

# HOUSE BILL 160

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HB 141/06 – W&M

71r0890

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By: **Delegates Krebs, Aumann, Barkley, Beitzel, Eckardt, Elliott, Feldman, Kach, Shewell, Stocksdale, and Weldon**

Introduced and read first time: January 25, 2007

Assigned to: Ways and Means

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## 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 (2006 Replacement Volume)

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.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 (i) All parts of this State; and

4 (ii) Areas of this State with concentrations of population or  
5 unique needs.

6 (2) The members of the Board shall be appointed from the general  
7 public.

8 (3) **AT LEAST TWO OF THE MEMBERS, AT THE TIME OF THEIR**  
9 **APPOINTMENT, SHALL BE PARENTS OF STUDENTS ENROLLED IN PUBLIC**  
10 **SCHOOLS IN THE STATE.**

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

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

14 (ii) The Governor; and

15 (iii) The State Superintendent.

16 [(4)] (5) The student member shall be selected by the Governor from  
17 a list of 2 persons nominated by the Maryland Association of Student Councils.

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

19 (i) A regularly enrolled student; and

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

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

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

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

26 (ii) Budget; or

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

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

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

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

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

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be  
15 construed to apply only prospectively to appointments to the State Board of Education  
16 made after the effective date of this Act and may not be applied or interpreted to have  
17 any effect on or application to the membership of the State Board of Education before  
18 the effective date of this Act.

19 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 October 1, 2007.