

HOUSE BILL 192

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HB 160/07 – W&M

8lr0916

By: **Delegates Krebs, Aumann, Barkley, Bates, Bobo, Boteler, Dwyer, Eckardt, Elliott, Frank, George, Impallaria, Jennings, McComas, Murphy, Norman, O'Donnell, Stocksdale, and Wood**

Introduced and read first time: January 21, 2008

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Education Members – Qualification**

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 and 2007 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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) Areas of this State with concentrations of population or
2 unique needs.

3 (2) The members of the Board shall be appointed from the general
4 public.

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

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

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

11 (ii) The Governor; and

12 (iii) The State Superintendent.

13 [(4)] (5) The student member shall be selected by the Governor from
14 a list of 2 persons nominated by the Maryland Association of Student Councils.

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

16 (i) A regularly enrolled student; and

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

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

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

21 (i) The dismissal of or other disciplinary action involving
22 personnel;

23 (ii) Budget; or

24 (iii) Appeals to the State Board under § 2-205, § 4-205, or §
25 6-202 of this article.

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

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

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

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

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

14 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2008.