
By: **Delegates Krebs, Aumann, Cluster, Dwyer, Eckardt, Elmore, Feldman,
Frank, Hogan, Kohl, McComas, McMillan, O'Donnell, Parker, Parrott,
Shank, Shewell, Smigiel, Sossi, Stocksdale, Stull, and Trueschler**

Introduced and read first time: January 18, 2006

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - State Board of Education - Members - Qualifications**

3 FOR the purpose of requiring a certain number of members of the State Board of
4 Education to be, at the time of their appointment, parents of students enrolled
5 in public schools in the State; providing for the application of this Act; and
6 generally relating to the qualifications of members of the State Board of
7 Education.

8 BY repealing and reenacting, with amendments,
9 Article - Education
10 Section 2-202
11 Annotated Code of Maryland
12 (2004 Replacement Volume and 2005 Supplement)

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

15 **Article - Education**

16 2-202.

17 (a) The State Board consists of 11 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.

24 (2) The members of the Board shall be appointed from the general
25 public.

1 (3) AT LEAST TWO OF THE MEMBERS, AT THE TIME OF THEIR
2 APPOINTMENT, SHALL BE PARENTS OF STUDENTS ENROLLED IN PUBLIC SCHOOLS IN
3 THE STATE.

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

5 (i) Except for the student member, any individual who is subject to
6 the authority of the Board;

7 (ii) The Governor; and

8 (iii) The State Superintendent.

9 [(4)] (5) The student member shall be selected by the Governor from a
10 list of 2 persons nominated by the Maryland Association of Student Councils.

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

12 (i) A regularly enrolled student; and

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

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

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

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

19 (ii) Budget; or

20 (iii) Appeals to the State Board under § 2-205, § 4-205, or § 6-202
21 of this article.

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

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

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

29 (4) The student member shall serve for a term of 1 year. A student
30 member is eligible for reappointment but may not serve more than two full 1-year
31 terms.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
33 construed to apply only prospectively to appointments to the State Board of Education

1 made after the effective date of this Act and may not be applied or interpreted to have
2 any effect on or application to the membership of the State Board of Education before
3 the effective date of this Act.

4 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2006.