CONTRACT WITH THE
9 COUNTY BOARD.

10 (b) (1) The salary of a county superintendent may not be decreased during
11 his term of office.

12 (2) Each county superintendent shall devote full time to public school
13 business.

14 4-204.

15 (a) (1) [Acting] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
16 SUBSECTION, ACTING under the rules and regulations of the county board, the county
17 superintendent is responsible for the administration of his office.

18 (2) IN PRINCE GEORGE'S COUNTY, THE CHIEF EXECUTIVE
19 OFFICER IS RESPONSIBLE FOR THE ADMINISTRATION OF THE OFFICE OF THE
20 CHIEF EXECUTIVE OFFICER, INCLUDING HIRING AND SETTING THE SALARIES
21 OF THE EXECUTIVE STAFF.

22 (b) As the executive officer of the county board, the county superintendent
23 shall see that the following are carried out:

24 (1) The laws relating to the schools;

25 (2) The applicable enacted and published bylaws of the State Board;

26 (3) The policies of the State Board;

27 (4) The rules and regulations of the county board; and

28 (5) The policies of the county board.

29 4-206.

1 (a) (1) [A] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
2 SUBSECTION, A county superintendent shall immediately notify the county board in
3 writing of any criminal charges that are punishable by a period of incarceration
4 brought against the county superintendent.

5 (2) IN PRINCE GEORGE'S COUNTY, THE CHIEF EXECUTIVE
6 OFFICER SHALL IMMEDIATELY NOTIFY THE COUNTY EXECUTIVE AND THE
7 COUNTY BOARD IN WRITING OF ANY CRIMINAL CHARGES THAT ARE PUNISHABLE
8 BY A PERIOD OF INCARCERATION BROUGHT AGAINST THE CHIEF EXECUTIVE
9 OFFICER.

10 (b) The notification required under subsection (a) of this section shall include
11 a copy of all charging documents served on the county superintendent or the county
12 superintendent's counsel.

13 (c) Any county superintendent who violates subsections (a) and (b) of this
14 section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding
15 \$100 and revocation of any professional certification issued by the Department.

16 SUBTITLE 4. PRINCE GEORGE'S COUNTY.

17 4-401.

18 THE PURPOSE OF THE COUNTY BOARD IS TO:

19 (1) RAISE THE LEVEL OF ACADEMIC ACHIEVEMENT OF THE
20 STUDENTS IN THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM; AND

21 (2) RAISE THE LEVEL OF ENGAGEMENT OF THE PARENTS,
22 STUDENTS, AND COMMUNITY AS A WHOLE.

23 4-402.

24 (A) IN ADDITION TO THE OTHER POWERS GRANTED TO, AND DUTIES
25 IMPOSED ON, A COUNTY SUPERINTENDENT UNDER THIS ARTICLE, THE CHIEF
26 EXECUTIVE OFFICER HAS THE RESPONSIBILITIES AND POWERS SET FORTH IN
27 THIS SECTION.

28 (B) THE CHIEF EXECUTIVE OFFICER SHALL BE RESPONSIBLE FOR:

29 (1) THE OVERALL ADMINISTRATION OF THE PRINCE GEORGE'S
30 COUNTY PUBLIC SCHOOL SYSTEM;

31 (2) SUBJECT TO THE PROVISIONS OF TITLE 6 OF THIS ARTICLE,
32 AND AFTER A BUDGET IS SUBMITTED BY THE COUNTY BOARD AND APPROVED BY

1 THE COUNTY COUNCIL AT THE BEGINNING OF EACH FISCAL YEAR, THE
2 DAY-TO-DAY MANAGEMENT AND OVERSIGHT OF THE FISCAL AFFAIRS OF THE
3 PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM, INCLUDING THE
4 MANAGEMENT OF ACTIVITIES RELATED TO:

5 (I) ADMINISTRATION;

6 (II) MID-LEVEL ADMINISTRATION;

7 (III) INSTRUCTIONAL SALARIES;

8 (IV) TEXTBOOKS AND OTHER CLASSROOM INSTRUCTIONAL
9 SUPPLIES;

10 (V) INSTRUCTIONAL COSTS;

11 (VI) SPECIAL EDUCATION;

12 (VII) STUDENT PERSONNEL SERVICES;

13 (VIII) HEALTH SERVICES;

14 (IX) STUDENT TRANSPORTATION;

15 (X) OPERATION OF PLANTS AND EQUIPMENT;

16 (XI) PLANT MAINTENANCE;

17 (XII) FIXED CHARGES;

18 (XIII) FOOD SERVICES; AND

19 (XIV) CAPITAL PLANNING AND EXPENDITURES; AND

20 (3) THE DEVELOPMENT AND IMPLEMENTATION OF THE
21 CURRICULUM TAUGHT AND THE INSTRUCTION PROVIDED IN THE PRINCE
22 GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM.

23 (C) THE CHIEF EXECUTIVE OFFICER:

24 (1) SHALL HIRE AND SET THE SALARIES OF A CHIEF OPERATING
25 OFFICER, A CHIEF FINANCIAL OFFICER, A CHIEF ACADEMIC OFFICER, A CHIEF OF
26 STAFF, A BOARD LIAISON, AND ANY OTHER NECESSARY EXECUTIVE STAFF IN THE
27 OFFICE OF THE CHIEF EXECUTIVE OFFICER; AND

1 **(2) MAY DELEGATE THE RESPONSIBILITIES ESTABLISHED UNDER**
2 **SUBSECTION (B) OF THIS SECTION TO APPROPRIATELY QUALIFIED INDIVIDUALS**
3 **AS DETERMINED AND DEEMED NECESSARY BY THE CHIEF EXECUTIVE OFFICER.**

4 **(D) (1) THE CHIEF EXECUTIVE OFFICER SHALL ENTER INTO A**
5 **MEMORANDUM OF UNDERSTANDING THAT RELATES TO THE PROVISION OF**
6 **POLICY ANALYSIS AND ADVICE TO THE COUNTY BOARD WITH THE FOLLOWING**
7 **INSTITUTIONS OF HIGHER EDUCATION:**

8 **(I) THE UNIVERSITY OF MARYLAND, COLLEGE PARK;**

9 **(II) THE UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE;**

10 **(III) BOWIE STATE UNIVERSITY; AND**

11 **(IV) PRINCE GEORGE'S COMMUNITY COLLEGE.**

12 **(2) THE CHIEF EXECUTIVE OFFICER MAY INCLUDE ADDITIONAL**
13 **INSTITUTIONS OF HIGHER EDUCATION IN THE MEMORANDUM OF**
14 **UNDERSTANDING REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

15 **4-403.**

16 **(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE**
17 **COUNTY BOARD MAY NOT IMPLEMENT A POLICY OR TAKE ANY ACTION THAT**
18 **CONTRADICTS THE DAY-TO-DAY MANAGEMENT AND OVERSIGHT OF THE FISCAL**
19 **AFFAIRS OF THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM BY THE**
20 **CHIEF EXECUTIVE OFFICER UNDER THIS SUBTITLE.**

21 **(B) EXCEPT FOR PERSONNEL MATTERS AND APPEALS OF PERSONNEL**
22 **MATTERS IN ACCORDANCE WITH §§ 4-205(C)(2) AND (3) OF THIS TITLE AND**
23 **6-202 OF THIS ARTICLE, THE COUNTY BOARD SHALL REQUIRE A TWO-THIRDS**
24 **VOTE OF ALL VOTING MEMBERS OF THE COUNTY BOARD TO TAKE AN ACTION**
25 **THAT IS CONTRARY TO AN ACTION OF THE CHIEF EXECUTIVE OFFICER.**

26 **6-201.**

27 **(a) (1) [The] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**
28 **county board shall employ individuals in the positions that the county board considers**
29 **necessary for the operation of the public schools in the county.**

30 **(2) IN PRINCE GEORGE'S COUNTY, THE CHIEF EXECUTIVE**
31 **OFFICER OF THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM SHALL**

1 HIRE AND SET THE SALARIES OF A CHIEF OPERATING OFFICER, A CHIEF
2 FINANCIAL OFFICER, A CHIEF ACADEMIC OFFICER, A CHIEF OF STAFF, A BOARD
3 LIAISON, AND ANY OTHER NECESSARY EXECUTIVE STAFF IN THE OFFICE OF THE
4 CHIEF EXECUTIVE OFFICER.

5 (b) (1) [The] EXCEPT AS PROVIDED IN SUBSECTION (A) OF THIS
6 SECTION, THE county superintendent shall nominate for appointment by the county
7 board:

8 (i) All professional assistants of the office of county
9 superintendent; and

10 (ii) All principals, teachers, and other certificated personnel.

11 (2) As to these personnel, the county superintendent shall:

12 (i) Assign them to their positions in the schools;

13 (ii) Transfer them as the needs of the schools require;

14 (iii) Recommend them for promotion; and

15 (iv) Suspend them for cause and recommend them for dismissal
16 in accordance with § 6-202 of this subtitle.

17 SECTION 2. AND BE IT FURTHER ENACTED, That:

18 (a) The County Executive of Prince George's County and the Prince George's
19 County Council shall appoint the new members and the chair and vice chair of the
20 Prince George's County Board of Education in accordance with §§ 3-1002 and 3-1004
21 of the Education Article, as enacted by Section 1 of this Act, as soon as practicable and
22 no later than June 1, 2013.

23 (b) To fill the current vacancy in the office of the Prince George's County
24 Superintendent of Schools:

25 (1) a search committee shall be appointed in accordance with §
26 4-201.1(c) of the Education Article, as enacted by Section 1 of this Act, as soon as
27 practicable and no later than June 1, 2013;

28 (2) in developing a list of three nominees recommended for the new
29 Chief Executive Officer of the Prince George's County public school system, the search
30 committee shall review any data regarding potential candidates that has been collected
31 and provided by a search firm since September 2012;

1 (3) the chair of the Prince George's County Board of Education,
2 appointed by the County Executive under § 3-1004 of the Education Article, as enacted
3 by Section 1 of this Act, shall negotiate the terms of the contract of the new Chief
4 Executive Officer, including a requirement that the Chief Executive Officer attend the
5 meetings of the County Executive's Cabinet; and

6 (4) notwithstanding the dates set out in § 4-201.1(d) and (f) of the
7 Education Article as enacted by Section 1 of this Act, the County Executive may select
8 and the Prince George's County Board of Education may appoint the new Chief
9 Executive Officer after July 1, 2013, to a 4-year term ending June 30, 2017.

10 SECTION 3. AND BE IT FURTHER ENACTED, That the Chief Executive
11 Officer of the Prince George's County public school system and the Prince George's
12 County Board of Education shall hire a consultant to conduct a school utilization study
13 and, on or before December 1, 2014, make recommendations regarding the geographical
14 attendance areas for, or consolidation of, schools to the Chief Executive Officer, the
15 county board, the County Executive of Prince George's County, and the Prince George's
16 County Council.

17 SECTION 4. AND BE IT FURTHER ENACTED, That:

18 (a) On or before December 31, 2013, the County Executive of Prince George's
19 County, the Chief Executive Officer of the Prince George's County public school system,
20 and the Prince George's County Board of Education shall submit an interim report on
21 the implementation of this Act, in accordance with § 2-1246 of the State Government
22 Article, to the Senate Education, Health, and Environmental Affairs Committee, the
23 House Committee on Ways and Means, the Prince George's County Senators, and the
24 Prince George's County Delegation.

25 (b) On or before December 31, 2017, the County Executive, the Chief Executive
26 Officer, and the Prince George's County Board of Education shall submit a final report
27 on academic progress and improvement in the management of the Prince George's
28 County public school system, and recommendations concerning the continuation,
29 modification, or termination of the governance system established by this Act for the
30 public school system, in accordance with § 2-1246 of the State Government Article, to
31 the Senate Education, Health, and Environmental Affairs Committee, the House
32 Committee on Ways and Means, the Prince George's County Senators, and the Prince
33 George's County Delegation.

34 (c) During the 2018 regular legislative session, the General Assembly shall
35 deliberate and determine whether the provisions of this Act shall be terminated and of
36 no further force and effect. If the General Assembly does not take any action to
37 terminate this Act, the provisions of this Act shall continue to be in full force and effect.

38 SECTION 5. AND BE IT FURTHER ENACTED, That this Act is an emergency
39 measure, is necessary for the immediate preservation of the public health or safety, has
40 been passed by a yea and nay vote supported by three-fifths of all the members elected

- 1 to each of the two Houses of the General Assembly, and shall take effect from the date it
2 is enacted.

HB 1107 did not receive the requisite number of votes required for an emergency bill. It did, however, receive sufficient votes to pass. It will, therefore, take effect June 1, 2013.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.