

HOUSE BILL 87

F5
HB 154/18 – W&M

9lr0729
CF 9lr1913

By: **Delegates Ebersole, Cain, Carey, Charkoudian, Feldmark, Guyton, Hettleman, Ivey, Kerr, Korman, Luedtke, Moon, Mosby, Palakovich Carr, Patterson, Smith, Solomon, Terrasa, Turner, C. Watson, and Wilkins**

Introduced and read first time: January 17, 2019

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

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

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 a parent of a certain
5 student; authorizing the teacher members to be appointed to the State Board
6 although the individuals are subject to the authority of the State Board; requiring
7 the 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 a certain list
10 submitted to the Governor by the Department to consist of a certain number of
11 teacher members who received a certain number of votes after an election by
12 teachers in the State; requiring the Department to provide notice of a certain vacancy
13 to certain individuals and organizations; requiring a certain election to be conducted
14 under regulations that the Department adopts; requiring the Governor to appoint a
15 certain parent member with the advice and consent of the Senate from a certain list
16 submitted to the Governor by the Maryland PTA; requiring the Department to
17 provide notice of a certain vacancy to the Maryland PTA; providing for the
18 appointment and terms of certain initial teacher members and the initial parent
19 member of the State Board; and generally relating to teacher and parent members
20 of the State Board of Education.

21 BY repealing and reenacting, with amendments,
22 Article – Education
23 Section 2–202
24 Annotated Code of Maryland
25 (2018 Replacement Volume and 2018 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Education

2–202.

(a) The State Board consists of ~~[11]~~ **14** 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 PARAGRAPHS (4) THROUGH (6) 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 14 REGULAR MEMBERS OF THE STATE BOARD, TWO 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 SUBMITTED TO THE GOVERNOR BY THE DEPARTMENT, AND CONSISTING OF THE TWO TEACHER MEMBERS 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 IN THE STATE; AND

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

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

(5) (I) OF THE 14 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.

[(4)] (6) 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.

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

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

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

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

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

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

(4) The student member shall serve for a term of 1 year. A student member

1 is eligible for reappointment but may not serve more than two full 1-year terms.

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

4 (1) the two initial teacher members of the State Board of Education as
5 follows:

6 (i) one teacher member shall serve for a term of 1 year and 6 months
7 beginning January 1, 2020, and terminating at the end of June 30, 2021, or until a successor
8 is appointed and qualifies; and

9 (ii) one teacher member shall serve for a term of 2 years and 6
10 months beginning January 1, 2020, and terminating at the end of June 30, 2022, or until a
11 successor is appointed and qualifies; and

12 (2) the initial parent member of the State Board of Education shall serve
13 for a term of 3 years and 6 months beginning January 1, 2020, and terminating at the end
14 of June 30, 2023, or until a successor is appointed and qualifies.

15 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June
16 1, 2019.