

SENATE BILL 712

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5lr3256
CF HB 923

By: **Senator Brooks**

Introduced and read first time: January 27, 2025

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Education – Membership – Educational Support and**
3 **Administrator Members**

4 FOR the purpose of altering the membership of the State Board of Education to include an
5 educational support member and an administrator member; providing for the
6 qualifications, terms, powers, and elections of the new members; and generally
7 relating to the membership of the State Board of Education.

8 BY repealing and reenacting, with amendments,
9 Article – Education
10 Section 2–202
11 Annotated Code of Maryland
12 (2022 Replacement Volume and 2024 Supplement)

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

15 **Article – Education**

16 2–202.

17 (a) The State Board consists of 13 regular members, and 1 student member,
18 appointed by the Governor with the advice and consent of the Senate.

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

21 (i) All parts of this State; and

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2) Except as provided in paragraphs (4) through ~~[(6)]~~ (8) 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 member, **EDUCATIONAL SUPPORT MEMBER, ADMINISTRATOR MEMBER**, 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 13 regular members of the State Board, one regular member shall be a certified teacher who is actively teaching.

(ii) The Governor shall appoint the teacher member, with the advice and consent of the Senate, who received the highest number of votes 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 who are actively teaching in the State; and

2. All teachers' organizations representing teachers in the State for purposes of collective bargaining.

(iv) 1. The election shall be conducted under regulations that the Department adopts.

2. The Department may consult with the State Retirement Agency of the Maryland State Retirement and Pension System to conduct the election required under this subparagraph.

(v) The teacher member may attend and participate in an executive session of the State Board.

(vi) The teacher member may not vote on any matter that relates to appeals to the State Board under § 6–202 of this article.

(5) (I) OF THE 13 REGULAR MEMBERS OF THE STATE BOARD, ONE REGULAR MEMBER SHALL BE AN EDUCATIONAL SUPPORT PROFESSIONAL WHO IS ACTIVELY WORKING IN A PUBLIC SCHOOL AS A NONCERTIFICATED,

1 NONSUPERVISORY PUBLIC SCHOOL EMPLOYEE DESIGNATED AS PART OF A
2 BARGAINING UNIT UNDER TITLE 6, SUBTITLE 5 OF THIS ARTICLE.

3 (II) THE GOVERNOR SHALL APPOINT THE EDUCATIONAL
4 SUPPORT MEMBER, WITH THE ADVICE AND CONSENT OF THE SENATE, WHO
5 RECEIVED THE HIGHEST NUMBER OF VOTES AFTER AN ELECTION BY EDUCATIONAL
6 SUPPORT PROFESSIONALS IN THE STATE.

7 (III) THE DEPARTMENT SHALL PROVIDE NOTICE OF AN
8 EDUCATIONAL SUPPORT MEMBER VACANCY ON THE STATE BOARD TO:

9 1. ALL EDUCATIONAL SUPPORT PROFESSIONALS WHO
10 ARE ACTIVELY WORKING IN A PUBLIC SCHOOL AS A NONCERTIFICATED,
11 NONSUPERVISORY PUBLIC SCHOOL EMPLOYEE DESIGNATED AS PART OF A
12 BARGAINING UNIT UNDER TITLE 6, SUBTITLE 5 OF THIS ARTICLE IN THE STATE; AND

13 2. ALL EDUCATIONAL SUPPORT PROFESSIONALS'
14 ORGANIZATIONS REPRESENTING EDUCATIONAL SUPPORT PROFESSIONALS IN THE
15 STATE FOR PURPOSES OF COLLECTIVE BARGAINING.

16 (IV) THE ELECTION SHALL BE CONDUCTED UNDER
17 REGULATIONS THAT THE DEPARTMENT ADOPTS.

18 (V) THE EDUCATIONAL SUPPORT MEMBER MAY ATTEND AND
19 PARTICIPATE IN AN EXECUTIVE SESSION OF THE STATE BOARD.

20 (VI) THE EDUCATIONAL SUPPORT MEMBER MAY NOT VOTE ON
21 ANY MATTER THAT RELATES TO APPEALS TO THE STATE BOARD UNDER § 6-202 OF
22 THIS ARTICLE.

23 (6) (I) IN THIS PARAGRAPH, "ADMINISTRATOR" MEANS A
24 PRINCIPAL, AN ASSISTANT PRINCIPAL, OR ANY OTHER ADMINISTRATIVE LEVEL
25 PROFESSIONAL WHO IS ACTIVELY WORKING IN A PUBLIC SCHOOL.

26 (II) OF THE 13 REGULAR MEMBERS OF THE STATE BOARD, ONE
27 REGULAR MEMBER SHALL BE AN ADMINISTRATOR.

28 (III) THE GOVERNOR SHALL APPOINT THE ADMINISTRATOR
29 MEMBER, WITH THE ADVICE AND CONSENT OF THE SENATE, WHO RECEIVED THE
30 HIGHEST NUMBER OF VOTES AFTER AN ELECTION BY ADMINISTRATORS IN THE
31 STATE.

(IV) THE DEPARTMENT SHALL PROVIDE NOTICE OF AN ADMINISTRATOR MEMBER VACANCY ON THE STATE BOARD TO:

1. ALL ADMINISTRATORS WHO ARE ACTIVELY WORKING IN A PUBLIC SCHOOL; AND

2. ALL ADMINISTRATORS' ORGANIZATIONS REPRESENTING ADMINISTRATORS IN THE STATE FOR PURPOSES OF COLLECTIVE BARGAINING.

(V) THE ELECTION SHALL BE CONDUCTED UNDER REGULATIONS THAT THE DEPARTMENT ADOPTS.

(VI) THE ADMINISTRATOR MEMBER MAY ATTEND AND PARTICIPATE IN AN EXECUTIVE SESSION OF THE STATE BOARD.

(VII) THE ADMINISTRATOR MEMBER MAY NOT VOTE ON ANY MATTER THAT RELATES TO APPEALS TO THE STATE BOARD UNDER § 6-202 OF THIS ARTICLE.

[(5)] (7) (i) Of the 13 regular members of the State Board, one regular member shall be the parent of a student enrolled in a public school in the State.

(ii) The Governor shall appoint the parent member, with the advice and consent of the Senate, from a list of three qualified individuals submitted to the Governor by the Maryland PTA.

(iii) The Department shall provide notice of the parent member vacancy on the State Board to the Maryland PTA.

(iv) The parent member may attend and participate in an executive session of the State Board.

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

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

(i) A regularly enrolled student; and

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

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

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

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

3 or

4 (ii) Appeals to the State Board under § 2–205 of this subtitle or §
5 4–205 or § 6–202 of this article.

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

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

11 (3) A member is eligible for reappointment but may not serve for more than
12 two full 4–year terms.

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

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
16 1, 2025.