

[(c)] (D) (1) The Secretary may employ a staff and retain consultants in accordance with the State budget.

(2) Except as provided in paragraph (4) of this subsection or otherwise by law, the Secretary shall appoint and remove all staff in accordance with the provisions of the State Personnel and Pensions Article.

(3) The appointment or removal of staff of any unit in the Department is subject to the approval of the Secretary. As to any unit in the Department, the Secretary may delegate this authority to the head of that unit.

(4) All personnel in the Department specified in this paragraph shall be in the executive service or management service of the State Personnel Management System and shall be appointed by and serve at the pleasure of the Secretary:

- (i) Any assistant secretary;
- (ii) Any director of an institution; and
- (iii) The Superintendent of the youth centers.

(5) All personnel in the Department who are subject to the provisions of paragraph (4) of this subsection shall be prohibited from other employment while employed by the Department, unless express permission is granted by the Secretary. Express permission from the Secretary may not be unreasonably withheld. If the Secretary grants permission to engage in other employment, the employee shall disclose to the Secretary the source and amount of all income earned from that other employment.

(6) All teachers, principals, directors of education, and supervisors of vocational education who are employed by institutions managed by the Department are in the management service or are special appointments in the State Personnel Management System.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2001.

Approved April 10, 2001.

CHAPTER 61

(House Bill 248)

AN ACT concerning

Education - Special Education

FOR the purpose of altering the conditions under which a county board is not required to reimburse a parent or guardian for certain tuition or related costs for enrollment of a student with a disability in a nonpublic school; requiring the parent of a child with a disability to give certain notice under certain