

SENATE BILL 394

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By: **Senator Kramer**

Introduced and read first time: February 1, 2023

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Education – Membership – School Principal**

3 FOR the purpose of altering the membership of the State Board of Education to include a
4 school principal as a member; providing for the initial term of the principal member
5 of the State Board; and generally relating to the membership of the State Board of
6 Education.

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

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

14 **Article – Education**

15 2–202.

16 (a) The State Board consists of [13] 14 regular members, and 1 student member,
17 appointed by the Governor with the advice and consent of the Senate.

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

20 (i) All parts of this State; and

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) Except as provided in paragraphs (4) through ~~[(6)] (7)~~ of this
2 subsection, the members of the Board shall be appointed from the general public.

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

4 (i) Except for the teacher member, **PRINCIPAL MEMBER**, and
5 student member, any individual who is subject to the authority of the Board;

6 (ii) The Governor; and

7 (iii) The State Superintendent.

8 (4) (i) Of the ~~[13]~~ **14** regular members of the State Board, one regular
9 member shall be a certified teacher who is actively teaching.

10 (ii) The Governor shall appoint the teacher member, with the advice
11 and consent of the Senate, who received the highest number of votes after an election by
12 teachers in the State.

13 (iii) The Department shall provide notice of a teacher member
14 vacancy on the State Board to:

15 1. All certified teachers who are actively teaching in the
16 State; and

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

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

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

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

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

28 **(5) (I) OF THE 14 REGULAR MEMBERS OF THE STATE BOARD, ONE**
29 **REGULAR MEMBER SHALL BE A CERTIFIED PRINCIPAL WHO IS ACTIVELY LEADING A**
30 **SCHOOL.**

1 **(II) THE GOVERNOR SHALL APPOINT THE PRINCIPAL MEMBER,**
2 **WITH THE ADVICE AND CONSENT OF THE SENATE, WHO RECEIVED THE HIGHEST**
3 **NUMBER OF VOTES AFTER AN ELECTION BY PRINCIPALS IN THE STATE.**

4 **(III) THE DEPARTMENT SHALL PROVIDE NOTICE OF A**
5 **PRINCIPAL MEMBER VACANCY ON THE STATE BOARD TO ALL CERTIFIED**
6 **PRINCIPALS IN THE STATE.**

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

9 **(V) THE PRINCIPAL MEMBER MAY ATTEND AND PARTICIPATE IN**
10 **AN EXECUTIVE SESSION OF THE STATE BOARD.**

11 **(VI) THE PRINCIPAL MEMBER MAY NOT VOTE ON ANY MATTER**
12 **THAT RELATES TO APPEALS TO THE STATE BOARD UNDER § 6-202 OF THIS ARTICLE.**

13 **[(5)] (6)** (i) Of the **[13] 14** regular members of the State Board, one
14 regular member shall be the parent of a student enrolled in a public school in the State.

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

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

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

22 **[(6)] (7)** The student member shall be selected by the Governor from a list
23 of 2 persons nominated by the Maryland Association of Student Councils.

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

25 (i) A regularly enrolled student; and

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

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

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

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

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

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

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

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

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

14 SECTION 2. AND BE IT FURTHER ENACTED, That the Governor shall appoint,
15 in accordance with § 2–202(b)(5) of the Education Article, as enacted by Section 1 of this
16 Act, the initial principal member of the State Board of Education, who shall serve for a
17 term of 2 years and 6 months beginning January 1, 2024, and terminating at the end of
18 June 30, 2026, or until a successor is appointed and qualifies.

19 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
20 1, 2023.