

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

House Bill 828

(Delegate Ebersole)

Ways and Means

Education, Energy, and the Environment

State Board of Education - Membership - Employee of a County Board of
Education

This bill permits up to two regular members of the Maryland State Board of Education, including the teacher member, to be employees of a local board of education. The bill also allows these board members to attend and participate in an executive session of the State board. However, if the board member is a certificated public school employee, they may not vote on any matter that relates to appeals concerning the suspension or dismissal of teachers, principals, and other professional personnel. Furthermore, if the board member is a noncertificated, nonsupervisory public school employee, they may not vote on any appeals to the State board of a dismissal or disciplinary action of personnel. Finally, the bill clarifies that in matters considered by the State board for which a member is prohibited in law from voting, an affirmative vote of a majority of the members then serving who are authorized to vote on the matter is required for action by the board. **The bill takes effect July 1, 2026.**

Fiscal Summary

State Effect: None. The bill is procedural in nature and does not directly affect government finances.

Local Effect: None.

Small Business Effect: None.

Analysis

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). The Maryland State Department of Education (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. Any action by the board requires the affirmative vote of a majority of the members then serving on the board.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See SB 712 and HB 923 of 2025.

Designated Cross File: None.

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

Fiscal Note History: First Reader - February 23, 2026
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Analysis by: Andrew Stover

Direct Inquiries to:
(410) 946-5510
(301) 970-5510