

Bill No.: _____
Requested: _____
Committee: _____

Drafted by: Prada
Typed by: Sumer
Stored – 11/12/20
Proofread by _____
Checked by _____

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

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George’s County – Board of Education and Chief Executive Officer –**
3 **Alterations**

4 **PG 503–21**

5 FOR the purpose of altering the membership of the Prince George’s County Board of
6 Education to require all members to be elected; repealing provisions of law relating
7 to the appointed members of the county board, including the appointment, terms,
8 and compensation of the members; requiring elected members of the county board to
9 be elected by the voters of the entire county rather than by the voters of the school
10 district the member represents; repealing a provision of law requiring the Prince
11 George’s County Executive to appoint certain officers of the county board; requiring
12 the county board to select a chair and vice chair from among the elected members of
13 the board; altering the number of affirmative votes required for the county board to
14 pass a motion; repealing provisions of law that established the title of the county
15 superintendent as the Chief Executive Officer of the Prince George’s County public
16 school system; providing for the expiration of the terms of the appointed members of
17 the county board; defining a certain term; repealing certain definitions; making
18 stylistic and conforming changes; and generally relating to the membership of the
19 Prince George’s County Board of Education and the Chief Executive Officer.

20 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Education
2 Section 3–114, 3–1002, 3–1003, 3–1004, 4–102(a), 4–120(c), 4–125.1, 4–201.1,
3 4–202(a), 4–204(a), 4–206(a), 4–402, 4–403, and 6–201(a)
4 Annotated Code of Maryland
5 (2018 Replacement Volume and 2020 Supplement)

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

8 **Article – Education**

9 3–114.

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

11 (1) Allegany;

12 (2) Anne Arundel;

13 (3) Calvert;

14 (4) Carroll;

15 (5) Cecil;

16 (6) Charles;

17 (7) Dorchester;

18 (8) Frederick;

19 (9) Garrett;

20 (10) Howard;

21 (11) Kent;

22 (12) Montgomery;

- 1 **(13) PRINCE GEORGE’S;**
- 2 **[(13)] (14) Queen Anne’s;**
- 3 **[(14)] (15) St. Mary’s;**
- 4 **[(15)] (16) Somerset;**
- 5 **[(16)] (17) Talbot;**
- 6 **[(17)] (18) Washington;**
- 7 **[(18)] (19) Wicomico; and**
- 8 **[(19)] (20) Worcester.**

9 (b) In Baltimore City, in accordance with § 3–108.1 of this subtitle, the members
10 of the Baltimore City Board of School Commissioners shall be a combination of members
11 who are elected and appointed.

12 (c) In Baltimore County, in accordance with Subtitle 2A of this title, the members
13 of the county board shall be a combination of members who are elected and appointed.

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

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

18 (f) [In Prince George’s County, in accordance with Subtitle 10 of this title, the
19 members of the county board shall be a combination of members who are elected and
20 appointed.

21 (g) An individual subject to the authority of the county board may not serve as a
22 member of the county board. At the time of filing a certificate of candidacy for election to a
23 county board, a person shall certify to the local board of supervisors of elections whether or
24 not the person is subject to the authority of the county board. The Governor may not issue

1 a commission of election to a person who has certified affirmatively and who is elected to a
2 county board until the member–elect offers proof that the member–elect is no longer subject
3 to the authority of the county board.

4 **[(h) (G)]** The election of the county boards shall be held as provided in Subtitles
5 2 through 14 of this title and the Election Law Article.

6 3–1002.

7 **[(a) (1)]** In this subtitle the following words have the meanings indicated.

8 (2) “Appointed member” means a member of the Prince George’s County
9 Board appointed under subsection (f) of this section.

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

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

15 (1) Nine elected members, each of whom resides in a different school board
16 district **AS DESCRIBED IN § 3–1001 OF THIS SUBTITLE; AND**

17 **[(2)]** Four appointed members; and

18 **[(3) (2)]** One student member selected under subsection **[(g)(2)] (E)(2)** of
19 this section.

20 **[(c) (B)]** (1) One **ELECTED** member of the county board shall **[be elected**
21 **from] RESIDE IN** each of the nine school board districts described in § 3–1001 of this
22 subtitle.

23 (2) From the time of filing as a candidate for election, each candidate shall
24 be a **RESIDENT AND** registered voter of **[the county and a resident of the school board**
25 **district the candidate seeks to represent] PRINCE GEORGE’S COUNTY.**

26 **[(3)]** An elected county board member shall forfeit the office if the 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 **(3) (I) ANY ELECTED MEMBER WHO NO LONGER RESIDES IN**
6 **PRINCE GEORGE'S COUNTY MAY NOT CONTINUE AS A MEMBER OF THE COUNTY**
7 **BOARD.**

8 **(II) EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS**
9 **PARAGRAPH, ANY MEMBER ELECTED FROM A SCHOOL BOARD DISTRICT WHO NO**
10 **LONGER RESIDES IN THAT DISTRICT MAY NOT CONTINUE AS A MEMBER OF THE**
11 **COUNTY BOARD.**

12 **(III) IF A CHANGE IN THE BOUNDARY LINE OF A SCHOOL BOARD**
13 **DISTRICT RESULTS IN AN INCUMBENT MEMBER OF THE COUNTY BOARD NO LONGER**
14 **RESIDING IN THAT DISTRICT, THE INCUMBENT MEMBER MAY COMPLETE THE**
15 **CURRENT TERM.**

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

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

20 [(d)] (C) The elected members of the county board shall be elected:

21 (1) At the general election every 4 years as required by subsection [(h)] (F)
22 of this section; and

23 (2) By the voters of the [school board district that each member represents]
24 ENTIRE COUNTY.

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

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

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

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

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

12 [(f) (1) The appointed members of the county board shall be appointed as
13 follows:

14 (i) Three members shall be appointed by the County Executive of
15 Prince George’s County as follows:

16 1. One member shall possess a high level of knowledge and
17 expertise concerning education;

18 2. One member shall possess a high level of business,
19 finance, or higher education experience; and

20 3. One member shall possess a high level of knowledge and
21 expertise concerning the successful administration of a large business, nonprofit, or
22 governmental entity; and

23 (ii) The Prince George’s County Council shall appoint one member
24 who is a parent of a student enrolled in the Prince George’s County public school system as
25 of the date of the appointment of the member.

26 (2) Each appointed member of the county board shall be a resident of
27 Prince George’s County.]

1 ~~[(g)]~~ **(E)** (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 in
3 office.

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

11 (3) The student member may vote on all matters before the board except
12 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 appointed]**
21 members of the county board, the board may determine if a matter before the board relates
22 to a subject that the student member may not vote on under paragraph (3) of this
23 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 attend
26 an executive session that relates to hearings on appeals of special education placements,
27 hearings held under § 6–202(a) of this article, or collective bargaining.

1 (6) The Prince George’s Regional Association of Student Governments may
2 establish procedures for the election of the student member of the county board.

3 (7) The election procedures established by the Prince George’s Regional
4 Association of Student Governments are subject to the approval of the elected [and
5 appointed] members of the county board.

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

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

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

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

15 **[(3)]** Except as provided in paragraph (4) of this subsection, an appointed
16 member:

17 (i) Serves for a term of 4 years beginning on the date of
18 appointment;

19 (ii) May be reappointed; and

20 (iii) Serves until a successor is appointed and qualifies.

21 (4) The terms of the appointed members are staggered as follows:

22 (i) The members appointed under subsection (f)(1)(i)1 and 2 of this
23 section on or before June 1, 2013, shall serve for an initial term of 4 years; and

24 (ii) The member appointed under subsection (f)(1)(i)3 and (ii) of this
25 section on or before June 1, 2013, shall serve for an initial term of 2 years.]

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

3 **[(6)] (4)** (i) Subject to subparagraph (ii) of this paragraph, if a seat
4 held by an elected member of the county board becomes vacant, the County Executive shall:

5 1. Appoint a qualified individual to fill the seat for the
6 remainder of the term; and

7 2. Transmit the name of the appointee to the clerk of the
8 County Council.

9 (ii) If the County Council does not disapprove an appointment under
10 subparagraph (i) of this paragraph by a two-thirds vote of all members of the County
11 Council within 45 days after the transmittal of the name of the appointee, the appointment
12 shall be considered approved.

13 **[(i)] (G)** (1) With the approval of the Governor, the State Board may remove
14 a member of the county board for any of the following reasons:

15 (i) Immorality;

16 (ii) Misconduct in office;

17 (iii) Incompetency; or

18 (iv) Willful neglect of duty.

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

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

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

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

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

7 **[(j)] (H)** While serving on the county board, a member may not be a candidate
8 for a public office other than a position on the county board.

9 3-1003.

10 (a) (1) From and after December 4, 2006, at the beginning of each member's
11 full term, the chair of the county board is entitled to receive \$19,000 annually as
12 compensation and the other elected **[and appointed]** members are each entitled to receive
13 \$18,000 annually as compensation.

14 (2) Each elected **[and appointed]** member of the county board may be
15 provided health insurance and other fringe benefits regularly provided to employees of the
16 Board of Education under the same terms and conditions extended to other employees of
17 the Board of Education.

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

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

24 (c) The county board may not issue a credit card to a member of the county board.

25 3-1004.

26 (a) (1) The **[County Executive] COUNTY BOARD** shall **[appoint] SELECT** a
27 chair and vice chair **[of the county board]** from among the **ELECTED** members of the county

1 board.

2 [(2) The County Executive shall select the vice chair from among the elected
3 members of the county board.]

4 [(3) (2) The term of the chair and vice chair [appointed] **SELECTED**
5 under this subsection shall be 2 years.

6 (b) Subject to the provisions of § 4–403 of this article, the affirmative vote of the
7 members of the county board for the passage of a motion by the county board shall be:

8 (1) Except as otherwise provided in item (2) of this subsection:

9 (i) [Eight] **SIX** members when the student member is voting; or

10 (ii) [Seven] **FIVE** members when the student member is not voting;
11 or

12 (2) When there are two or more vacancies on the county board:

13 (i) [Seven] **FIVE** members when the student member is voting; or

14 (ii) [Six] **FOUR** members when the student member is not voting.

15 4–102.

16 (a) (1) Except in Baltimore City, the county superintendent is the executive
17 officer, secretary, and treasurer of the county board.

18 (2) (i) In Baltimore City, the Chief Executive Officer of the Baltimore
19 City Board of School Commissioners is the executive officer, secretary, and treasurer of the
20 Board of School Commissioners.

21 (ii) The Chief Executive Officer shall have the powers and duties
22 imposed under this article.

23 (iii) The Chief Executive Officer is not a public officer under the
24 Constitution or the laws of the State.

1 **[(3) (i)** In Prince George’s County, the county superintendent is the
2 Chief Executive Officer of the Prince George’s County public school system.

3 (ii) The Chief Executive Officer is the executive officer, secretary,
4 and treasurer of the county board.

5 (iii) The Chief Executive Officer shall have the powers and duties
6 imposed under this article.

7 (iv) The Chief Executive Officer is not a public officer under the
8 Constitution or the laws of the State.]

9 **[(4) (3)** A county superintendent is not a public officer under the
10 Constitution or the laws of the State.

11 4–120.

12 (c) In Prince George’s County, the **[Chief Executive Officer] COUNTY**
13 **SUPERINTENDENT** shall have the authority to:

14 (1) Consolidate schools if considered practicable; and

15 (2) Arrange for the transportation of students to and from consolidated
16 schools.

17 4–125.1.

18 (a) (1) In this section the following words have the meanings indicated.

19 (2) “Certified county–based business participation” has the meaning stated
20 in § 10A–101 of the Code of Public Local Laws of Prince George’s County.

21 (3) “Certified county–based minority business participation” has the
22 meaning stated in § 10A–101 of the Code of Public Local Laws of Prince George’s County.

23 **[(4)** “Chief Executive Officer” means the superintendent of the Prince
24 George’s County public school system as defined in § 4–102(a)(3) of this subtitle.]

1 **[(5)] (4)** “County–based business” has the meaning stated in § 10A–101
2 of the Code of Public Local Laws of Prince George’s County.

3 **[(6)] (5)** “County–based minority business enterprise” has the meaning
4 stated in § 10A–101 of the Code of Public Local Laws of Prince George’s County.

5 **[(7)] (6)** “County–based small business” has the meaning stated in §
6 10A–101 of the Code of Public Local Laws of Prince George’s County.

7 **[(8)] (7)** “County board” means the Prince George’s County Board of
8 Education.

9 **(8) “COUNTY SUPERINTENDENT” MEANS THE SUPERINTENDENT OF**
10 **THE PRINCE GEORGE’S COUNTY PUBLIC SCHOOL SYSTEM.**

11 (9) (i) “Procurement” means the process of buying, leasing,
12 lease–purchasing, or otherwise obtaining supplies, services, or construction.

13 (ii) “Procurement” includes all functions that relate to the process of
14 obtaining supplies, services, or construction, including:

- 15 1. Description of requirements;
- 16 2. Selection and solicitation of sources; and
- 17 3. Preparation, award, and execution of a contract.

18 (10) “Program” means the Certified County–Based Business Participation
19 Program that may be established under this section.

20 (b) This section applies only in Prince George’s County.

21 (c) The county board, after consultation with the **[Chief Executive Officer]**
22 **COUNTY SUPERINTENDENT**, may establish and implement a Certified County–Based
23 Business Participation Program to be used in county board procurement.

24 (d) If the county board exercises the authority granted in subsection (c) of this

1 section, the county board and the [Chief Executive Officer] COUNTY SUPERINTENDENT
2 shall:

3 (1) Consult with the Prince George's County Council, or its agencies or
4 agents, on the establishment and implementation of the Program; and

5 (2) Establish goals and requirements for the Program that may include:

6 (i) Minimum percentages for certified county-based business
7 participation;

8 (ii) Utilization of county-based small businesses;

9 (iii) Minimum goals and incentives for maximizing certified
10 county-based minority business participation; and

11 (iv) The goals established under § 4-125(d) of this subtitle.

12 (e) To achieve the designated goals of the Program, the county board and the
13 [Chief Executive Officer] COUNTY SUPERINTENDENT may use incentives and bonuses,
14 including:

15 (1) Mandatory set-aside procedures;

16 (2) Mandatory subcontracting procedures with reasonable waiver
17 provisions;

18 (3) The application of bonus points;

19 (4) The application of percentage points;

20 (5) Restrictive bidding;

21 (6) Restrictive price quotations;

22 (7) The reduction or waiver of bonding requirements; and

23 (8) Incentives to encourage maximum participation by:

1 (i) Certified county-based small businesses; and

2 (ii) A variety of different certified county-based businesses.

3 (f) If the county board exercises the authority granted in subsection (c) of this
4 section, the county board and the county council shall enter into a binding memorandum of
5 understanding outlining the county board's goals and commitment to implementing the
6 Program.

7 (g) On or before December 1, 2015, and each year thereafter, the county board,
8 after consultation with the [Chief Executive Officer] COUNTY SUPERINTENDENT, shall
9 submit a report to the Prince George's County delegations to the House of Delegates and
10 Senate of Maryland, the Prince George's County Council, and the Prince George's County
11 Executive, in accordance with § 2-1257 of the State Government Article, that specifies:

12 (1) The respective percentages and dollar amounts of certified
13 county-based business participation, certified county-based minority business
14 participation, and certified county-based small business participation in county board
15 procurement for the previous fiscal year; and

16 (2) The efforts by the county board and the [Chief Executive Officer]
17 COUNTY SUPERINTENDENT in the previous fiscal year to encourage greater certified
18 county-based business participation, certified county-based minority business
19 participation, and certified county-based small business participation in county board
20 procurement.

21 4-201.1.

22 (a) This section applies only in Prince George's County.

23 (b) Subject to the provisions of subsection (e) of this section, the [Chief Executive
24 Officer] COUNTY SUPERINTENDENT of the Prince George's County public school system
25 shall be:

26 (1) Selected by the County Executive in accordance with subsection (c) of
27 this section; and

1 (2) Appointed by the county board after agreement on contract terms
2 negotiated by the chair of the county board.

3 (c) (1) The County Executive shall select a **[Chief Executive Officer] COUNTY**
4 **SUPERINTENDENT** from a list of three nominees recommended by a search committee that
5 is comprised of:

6 (i) One member of the State Board, appointed by the State
7 Superintendent; and

8 (ii) Two residents of Prince George’s County, appointed by the
9 Governor.

10 (2) The search committee shall be chaired by a member selected by the
11 State Superintendent.

12 (d) (1) The term of the **[Chief Executive Officer] COUNTY SUPERINTENDENT**
13 is 4 years beginning on July 1.

14 (2) The **[Chief Executive Officer] COUNTY SUPERINTENDENT** continues
15 to serve until a successor is appointed and qualifies.

16 (3) By February 1 of the year in which a term ends, the **[Chief Executive**
17 **Officer] COUNTY SUPERINTENDENT** shall notify the County Executive and the county
18 board if the **[Chief Executive Officer] COUNTY SUPERINTENDENT** is a candidate for
19 reappointment.

20 (4) (i) In the year a term begins, the County Executive shall select a
21 **[Chief Executive Officer] COUNTY SUPERINTENDENT** between February 1 and June 1,
22 and the county board shall complete the appointment on or before June 30.

23 (ii) If the County Executive decides to select the incumbent **[Chief**
24 **Executive Officer] COUNTY SUPERINTENDENT**, the county board shall complete the
25 reappointment no later than March 1 of that year.

26 (5) If the county board is unable to appoint a **[Chief Executive Officer]**
27 **COUNTY SUPERINTENDENT** by July 1 of the year a term begins, the provisions of
28 subsection (f) of this section apply.

1 (e) (1) An individual may not be appointed as [Chief Executive Officer]
2 COUNTY SUPERINTENDENT unless the individual:

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 college
7 or university, including public school administration, supervision, and methods of teaching.

8 (2) The appointment of the [Chief Executive Officer] COUNTY
9 SUPERINTENDENT is not valid unless approved in writing by the State Superintendent.

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

13 (f) If a vacancy occurs in the office of [Chief Executive Officer] COUNTY
14 SUPERINTENDENT, the County Executive shall select and the county board shall appoint
15 an interim [Chief Executive Officer] COUNTY SUPERINTENDENT to serve until July 1
16 after the appointment.

17 (g) On notification of pending criminal charges against the [Chief Executive
18 Officer] COUNTY SUPERINTENDENT as provided under § 4–206 of this subtitle, the county
19 board may suspend the [Chief Executive Officer] COUNTY SUPERINTENDENT with pay
20 until the final disposition of the criminal charges.

21 4–202.

22 (a) (1) Except as provided in paragraph (2) of this subsection, each county
23 superintendent is entitled to the compensation set by the county board.

24 (2) In Prince George’s County, the [Chief Executive Officer] COUNTY
25 SUPERINTENDENT is entitled to the compensation set by the contract with the county
26 board.

1 4–204.

2 (a) (1) Except as provided in paragraph (2) of this subsection, acting under the
3 rules and regulations of the county board, the county superintendent is responsible for the
4 administration of the superintendent’s office.

5 (2) In Prince George’s County, the **[Chief Executive Officer] COUNTY**
6 **SUPERINTENDENT** is responsible for the administration of the office of the **[Chief**
7 **Executive Officer] COUNTY SUPERINTENDENT**, including hiring and setting the salaries
8 of the executive staff.

9 4–206.

10 (a) (1) Except as provided in paragraph (2) of this subsection, a county
11 superintendent shall immediately notify the county board in writing of any criminal
12 charges that are punishable by a period of incarceration brought against the county
13 superintendent.

14 (2) In Prince George’s County, the **[Chief Executive Officer] COUNTY**
15 **SUPERINTENDENT** shall immediately notify the County Executive and the county board
16 in writing of any criminal charges that are punishable by a period of incarceration brought
17 against the **[Chief Executive Officer] COUNTY SUPERINTENDENT**.

18 4–402.

19 (a) In addition to the other powers granted to, and duties imposed on, a county
20 superintendent under this article, the **[Chief Executive Officer] COUNTY**
21 **SUPERINTENDENT** has the responsibilities and powers set forth in this section.

22 (b) The **[Chief Executive Officer] COUNTY SUPERINTENDENT** shall be
23 responsible for:

24 (1) The overall administration of the Prince George’s County public school
25 system;

26 (2) Subject to the provisions of Title 6 of this article, and after a budget is
27 submitted by the county board and approved by the County Council at the beginning of
28 each fiscal year, the day-to-day management and oversight of the fiscal affairs of the

1 Prince George's County public school system, including the management of activities
2 related to:

- 3 (i) Administration;
- 4 (ii) Mid-level administration;
- 5 (iii) Instructional salaries;
- 6 (iv) Textbooks and other classroom instructional supplies;
- 7 (v) Instructional costs;
- 8 (vi) Special education;
- 9 (vii) Student personnel services;
- 10 (viii) Health services;
- 11 (ix) Student transportation;
- 12 (x) Operation of plants and equipment;
- 13 (xi) Plant maintenance;
- 14 (xii) Fixed charges;
- 15 (xiii) Food services; and
- 16 (xiv) Capital planning and expenditures; and

17 (3) The development and implementation of the curriculum taught and the
18 instruction provided in the Prince George's County public school system.

19 (c) The **[Chief Executive Officer] COUNTY SUPERINTENDENT:**

20 (1) Shall hire and set the salaries of a chief operating officer, a chief
21 financial officer, a chief academic officer, a chief of staff, a board liaison, and any other

1 necessary executive staff in the office of the **[Chief Executive Officer] COUNTY**
2 **SUPERINTENDENT**; and

3 (2) May delegate the responsibilities established under subsection (b) of
4 this section to appropriately qualified individuals as determined and deemed necessary by
5 the **[Chief Executive Officer] COUNTY SUPERINTENDENT**.

6 (d) (1) The **[Chief Executive Officer] COUNTY SUPERINTENDENT** shall enter
7 into a memorandum of understanding that relates to the provision of policy analysis and
8 advice to the county board with the following institutions of higher education:

9 (i) The University of Maryland, College Park Campus;

10 (ii) The University of Maryland Global Campus;

11 (iii) Bowie State University; and

12 (iv) Prince George's Community College.

13 (2) The **[Chief Executive Officer] COUNTY SUPERINTENDENT** may
14 include additional institutions of higher education in the memorandum of understanding
15 required under paragraph (1) of this subsection.

16 4-403.

17 (a) Except as provided in subsection (b) of this section, the county board may not
18 implement a policy or take any action that contradicts the day-to-day management and
19 oversight of the fiscal affairs of the Prince George's County public school system by the
20 **[Chief Executive Officer] COUNTY SUPERINTENDENT** under this subtitle.

21 (b) Except for personnel matters and appeals of personnel matters in accordance
22 with §§ 4-205(c)(2) and (3) of this title and 6-202 of this article, the county board shall
23 require a two-thirds vote of all voting members of the county board to take an action that
24 is contrary to an action of the **[Chief Executive Officer] COUNTY SUPERINTENDENT**.

25 6-201.

26 (a) (1) Subject to paragraph (2) of this subsection, the county board shall

1 employ individuals in the positions that the county board considers necessary for the
2 operation of the public schools in the county.

3 (2) In Prince George’s County, the **[Chief Executive Officer] COUNTY**
4 **SUPERINTENDENT** of the Prince George’s County public school system shall hire and set
5 the salaries of a chief operating officer, a chief financial officer, a chief academic officer, a
6 chief of staff, a board liaison, and any other necessary executive staff in the office of the
7 **[Chief Executive Officer] COUNTY SUPERINTENDENT**.

8 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the following
9 appointed members of the Prince George’s County Board of Education who are in office on
10 the effective date of this Act shall expire as follows:

11 (1) the member appointed from the county at large whose term is scheduled
12 to expire on December 5, 2022, shall expire at the end of December 5, 2022;

13 (2) the member appointed from the county at large whose term is scheduled
14 to expire on December 4, 2023, shall expire at the end of December 4, 2023; and

15 (3) the member appointed from the county at large whose term is scheduled
16 to expire on December 2, 2024, shall expire at the end of December 4, 2023.

17 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
18 1, 2021.