

SENATE BILL 1071

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3lr3435
CF 3lr3441

By: **Prince George's County Senators (By Request – Prince George's County Administration)**

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session

Introduced and read first time: March 21, 2013

Rules suspended

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – School System – Academic Revitalization and**
3 **Management Effectiveness Initiative**

4 FOR the purpose of revising the composition of the Prince George's County Board of
5 Education; providing for the appointment of certain members of the county
6 board by the County Executive of Prince George's County and the Prince
7 George's County Council; providing for a certain ex officio voting member of the
8 county board; providing for the qualifications, terms of office, and the filling of a
9 vacancy of certain members of the county board; repealing certain provisions for
10 the filling of a vacancy of certain members of the county board; providing for the
11 appointment of certain nonvoting representatives to the county board;
12 authorizing the provision of health insurance and other fringe benefits for
13 appointed members of the county board; requiring the affirmative vote of a
14 certain number of members of the county board for the passage of a certain
15 motion; authorizing the Prince George's County Superintendent of Schools to
16 determine certain geographical attendance areas and consolidate schools under
17 certain circumstances; requiring the county board to consult with the county
18 superintendent before entering into a certain agreement; exempting Prince
19 George's County from certain provisions of law relating to county
20 superintendents; requiring the County Executive to appoint the county
21 superintendent in a certain manner; requiring the county superintendent to
22 serve in the cabinet of the County Executive and at the pleasure of the County
23 Executive; providing for the qualifications, term of office, reappointment, and
24 removal of the county superintendent; providing for the compensation, office,
25 staff, equipment, transportation, reimbursement of certain expenses, and
26 administration of the office of the county superintendent; establishing the
27 responsibilities, powers, and duties of the county superintendent; providing for

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 notice of certain criminal charges; specifying certain findings of the General
 2 Assembly; establishing certain additional purposes, responsibilities, and powers
 3 of the county board; establishing that the county superintendent is the Chief
 4 Executive Officer of the Prince George's County public school system;
 5 establishing certain responsibilities and powers of the Chief Executive Officer;
 6 authorizing the Chief Executive Officer to delegate certain responsibilities;
 7 prohibiting the county board from implementing a certain policy or taking a
 8 certain action except by a certain vote; declaring a certain intent of the General
 9 Assembly; requiring the Chief Executive Officer to hire a certain consultant to
 10 complete a review of the school system, make a certain determination, and
 11 report certain findings and recommendations to certain committees of the
 12 General Assembly on or before a certain date, and every other year thereafter
 13 until a certain date; requiring the General Assembly to make a certain
 14 determination during a certain legislative session; establishing the Integrated
 15 School Governance Advisory Commission; providing for the composition, chair,
 16 and staffing of the Advisory Commission; prohibiting a member of the Advisory
 17 Commission from receiving certain compensation, but authorizing the
 18 reimbursement of certain expenses; requiring the Advisory Commission to study
 19 and make recommendations regarding certain matters; requiring the Advisory
 20 Commission to report its findings and recommendations to certain committees
 21 of the General Assembly on or before a certain date; providing for the
 22 termination of certain provisions of this Act; and generally relating to the
 23 academic revitalization and management of the Prince George's County public
 24 school system.

25 BY repealing and reenacting, with amendments,
 26 Article – Education
 27 Section 3–105, 3–114, 3–1002 through 3–1004, 4–101, 4–109, 4–120, 4–123(a),
 28 4–201 through 4–204, and 4–206
 29 Annotated Code of Maryland
 30 (2008 Replacement Volume and 2012 Supplement)

31 BY adding to
 32 Article – Education
 33 Section 4–201.1; and 4–401 through 4–404 to be under the new subtitle
 34 “Subtitle 4. Prince George's County”
 35 Annotated Code of Maryland
 36 (2008 Replacement Volume and 2012 Supplement)

37 BY repealing and reenacting, without amendments,
 38 Article – Education
 39 Section 4–205
 40 Annotated Code of Maryland
 41 (2008 Replacement Volume and 2012 Supplement)

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

Article – Education

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3-105.

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

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

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

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

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

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

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

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

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

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

3-114.

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

(1) Allegany;

(2) Calvert;

(3) Carroll;

(4) Cecil;

- 1 (5) Charles;
- 2 (6) Dorchester;
- 3 (7) Frederick;
- 4 (8) Garrett;
- 5 (9) Howard;
- 6 (10) Kent;
- 7 [(11) Prince George's;]
- 8 [(12) (11) Montgomery;
- 9 [(13) (12) Queen Anne's;
- 10 [(14) (13) St. Mary's;
- 11 [(15) (14) Somerset;
- 12 [(16) (15) Talbot;
- 13 [(17) (16) Washington; and
- 14 [(18) (17) Worcester.

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

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

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

24 [(d) (E) An individual subject to the authority of the county board may not
 25 serve as a member of the county board. At the time of filing a certificate of candidacy
 26 for election to a county board, a person shall certify to the local board of supervisors of
 27 elections whether or not he is subject to the authority of the county board. The
 28 Governor shall not issue a commission of election to a person who has certified

1 affirmatively and who is elected to a county board until the member–elect offers proof
2 that he is no longer subject to the authority of the county board.

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

5 3–1002.

6 (a) **(1)** In this subtitle[, “elected”] **THE FOLLOWING WORDS HAVE THE**
7 **MEANINGS INDICATED.**

8 **(2) “APPOINTED MEMBER” MEANS A MEMBER OF THE PRINCE**
9 **GEORGE’S COUNTY BOARD APPOINTED UNDER SUBSECTION (F) OF THIS**
10 **SECTION.**

11 **(3) “ELECTED member”** means a member of the Prince George’s
12 County Board elected from one of the nine school board districts described in § 3–1001
13 of this subtitle.

14 (b) The Prince George’s County Board consists of [10] **13** members as
15 follows:

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

18 **(2) TWO APPOINTED MEMBERS;**

19 **(3) THE PRESIDENT OF THE PRINCE GEORGE’S COUNTY**
20 **COUNCIL OF PARENT TEACHER ASSOCIATIONS, WHO IS AN EX OFFICIO VOTING**
21 **MEMBER; AND**

22 **[(2)] (4)** One student member selected under subsection **[(f)(2)]**
23 **(H)(2)** of this section.

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

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

29 (3) An elected county board member shall forfeit the office if the
30 member:

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

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

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

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

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

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

12 (2) By the voters of the school board district that each member
13 represents.

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

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

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

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

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

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

30 **(I) ONE MEMBER SHALL BE APPOINTED BY THE COUNTY**
31 **EXECUTIVE OF PRINCE GEORGE'S COUNTY AND SHALL POSSESS A HIGH LEVEL**
32 **OF KNOWLEDGE AND EXPERTISE CONCERNING EDUCATION; AND**

1 **(II) ONE MEMBER SHALL BE APPOINTED BY THE PRINCE**
2 **GEORGE’S COUNTY COUNCIL AND SHALL:**

3 1. **POSSESS A HIGH LEVEL OF KNOWLEDGE AND**
4 **EXPERTISE CONCERNING THE SUCCESSFUL ADMINISTRATION OF A LARGE**
5 **BUSINESS, NONPROFIT, OR GOVERNMENTAL ENTITY; AND**

6 2. **HAVE SERVED IN A HIGH LEVEL MANAGEMENT**
7 **POSITION WITHIN A LARGE BUSINESS, NONPROFIT, OR GOVERNMENTAL ENTITY.**

8 **(2) EACH APPOINTED MEMBER OF THE COUNTY BOARD SHALL BE**
9 **A RESIDENT OF PRINCE GEORGE’S COUNTY.**

10 **(G) (1) THE EX OFFICIO MEMBER MAY VOTE ON ALL MATTERS**
11 **BEFORE THE BOARD EXCEPT THOSE RELATING TO:**

12 **(I) CAPITAL AND OPERATING BUDGETS;**

13 **(II) SCHOOL CLOSINGS, REOPENINGS, AND BOUNDARIES;**

14 **(III) COLLECTIVE BARGAINING DECISIONS;**

15 **(IV) STUDENT DISCIPLINARY MATTERS;**

16 **(V) TEACHER AND ADMINISTRATOR DISCIPLINARY**
17 **MATTERS AS PROVIDED UNDER § 6-202(A) OF THIS ARTICLE; AND**

18 **(VI) OTHER PERSONNEL MATTERS.**

19 **(2) ON AN AFFIRMATIVE VOTE OF A MAJORITY OF THE ELECTED**
20 **AND APPOINTED MEMBERS OF THE COUNTY BOARD, THE BOARD MAY**
21 **DETERMINE IF A MATTER BEFORE THE BOARD RELATES TO A SUBJECT THAT**
22 **THE EX OFFICIO MEMBER MAY NOT VOTE ON UNDER PARAGRAPH (1) OF THIS**
23 **SUBSECTION.**

24 **(3) UNLESS INVITED TO ATTEND BY AN AFFIRMATIVE VOTE OF A**
25 **MAJORITY OF THE ELECTED AND APPOINTED MEMBERS OF THE COUNTY BOARD,**
26 **THE EX OFFICIO MEMBER MAY NOT ATTEND AN EXECUTIVE SESSION THAT**
27 **RELATES TO HEARINGS ON APPEALS OF SPECIAL EDUCATION PLACEMENTS,**
28 **HEARINGS HELD UNDER § 6-202(A) OF THIS ARTICLE, OR COLLECTIVE**
29 **BARGAINING.**

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

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

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

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

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

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

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

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

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

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

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

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

11 **(3) AN APPOINTED MEMBER:**

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

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

15 **(III) SERVES UNTIL A SUCCESSOR IS APPOINTED AND**
16 **QUALIFIES.**

17 **[(3)] (4)** The student member serves for a term of 1 year beginning at
18 the end of a school year.

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

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

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

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

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

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

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

4 C. The date of the special general election.

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

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

11 2. The following provisions are subject to
12 subsubparagraph 3 of this subparagraph:

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

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

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

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

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

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

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

30 2. The Board of Elections shall submit a request for a
31 supplemental budget appropriation to the Director of the Office of Management and
32 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
4 where such construction would be unreasonable.]

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

9 **[(h)] (J)** (1) With the approval of the Governor, the State Board may
10 remove a member of the county board for any of the following reasons:

- 11 (i) Immorality;
12 (ii) Misconduct in office;
13 (iii) Incompetency; or
14 (iv) Willful neglect of duty.

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

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

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

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

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

28 **[(i)] (K)** While serving on the county board, a member may not be a
29 candidate for a public office other than a position on the county board.

30 **(L) IN ADDITION TO THE ELECTED, APPOINTED, EX OFFICIO, AND**
31 **STUDENT MEMBERS, THERE SHALL BE THREE NONVOTING REPRESENTATIVES**
32 **TO THE COUNTY BOARD, ONE APPOINTED BY THE PRESIDENT OF EACH OF THE**
33 **FOLLOWING INSTITUTIONS OF HIGHER EDUCATION:**

1 **(1) THE UNIVERSITY OF MARYLAND, COLLEGE PARK;**

2 **(2) BOWIE STATE UNIVERSITY; AND**

3 **(3) PRINCE GEORGE'S COMMUNITY COLLEGE.**

4 3-1003.

5 (a) (1) From and after December 4, 2006, at the beginning of each
6 member's full term, the chair of the county board is entitled to receive \$19,000
7 annually as compensation and the other elected members are each entitled to receive
8 \$18,000 annually as compensation.

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

13 (b) (1) After submitting vouchers under the rules and regulations adopted
14 by the county board, the chair and the other members, including the student member,
15 are entitled to the allowances for travel and other expenses provided in the Prince
16 George's County budget.

17 (2) A member of the county board may not be reimbursed more than
18 \$7,000 in travel and other expenses incurred in a single fiscal year.

19 3-1004.

20 (a) The county board shall hold an annual meeting on the first Monday in
21 December to elect a chair and vice chair from among its members.

22 (b) (1) Except as otherwise provided in paragraph (2) of this subsection,
23 the affirmative vote of the members of the county board for the passage of a motion by
24 the county board shall be:

25 (i) **[Six] SEVEN** members when the **EX OFFICIO AND** student
26 **[member is] MEMBERS ARE** voting; or

27 (ii) **[Five] SIX** members when the **EX OFFICIO AND** student
28 **[member is] MEMBERS ARE** not voting.

29 (2) When there are two or more vacancies on the county board, the
30 affirmative vote of the members of the county board for the passage of a motion by the
31 board shall be:

1 (i) **[Five] SIX** members when the **EX OFFICIO AND** student
2 **[member is] MEMBERS ARE** voting; or

3 (ii) **[Four] FIVE** members when the **EX OFFICIO AND** student
4 **[member is] MEMBERS ARE** not voting.

5 4-101.

6 (a) **[Educational] SUBJECT TO THE PROVISIONS OF SUBTITLE 4 OF THIS**
7 **TITLE, EDUCATIONAL** matters that affect the counties shall be under the control of a
8 county board of education in each county.

9 (b) Each county board shall seek in every way to promote the interests of the
10 schools under its jurisdiction.

11 4-109.

12 (a) Subject to approval by the State Superintendent and in accordance with
13 the applicable bylaws, rules, and regulations of the State Board, a county board may
14 establish a public school if, in its judgment, it is advisable.

15 (b) On approval by the State Superintendent, any school established under
16 this section becomes a part of the State program of public education.

17 (c) **[With] EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION,**
18 **WITH** the advice of the county superintendent, the county board shall determine the
19 geographical attendance area for each school established under this section.

20 **(D) IN PRINCE GEORGE'S COUNTY, THE COUNTY SUPERINTENDENT, IN**
21 **CONSULTATION WITH THE COUNTY BOARD, SHALL HAVE THE AUTHORITY TO**
22 **DETERMINE THE GEOGRAPHICAL ATTENDANCE AREA FOR EACH SCHOOL**
23 **ESTABLISHED UNDER THIS SECTION.**

24 4-120.

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

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

30 **(C) IN PRINCE GEORGE'S COUNTY, THE COUNTY SUPERINTENDENT, IN**
31 **CONSULTATION WITH THE COUNTY BOARD, SHALL HAVE THE AUTHORITY TO:**

1 **(1) CONSOLIDATE SCHOOLS IF CONSIDERED PRACTICABLE; AND**

2 **(2) ARRANGE FOR THE TRANSPORTATION OF STUDENTS TO AND**
3 **FROM CONSOLIDATED SCHOOLS.**

4 4-123.

5 (a) (1) **[A] SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A**
6 county board may enter into an agreement for the cooperative or joint administration
7 of programs with one or more:

8 (i) County boards;

9 (ii) Other educational institutions or agencies; and

10 (iii) Boards of county commissioners or county councils.

11 (2) Agreements made under this section may include the cooperative
12 or joint administration of programs that relate to:

13 (i) Personnel;

14 (ii) Purchasing;

15 (iii) Accounting;

16 (iv) Data processing;

17 (v) Printing;

18 (vi) Insurance;

19 (vii) Building maintenance; and

20 (viii) Transportation.

21 **(3) IN PRINCE GEORGE'S COUNTY, THE COUNTY BOARD SHALL**
22 **CONSULT WITH THE COUNTY SUPERINTENDENT BEFORE ENTERING INTO ANY**
23 **AGREEMENT FOR THE COOPERATIVE OR JOINT ADMINISTRATION OF PROGRAMS**
24 **UNDER THIS SECTION.**

25 4-201.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

33 (i) Immorality;

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

5 (2) Before removing a county superintendent, the State
6 Superintendent shall send the county superintendent a copy of the charges against the
7 county superintendent and give the county superintendent an opportunity within 10
8 days to request a hearing.

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

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

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

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

21 **4-201.1.**

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

23 **(B) THE COUNTY SUPERINTENDENT, WHO SHALL BE THE CHIEF**
24 **EXECUTIVE OFFICER OF THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL**
25 **SYSTEM:**

26 **(1) SUBJECT TO THE PROVISIONS OF SUBSECTION (D) OF THIS**
27 **SECTION, SHALL BE APPOINTED BY THE COUNTY EXECUTIVE IN THE MANNER**
28 **PROVIDED FOR ADMINISTRATIVE APPOINTMENTS IN THE PRINCE GEORGE'S**
29 **COUNTY CHARTER;**

30 **(2) SHALL REPORT DIRECTLY TO, AND SERVE IN THE CABINET**
31 **OF, THE COUNTY EXECUTIVE; AND**

1 **(3) SUBJECT TO THE PROVISIONS OF § 4-201(E) OF THIS**
2 **SUBTITLE, SHALL SERVE AT THE PLEASURE OF THE COUNTY EXECUTIVE.**

3 **(C) (1) THE TERM OF THE COUNTY SUPERINTENDENT IS 4 YEARS**
4 **BEGINNING ON JULY 1.**

5 **(2) THE COUNTY SUPERINTENDENT CONTINUES TO SERVE UNTIL**
6 **A SUCCESSOR IS APPOINTED AND QUALIFIES.**

7 **(3) BY FEBRUARY 1 OF THE YEAR IN WHICH A TERM ENDS, THE**
8 **COUNTY SUPERINTENDENT SHALL NOTIFY THE COUNTY EXECUTIVE IF THE**
9 **COUNTY SUPERINTENDENT IS A CANDIDATE FOR REAPPOINTMENT.**

10 **(4) (I) IN THE YEAR A TERM BEGINS, THE COUNTY EXECUTIVE**
11 **SHALL APPOINT A COUNTY SUPERINTENDENT BETWEEN FEBRUARY 1 AND JUNE**
12 **30.**

13 **(II) IF THE COUNTY EXECUTIVE DECIDES TO REAPPOINT**
14 **THE INCUMBENT COUNTY SUPERINTENDENT, THE REAPPOINTMENT SHALL BE**
15 **COMPLETE AND EFFECTIVE NO LATER THAN MARCH 1 OF THAT YEAR.**

16 **(5) IF THE COUNTY EXECUTIVE IS UNABLE TO APPOINT A**
17 **COUNTY SUPERINTENDENT BY JULY 1 OF THE YEAR A TERM BEGINS, THE**
18 **PROVISIONS OF SUBSECTION (E) OF THIS SECTION APPLY.**

19 **(D) (1) AN INDIVIDUAL MAY NOT BE APPOINTED AS COUNTY**
20 **SUPERINTENDENT UNLESS THE INDIVIDUAL:**

21 **(I) IS ELIGIBLE TO BE ISSUED A CERTIFICATE FOR THE**
22 **OFFICE BY THE STATE SUPERINTENDENT;**

23 **(II) HAS GRADUATED FROM AN ACCREDITED COLLEGE OR**
24 **UNIVERSITY; AND**

25 **(III) HAS COMPLETED 2 YEARS OF GRADUATE WORK AT AN**
26 **ACCREDITED COLLEGE OR UNIVERSITY, INCLUDING PUBLIC SCHOOL**
27 **ADMINISTRATION, SUPERVISION, AND METHODS OF TEACHING.**

28 **(2) THE APPOINTMENT OF THE COUNTY SUPERINTENDENT IS NOT**
29 **VALID UNLESS APPROVED IN WRITING BY THE STATE SUPERINTENDENT.**

30 **(3) IF THE STATE SUPERINTENDENT DISAPPROVES AN**
31 **APPOINTMENT, THE STATE SUPERINTENDENT SHALL GIVE THE REASONS FOR**

1 **DISAPPROVAL IN WRITING TO THE COUNTY BOARD AND THE COUNTY**
2 **EXECUTIVE.**

3 **(E) IF A VACANCY OCCURS IN THE OFFICE OF COUNTY**
4 **SUPERINTENDENT, THE COUNTY EXECUTIVE SHALL APPOINT AN INTERIM**
5 **COUNTY SUPERINTENDENT TO SERVE UNTIL JULY 1 AFTER THE APPOINTMENT.**

6 **(F) ON NOTIFICATION OF PENDING CRIMINAL CHARGES AGAINST THE**
7 **COUNTY SUPERINTENDENT AS PROVIDED UNDER § 4-206 OF THIS SUBTITLE,**
8 **THE COUNTY EXECUTIVE MAY SUSPEND THE COUNTY SUPERINTENDENT WITH**
9 **PAY UNTIL THE FINAL DISPOSITION OF THE CRIMINAL CHARGES.**

10 4-202.

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

14 **(2) IN PRINCE GEORGE'S COUNTY, THE COUNTY**
15 **SUPERINTENDENT IS ENTITLED TO THE COMPENSATION SET BY THE COUNTY**
16 **EXECUTIVE.**

17 **(b) (1) The salary of a county superintendent may not be decreased during**
18 **his term of office.**

19 **(2) Each county superintendent shall devote full time to public school**
20 **business.**

21 4-203.

22 **(a) (1) [Each] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
23 **SUBSECTION, EACH county board shall provide the office of the county**
24 **superintendent with adequate quarters and clerical equipment.**

25 **(2) IN PRINCE GEORGE'S COUNTY, THE COUNTY EXECUTIVE**
26 **SHALL PROVIDE THE OFFICE OF THE COUNTY SUPERINTENDENT WITH**
27 **ADEQUATE QUARTERS AND CLERICAL EQUIPMENT.**

28 **(b) The county superintendent and his professional assistants shall be**
29 **provided with the transportation necessary for the effective and efficient performance**
30 **of their official duties.**

31 **(c) (1) The county superintendent and his professional assistants are**
32 **entitled to reimbursement for travel and other expenses.**

1 (2) These expenses may not be included in or counted as a part of their
2 annual salary.

3 4–204.

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

7 **(2) IN PRINCE GEORGE’S COUNTY, ACTING UNDER THE RULES**
8 **AND REGULATIONS OF THE EXECUTIVE BRANCH OF THE PRINCE GEORGE’S**
9 **COUNTY GOVERNMENT, THE COUNTY SUPERINTENDENT IS RESPONSIBLE FOR**
10 **THE ADMINISTRATION OF THE COUNTY SUPERINTENDENT’S OFFICE.**

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

13 (1) The laws relating to the schools;

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

15 (3) The policies of the State Board;

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

17 (5) The policies of the county board.

18 4–205.

19 (a) In addition to the other powers granted and duties imposed under this
20 article, the county superintendent has the powers and duties set forth in this section.

21 (b) The county superintendent may administer oaths to witnesses in all
22 appeals or cases that come before the county board.

23 (c) (1) Subject to the authority of the State Board under § 2–205(e) of this
24 article, each county superintendent shall explain the true intent and meaning of:

25 (i) The school law; and

26 (ii) The applicable bylaws of the State Board.

27 (2) Subject to the provisions of § 6–203 and Title 6, Subtitle 4 of this
28 article and without charge to the parties concerned, each county superintendent shall
29 decide all controversies and disputes that involve:

1 (i) The rules and regulations of the county board; and

2 (ii) The proper administration of the county public school
3 system.

4 (3) A decision of a county superintendent may be appealed to the
5 county board if taken in writing within 30 days after the decision of the county
6 superintendent. The decision may be further appealed to the State Board if taken in
7 writing within 30 days after the decision of the county board.

8 (d) A contract made by a county board is not valid without the written
9 approval of the county superintendent.

10 (e) (1) Acting as the executive officer of the county board, the county
11 superintendent shall:

12 (i) Conduct all correspondence;

13 (ii) Receive all reports from principals and teachers; and

14 (iii) See that all reports are made and submitted properly.

15 (2) The county superintendent shall prepare and submit to the county
16 board for adoption:

17 (i) All reports required of the county board by the State Board
18 or the State Superintendent; and

19 (ii) The annual report to the people of the county required by §
20 5–111(b) of this article.

21 (f) The county superintendent:

22 (1) Shall advise teachers as to their further study and professional
23 improvement;

24 (2) Shall develop a program of in–service training for all public school
25 personnel; and

26 (3) May require attendance at an institution of higher education for
27 future certification and professional improvement instead of in–service training.

28 (g) The county superintendent and his professional assistants shall:

29 (1) Visit the schools;

30 (2) Observe their management and instruction;

1 (3) Give suggestions for their improvement;

2 (4) Consult with and advise principals and teachers; and

3 (5) Try in every way to awaken public interest and improve
4 educational conditions in the county.

5 (h) In accordance with the applicable rules and regulations of the State
6 Board, the county superintendent periodically shall:

7 (1) Evaluate the program of instruction in the public schools of the
8 county; and

9 (2) Report his findings and recommendations to the county board.

10 (i) The county superintendent shall prepare and recommend for adoption by
11 the county board:

12 (1) Curriculum guides;

13 (2) Courses of study;

14 (3) Resource material; and

15 (4) Other teaching aids.

16 (j) (1) The county superintendent shall prepare lists of the following
17 items needed by the schools:

18 (i) Textbooks;

19 (ii) Supplementary readers;

20 (iii) Materials of instruction;

21 (iv) Visual and auditory aids;

22 (v) Stationery and school supplies; and

23 (vi) School furniture, equipment, and apparatus.

24 (2) The county superintendent shall recommend the purchase and
25 distribution of these items by the county board.

26 (k) The county superintendent shall:

1 (1) Take the initiative in the preparation and presentation of the
2 annual school budget; and

3 (2) Seek in every way to secure adequate funds from local authorities
4 for the support and development of the public schools in the county.

5 (1) (1) The county superintendent shall recommend to the county board:

6 (i) Condemnation of any school building that is unsanitary and
7 unfit for use; and

8 (ii) Any repairs of or the purchase and sale of land, school sites,
9 or buildings.

10 (2) Subject to the provisions of § 2–303(f) of this article that relate to
11 approval by the State Superintendent, the county superintendent shall prepare all
12 plans and specifications for remodeling an old building or constructing a new building.

13 (3) The county superintendent shall recommend to traffic safety
14 officials of the State Highway Administration or of the county appropriate locations for
15 posting flashing caution signs at or near the site of:

16 (i) A school;

17 (ii) School construction; or

18 (iii) School condemnation.

19 (m) The county superintendent shall provide the clerical help that is needed
20 to issue work permits in accordance with § 3–206 of the Labor and Employment
21 Article.

22 4–206.

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

27 **(2) IN PRINCE GEORGE’S COUNTY, THE COUNTY**
28 **SUPERINTENDENT SHALL IMMEDIATELY NOTIFY THE COUNTY EXECUTIVE IN**
29 **WRITING OF ANY CRIMINAL CHARGES THAT ARE PUNISHABLE BY A PERIOD OF**
30 **INCARCERATION BROUGHT AGAINST THE COUNTY SUPERINTENDENT.**

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

4 (c) Any county superintendent who violates subsections (a) and (b) of this
5 section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding
6 \$100 and revocation of any professional certification issued by the Department.

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

8 **4-401.**

9 **THE GENERAL ASSEMBLY FINDS THAT:**

10 (1) **THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM IS**
11 **A LARGE SCHOOL DISTRICT FACING MANY CHALLENGES COMMON TO LARGE**
12 **URBAN SCHOOL DISTRICTS THROUGHOUT THE COUNTRY THAT PLACE A GREAT**
13 **DEMAND ON THE RESOURCES NEEDED TO SERVE UNIQUE AND VARIED**
14 **POPULATIONS OF STUDENTS;**

15 (2) **THE LACK OF STABLE LEADERSHIP IN THE POSITION OF**
16 **SUPERINTENDENT OF SCHOOLS IN THE PRINCE GEORGE'S COUNTY PUBLIC**
17 **SCHOOL SYSTEM HAS RESULTED IN SEVERE STRUCTURAL PROBLEMS IN THE**
18 **SCHOOL SYSTEM;**

19 (3) **THE STRUCTURAL INSTABILITY HAS IMPAIRED THE ABILITY**
20 **OF THE SCHOOL SYSTEM TO RETAIN HIGHLY QUALIFIED LEADERSHIP,**
21 **INSTRUCTORS, AND ADMINISTRATORS, WHICH HAS CONTRIBUTED TO:**

22 (i) **CHRONIC UNDERACHIEVEMENT AMONG STUDENTS**
23 **FACING THE GREATEST CHALLENGES, INCLUDING STUDENTS RECEIVING FREE**
24 **AND REDUCED-PRICE LUNCHES AND STUDENTS FOR WHOM ENGLISH IS A**
25 **SECOND LANGUAGE;**

26 (ii) **STUDENT DROPOUT RATES THAT ARE HIGHER THAN**
27 **THE STATE AVERAGE AND GRADUATION RATES, STATEWIDE ASSESSMENT**
28 **SCORES, SAT SCORES, AND THE NUMBER OF STUDENTS TAKING AND PASSING**
29 **ADVANCED PLACEMENT TESTS THAT ARE SIGNIFICANTLY BELOW STATE**
30 **AVERAGES; AND**

31 (iii) **THE EROSION OF PUBLIC FAITH IN THE SCHOOL**
32 **SYSTEM;**

1 **(4) THE LACK OF PUBLIC FAITH IN THE SCHOOL SYSTEM HAS**
2 **RESULTED IN PERSISTENT DECLINING STUDENT ENROLLMENT; AND**

3 **(5) GIVEN THE UNIQUE CIRCUMSTANCES EXISTING IN THE**
4 **PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM, A NEW GOVERNANCE**
5 **STRUCTURE IS NEEDED TO ATTRACT AND RETAIN VISIONARY LEADERSHIP,**
6 **INCREASE OPERATIONAL EFFICIENCY AND ACCOUNTABILITY, AND IMPROVE**
7 **THE ACADEMIC AREAS IN WHICH THE SCHOOL SYSTEM IS SIGNIFICANTLY**
8 **BELOW STATE AVERAGES.**

9 **4-402.**

10 **(A) IN ADDITION TO ANY OTHER PURPOSES ESTABLISHED, POWERS**
11 **GRANTED, AND DUTIES IMPOSED UNDER THIS ARTICLE, THE PRINCE GEORGE'S**
12 **COUNTY BOARD OF EDUCATION HAS THE PURPOSE, RESPONSIBILITIES, AND**
13 **POWERS SET FORTH IN THIS SECTION.**

14 **(B) THE PURPOSE OF THE COUNTY BOARD IS TO:**

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

17 **(2) RAISE THE LEVEL OF ENGAGEMENT OF THE PARENTS,**
18 **STUDENTS, AND COMMUNITY AS A WHOLE.**

19 **(C) THE COUNTY BOARD SHALL BE RESPONSIBLE FOR THE ACADEMIC**
20 **ACHIEVEMENT OF THE PUBLIC SCHOOL STUDENTS IN PRINCE GEORGE'S**
21 **COUNTY.**

22
23 **(D) EXCEPT AS PROVIDED IN § 4-404 OF THIS SUBTITLE,**
24 **NOTWITHSTANDING ANY OTHER PROVISION OF LAW OR REGULATION, THE**
25 **COUNTY BOARD SHALL IMPLEMENT POLICIES TO FURTHER THE PURPOSE**
26 **STATED IN SUBSECTION (B) OF THIS SECTION.**

27 **(E) THE POLICIES IMPLEMENTED UNDER SUBSECTION (D) OF THIS**
28 **SECTION SHALL:**

29 **(1) PROVIDE FOR THE IMPROVEMENT OF:**

30 **(I) STUDENT ACHIEVEMENT IN THE PRINCE GEORGE'S**
31 **COUNTY PUBLIC SCHOOLS; AND**

1 **(II) THE ENGAGEMENT OF THE PARENTS, STUDENTS, AND**
2 **COMMUNITY AS A WHOLE IN THE PRINCE GEORGE’S COUNTY PUBLIC SCHOOL**
3 **SYSTEM; AND**

4 **(2) IDENTIFY THE ACTIONS THE CHIEF EXECUTIVE OFFICER**
5 **SHALL STUDY AND RECOMMEND TO THE COUNTY BOARD AS NECESSARY TO:**

6 **(I) ADDRESS THE COMPLIANCE EFFORTS AND THE SCHOOL**
7 **SYSTEM’S EFFORTS TO ACHIEVE FULL ORGANIZATIONAL AND INSTRUCTIONAL**
8 **INTEGRATION OF SPECIAL EDUCATION AND GENERAL EDUCATION, INCLUDING**
9 **THE QUALITY INDICATORS THAT WILL BE USED TO EVALUATE THE EXTENT OF**
10 **INTEGRATION AND IMPACT ON STUDENT PERFORMANCE;**

11 **(II) PROVIDE EFFECTIVE CURRICULUM AND**
12 **INSTRUCTIONAL PROGRAMS FOR THE PRINCE GEORGE’S COUNTY PUBLIC**
13 **SCHOOL SYSTEM, INCLUDING THE DEVELOPMENT AND DISSEMINATION OF:**

14 **1. A COUNTYWIDE CURRICULUM FRAMEWORK**
15 **REFLECTING STATE LEARNING OUTCOMES, INCLUDING STATE SCHOOL**
16 **PERFORMANCE PROGRAM STANDARDS, AND AN APPROPRIATE**
17 **DEVELOPMENTAL SEQUENCE FOR STUDENTS;**

18 **2. AN EFFECTIVE PROGRAM DEVELOPED BY THE**
19 **COUNTY SUPERINTENDENT, WITH THE ASSISTANCE OF THE COUNTY BOARD,**
20 **THAT INVOLVES SCHOOL-BASED PRACTITIONERS, INCLUDING TEACHERS,**
21 **MENTORS, MASTER TEACHERS, INSTRUCTIONAL SUPPORT TEACHERS, AND THE**
22 **EXCLUSIVE EMPLOYEE ORGANIZATION REPRESENTATIVES IN THE DESIGN AND**
23 **IMPLEMENTATION OF HIGH QUALITY, DIFFERENTIATED PROFESSIONAL**
24 **DEVELOPMENT ACTIVITIES DERIVED FROM ANALYSIS OF STUDENT**
25 **PERFORMANCE NEEDS AND THAT COMPLIES WITH THE NATIONAL STAFF**
26 **DEVELOPMENT COUNCIL STANDARDS FOR CONTENT, CONTEXT, AND PROCESS;**
27 **AND**

28 **3. AN EFFECTIVE EDUCATIONAL PROGRAM FOR**
29 **MEETING THE NEEDS OF STUDENTS AT RISK OF EDUCATIONAL FAILURE;**

30 **(III) REVIEW THE REQUIREMENT OF A DEMONSTRATED**
31 **STUDENT ACHIEVEMENT PORTFOLIO FOR THE PERFORMANCE-BASED**
32 **EVALUATION SYSTEM FOR TEACHERS AND PRINCIPALS AND RECOMMEND**
33 **DESIGN MODIFICATIONS TO THE COUNTY SUPERINTENDENT THAT WILL**
34 **ENHANCE TEACHER AND PRINCIPAL INVESTMENT IN THE EVALUATION**
35 **INSTRUMENT;**

1 **(IV) PROVIDE AN EFFECTIVE ADMINISTRATION TOOL FOR**
2 **THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM THAT GATHERS**
3 **INFORMATION AND DATA ON THE CAPACITY TO ACCURATELY TRACK STUDENT**
4 **ENROLLMENT, ATTENDANCE, ACADEMIC RECORDS, DISCIPLINE RECORDS, AND**
5 **COMPLIANCE WITH THE PROVISIONS OF THE FEDERAL INDIVIDUALS WITH**
6 **DISABILITIES EDUCATION ACT;**

7 **(V) DEVELOP AN EFFECTIVE SYSTEM OF PROVIDING**
8 **INSTRUCTIONAL MATERIALS AND SUPPORT SERVICES;**

9 **(VI) DEVELOP AND EVALUATE MODEL SCHOOL REFORM**
10 **INITIATIVES;**

11 **(VII) DEVELOP A PROCESS WITH TIME LINES TO GOVERN THE**
12 **DISTRIBUTION OF STUDENT TEST DATA TO AREA EXECUTIVE OFFICERS AND TO**
13 **PRINCIPALS, INCLUDING THE CENTRAL OFFICE RESOURCES THAT WILL BE**
14 **PROVIDED TO SCHOOL LEVEL PRACTITIONERS TO VALIDATE AND ANALYZE THE**
15 **STUDENT TEST DATA;**

16 **(VIII) PROVIDE APPROPRIATE METHODS FOR STUDENT**
17 **ASSESSMENT AND REMEDIATION;**

18 **(IX) DEVELOP AND IMPLEMENT A STUDENT CODE OF**
19 **DISCIPLINE AS REQUIRED IN § 7-306 OF THIS ARTICLE;**

20 **(X) ASSIST THE COUNTY SUPERINTENDENT IN DEVELOPING**
21 **A PROGRAM TO TRAIN PRINCIPALS AND ASSISTANT PRINCIPALS IN METHODS OF**
22 **INCREASING PARENTAL INVOLVEMENT AT THE SCHOOL LEVEL, INCLUDING**
23 **STRATEGIES FOR:**

24 **1. CONNECTING PARENTS TO THE INSTRUCTIONAL**
25 **PROGRAM OF THE SCHOOL; AND**

26 **2. MEASURING THE LEVEL OF PARENTAL**
27 **INVOLVEMENT THROUGH MEANINGFUL INDICATORS;**

28 **(XI) INCLUDE MEASURABLE OUTCOMES AND TIME LINES**
29 **FOR THE IMPLEMENTATION AND EVALUATION OF THE POLICIES FOR STUDENT**
30 **ACADEMIC ACHIEVEMENT, AND THE ENGAGEMENT OF THE PARENTS, STUDENTS,**
31 **AND COMMUNITY AS A WHOLE; AND**

32 **(XII) ASSIST THE COUNTY SUPERINTENDENT IN DEVELOPING**
33 **AN EFFECTIVE SYSTEM OF TEACHER INPUT REGARDING IMPLEMENTATION OF**

1 SCHOOL POLICIES, CURRICULUM, INSTRUCTION, AND PROFESSIONAL
2 DEVELOPMENT THAT INCLUDES ACTIVE AND ONGOING CONSULTATION WITH
3 CLASSROOM TEACHERS AT THE ELEMENTARY, MIDDLE, AND HIGH SCHOOL
4 LEVELS.

5 4-403.

6 (A) IN ADDITION TO THE OTHER POWERS GRANTED AND DUTIES
7 IMPOSED UNDER THIS ARTICLE, THE COUNTY SUPERINTENDENT IS THE CHIEF
8 EXECUTIVE OFFICER OF THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL
9 SYSTEM AND HAS THE RESPONSIBILITIES AND POWERS SET FORTH IN THIS
10 SECTION.

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

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

14 (2) CONSISTENT WITH THE PROVISIONS OF SUBTITLE 6 OF THIS
15 TITLE, AND AFTER A BUDGET TAKES EFFECT AT THE BEGINNING OF THE
16 COUNTY FISCAL YEAR, THE DAY-TO-DAY MANAGEMENT AND OVERSIGHT OF THE
17 FISCAL AFFAIRS OF THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM,
18 INCLUDING THE MANAGEMENT OF ACTIVITIES RELATED TO:

19 (I) ADMINISTRATION;

20 (II) MID-LEVEL ADMINISTRATION;

21 (III) INSTRUCTIONAL SALARIES;

22 (IV) TEXTBOOKS AND OTHER CLASSROOM INSTRUCTIONAL
23 SUPPLIES;

24 (V) INSTRUCTIONAL COSTS;

25 (VI) SPECIAL EDUCATION;

26 (VII) STUDENT PERSONNEL SERVICES;

27 (VIII) HEALTH SERVICES;

28 (IX) STUDENT TRANSPORTATION;

1 **(X) OPERATION OF PLANTS AND EQUIPMENT;**

2 **(XI) PLANT MAINTENANCE;**

3 **(XII) FIXED CHARGES;**

4 **(XIII) FOOD SERVICES; AND**

5 **(XIV) CAPITAL PLANNING AND EXPENDITURES;**

6 **(3) THE DEVELOPMENT AND IMPLEMENTATION OF THE**
7 **CURRICULUM TAUGHT AND THE INSTRUCTION PROVIDED IN THE PRINCE**
8 **GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM; AND**

9 **(4) THE IDENTIFICATION OF A CHIEF OPERATING OFFICER AND**
10 **A CHIEF FINANCIAL OFFICER OF THE PRINCE GEORGE'S COUNTY PUBLIC**
11 **SCHOOL SYSTEM.**

12 **(C) THE CHIEF EXECUTIVE OFFICER MAY DELEGATE THE**
13 **RESPONSIBILITIES ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION TO**
14 **APPROPRIATELY QUALIFIED INDIVIDUALS AS DETERMINED AND DEEMED**
15 **NECESSARY BY THE CHIEF EXECUTIVE OFFICER.**

16 **4-404.**

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

22 **(B) THE COUNTY BOARD SHALL REQUIRE A TWO-THIRDS VOTE OF ALL**
23 **VOTING MEMBERS OF THE COUNTY BOARD, INCLUDING THE AFFIRMATIVE VOTE**
24 **OF THE MEMBER APPOINTED BY THE COUNTY EXECUTIVE, TO TAKE AN ACTION**
25 **THAT IS CONTRARY TO AN ACTION OF THE CHIEF EXECUTIVE OFFICER.**

26 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the
27 General Assembly that the County Executive of Prince George's County shall be
28 actively involved in the selection of the new Prince George's County Superintendant of
29 Schools who shall be the Chief Executive Officer.

30 SECTION 3. AND BE IT FURTHER ENACTED, That:

1 (a) The Chief Executive Officer of the Prince George's County public school
2 system shall hire a consultant who, on or before December 31, 2015, and every other
3 year thereafter until December 31, 2021, shall complete a review of the Prince
4 George's County public school system, determine whether there has been academic
5 progress and improvement in the management of the public schools, and report the
6 findings of the evaluation, in accordance with § 2-1246 of the State Government
7 Article, to the Senate Education, Health, and Environmental Affairs Committee, the
8 House Committee on Ways and Means, the Prince George's County Senators, and the
9 Prince George's County Delegation.

10 (b) In the report due on or before December 31, 2021, the consultant shall
11 include recommendations concerning the continuation, modification, or termination of
12 the governance system established by this Act for the Prince George's County public
13 school system.

14 (c) During the 2022 regular legislative session, the General Assembly shall
15 deliberate and determine whether the provisions of this Act shall be terminated and of
16 no further force and effect. If the General Assembly does not take any action to
17 terminate this Act, the provisions of this Act shall continue to be in full force and
18 effect.

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

20 (a) There is an Integrated School Governance Advisory Commission.

21 (b) The Advisory Commission consists of the following members:

22 (1) one member of the Senate of Maryland who represents Prince
23 George's County, appointed by the Chair of the Prince George's County Senators;

24 (2) one member of the House of Delegates who represents Prince
25 George's County, appointed by the Chair of the Prince George's County Delegation;

26 (3) one member of the Prince George's County Council, appointed by
27 the Chair of the Prince George's County Council; and

28 (4) twelve members appointed by the Prince George's County
29 Executive.

30 (c) The Prince George's County Executive shall appoint the chair of the
31 Advisory Commission.

32 (d) The Prince George's County Executive shall provide staff for the Advisory
33 Commission.

34 (e) A member of the Advisory Commission:

1 (1) may not receive compensation as a member of the Advisory
2 Commission; but

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

5 (f) (1) On or before December 31, 2013, the Advisory Commission shall
6 study and report on the implementation of the governance structure established by
7 this Act for the Prince George's County public school system, in accordance with §
8 2-1246 of the State Government Article, to the Senate Education, Health, and
9 Environmental Affairs Committee, the House Committee on Ways and Means, the
10 Prince George's County Senators, and the Prince George's County Delegation.

11 (2) The report shall include a baseline assessment of the
12 implementation of integrated school governance for the Prince George's County public
13 school system and recommendations for future consideration by the General Assembly.

14 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 June 1, 2013. Section 4 of this Act shall remain effective for a period of 1 year and, at
16 the end of May 31, 2014, with no further action required by the General Assembly,
17 Section 4 of this Act shall be abrogated and of no further force and effect.