

HOUSE BILL 590

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7lr2317
CF 7lr0420

By: **Delegates Ebersole, Anderson, D. Barnes, Hixson, C. Howard, Luedtke, Patterson, Platt, Robinson, Sanchez, Tarlau, Turner, A. Washington, and M. Washington**

Introduced and read first time: January 30, 2017

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Education – Membership – Teachers and Parents**

3 FOR the purpose of altering the membership of the State Board of Education to add a
4 certain number of members who are certified teachers and parents of certain
5 students; authorizing teacher members to be appointed to the State Board although
6 the individuals are subject to the authority of the State Board; requiring the
7 Governor to appoint certain teacher members with the advice and consent of the
8 Senate from a certain list submitted to the Governor by the State Department of
9 Education after an election by teachers in the State; requiring the Department to
10 provide notice of a certain vacancy to certain individuals and organizations;
11 requiring a certain election to be conducted under regulations that the Department
12 adopts; requiring the Governor to appoint certain parent members with the advice
13 and consent of the Senate from a certain list submitted to the Governor by the
14 Maryland PTA; requiring the Department to provide notice of a certain vacancy to
15 the Maryland PTA; providing for the appointment and terms of certain initial
16 teacher and parent members of the State Board; and generally relating to teacher
17 and parent members of the State Board of Education.

18 BY repealing and reenacting, with amendments,
19 Article – Education
20 Section 2–202
21 Annotated Code of Maryland
22 (2014 Replacement Volume and 2016 Supplement)

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

25 **Article – Education**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



2–202.

(a) The State Board consists of **[11] 16** regular members, and 1 student member, appointed by the Governor with the advice and consent of the Senate.

(b) (1) In making appointments to the State Board, the Governor shall consider representation from:

(i) All parts of this State; and

(ii) Areas of this State with concentrations of population or unique needs.

(2) **[The] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, THE** members of the Board shall be appointed from the general public.

(3) The following individuals may not be appointed to the Board:

(i) Except for the **TEACHER MEMBERS AND** student member, any individual who is subject to the authority of the Board;

(ii) The Governor; and

(iii) The State Superintendent.

(4) (I) OF THE 16 REGULAR MEMBERS OF THE STATE BOARD, THREE REGULAR MEMBERS SHALL BE CERTIFIED TEACHERS.

(II) THE GOVERNOR SHALL APPOINT THE TEACHER MEMBERS, WITH THE ADVICE AND CONSENT OF THE SENATE, FROM A LIST OF QUALIFIED INDIVIDUALS SUBMITTED TO THE GOVERNOR BY THE DEPARTMENT AFTER AN ELECTION BY TEACHERS IN THE STATE.

(III) THE DEPARTMENT SHALL PROVIDE NOTICE OF A TEACHER MEMBER VACANCY ON THE STATE BOARD TO:

1. ALL CERTIFIED TEACHERS IN THE STATE; AND

2. ALL STATEWIDE TEACHERS' ORGANIZATIONS REPRESENTING A MAJORITY OF TEACHERS IN THE STATE FOR PURPOSES OF COLLECTIVE BARGAINING.

(IV) THE ELECTIONS SHALL BE CONDUCTED UNDER REGULATIONS THAT THE DEPARTMENT ADOPTS.

1 **(5) (I) OF THE 16 REGULAR MEMBERS OF THE STATE BOARD, TWO**
2 **REGULAR MEMBERS SHALL BE PARENTS OF STUDENTS ENROLLED IN PUBLIC**
3 **SCHOOLS IN THE STATE.**

4 **(II) THE GOVERNOR SHALL APPOINT THE PARENT MEMBERS,**
5 **WITH THE ADVICE AND CONSENT OF THE SENATE, FROM A LIST OF THREE**
6 **QUALIFIED INDIVIDUALS PER VACANCY SUBMITTED TO THE GOVERNOR BY THE**
7 **MARYLAND PTA.**

8 **(III) THE DEPARTMENT SHALL PROVIDE NOTICE OF A PARENT**
9 **MEMBER VACANCY ON THE STATE BOARD TO THE MARYLAND PTA.**

10 **[(4)] (6)** The student member shall be selected by the Governor from a list
11 of 2 persons nominated by the Maryland Association of Student Councils.

12 (c) (1) The student member shall be:

13 (i) A regularly enrolled student; and

14 (ii) In good standing in a public high school in the State.

15 (2) The student member may attend and participate in an executive
16 session of the Board.

17 (3) The student member may not vote on any matter that relates to:

18 (i) The dismissal of or other disciplinary action involving personnel;
19 or

20 (ii) Appeals to the State Board under § 2–205 of this subtitle or §
21 4–205 or § 6–202 of this article.

22 (d) (1) Each regular member serves for a term of 4 years and until a successor
23 is appointed and qualifies. These terms are staggered as required by the terms of the
24 members serving on the State Board as of July 1, 1989.

25 (2) The Governor shall appoint a new member to fill any vacancy on the
26 Board for the remainder of that term and until a successor is appointed and qualifies.

27 (3) A member is eligible for reappointment but may not serve for more than
28 two full 4-year terms.

29 (4) The student member shall serve for a term of 1 year. A student member
30 is eligible for reappointment but may not serve more than two full 1-year terms.

SECTION 2. AND BE IT FURTHER ENACTED, That the Governor shall appoint, in accordance with § 2-202(b)(4) and (5) of the Education Article, as enacted by this Act:

(1) the three initial teacher members of the State Board of Education as follows:

(i) one teacher member shall serve for a term of 1 year and 6 months on January 1, 2018, and shall terminate at the end of June 30, 2019, and until a successor is appointed and qualifies;

(ii) one teacher member shall serve for a term of 2 years and 6 months on January 1, 2018, and shall terminate at the end of June 30, 2020, and until a successor is appointed and qualifies; and

(iii) one teacher member shall serve for a term of 3 years and 6 months on January 1, 2018, and shall terminate at the end of June 30, 2021, and until a successor is appointed and qualifies; and

(2) the two initial parent members of the State Board of Education as follows:

(i) one parent member shall serve for a term of 1 year and 6 months on January 1, 2018, and shall terminate at the end of June 30, 2019, and until a successor is appointed and qualifies; and

(ii) one teacher member shall serve for a term of 3 years and 6 months on January 1, 2018, and shall terminate at the end of June 30, 2021, and until a successor is appointed and qualifies.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2017.