

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 923
Ways and Means

(Delegate Ebersole, *et al.*)

State Board of Education - Membership - Educational Support and
Administrator Members

This bill alters the membership of the Maryland State Board of Education by requiring that one member be an educational support professional and another member be a public school administrator. The two board members would continue to be appointed by the Governor, with the advice and consent of the Senate. However, the Governor must select an individual that received the highest number of votes after a specified election. The elections must be conducted under regulations adopted by the Maryland State Department of Education (MSDE). Both the educational support and administrator member may attend and participate in an executive session of the State board but may not vote on any matter that relates to appeals concerning the suspension or dismissal of teachers, principals, and other professional personnel. MSDE must provide notices of vacancies for the educational support and administrator members to specified public school employees and organizations representing them for the purpose of collective bargaining. **The bill takes effect July 1, 2025.**

Fiscal Summary

State Effect: State expenditures increase by approximately \$50,000 in FY 2026 for MSDE to conduct an election to determine the candidates for appointment to the State board. Revenues are not affected.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary:

Educational Support Board Member

Under the bill, one of the existing 13 members of the State Board of Education must be an educational support professional who is actively working in a public school as a noncertificated, nonsupervisory public school employee. The Governor, with the advice and consent of the Senate, must appoint the educational support member who received the highest number of votes after an election by educational support professionals in the State. The election must be conducted under regulations adopted by MSDE.

MSDE must provide notice of an educational support member vacancy on the State board to all educational support professionals who are actively working in a public school as a noncertificated, nonsupervisory public school employee. This notice must also be provided to all educational support professionals' organizations representing education support professionals in the State for purposes of collective bargaining.

School Administrator Board Member

The bill also requires another existing member of the State board to be a public school administrator, which includes a principal, an assistant principal, or any other administrative level professional who is actively working in a public school. The Governor, with the advice and consent of the Senate, must appoint the administrator member who received the highest number of votes after an election by public school administrators in the State. The election must also be conducted under regulations adopted by MSDE.

MSDE must provide notice of an administrator member vacancy on the State board to all administrators who are actively working in a public school and all administrators' organizations representing administrators in the State for purpose of collective bargaining.

Current Law: The State Board of Education consists of 13 regular members and 1 student member appointed by the Governor with the advice and consent of the Senate. In making appointments to the State board, the Governor must consider representation from all parts of the State and areas of the State with concentrations of population or unique needs. Members of the board must be appointed from the general public. Except for the teacher and student members, any individual who is subject to the authority of the State board may not be appointed to the State board. In addition, the Governor and the State Superintendent of Schools may not be appointed to the State board.

Each regular member serves for a staggered four-year term and until a successor is appointed and qualifies. The Governor must appoint a new member to fill any vacancy on the State board for the remainder of that term and until a successor is appointed and qualifies. A member is eligible for reappointment but may not serve for more than two full four-year terms. The student member serves for a term of one-year. A student member is eligible for reappointment but may not serve more than two full one-year terms.

Among the regular members, the Governor must appoint one teacher and one parent member with the advice and consent of the Senate. The teacher member who received the highest number of votes after an election by teachers in the State must be appointed by the Governor. For the parent member, the Governor must appoint the parent member from a list of three qualified individuals submitted by the Maryland Parent Teacher Association (PTA). MSDE must provide notice of a teacher member vacancy 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. The elections must be conducted under regulations adopted by MSDE. MSDE may consult with the State Retirement Agency of the Maryland State Retirement and Pension System to conduct the election. MSDE must provide notice of a parent member vacancy to the Maryland PTA.

A teacher or parent member may attend and participate in an executive session of the State board; however, a teacher member may not vote on any matter that relates to appeals to the State board related to the suspension or dismissal of teachers, principals, and other professional personnel.

State Expenditures: MSDE already conducts an election for the teacher member of the State Board of Education every four years and a similar election process would be required for the educational support and administrator members added by the bill. The last teacher election in 2022 cost approximately \$24,000 to conduct, which covered the cost of online and telephone voting for approximately 80,000 electors. An election for the educational support and administrator board members would similarly necessitate additional spending to administer.

MSDE indicates that there are potentially 25,000 education support professionals and 8,000 public school administrators that would be eligible to vote in one of the elections required under this bill. Therefore, State expenditures increase by at most \$50,000 to hold two elections for the educational support and administrator members in fiscal 2026, and once every four years thereafter.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 712 (Senator Brooks) - Education, Energy, and the Environment.

Information Source(s): Maryland State Department of Education; Department of Legislative Services

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km/hlb

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