

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 394 (Senator Kramer)
Education, Energy, and the Environment

State Board of Education - Membership - School Principal

This bill adds one member to the State Board of Education who must be a certified principal actively leading a school. The Governor must appoint the principal member with the advice and consent of the Senate. The principal member who received the highest number of votes after an election by principals in the State conducted under regulations adopted by the Maryland State Department of Education (MSDE) must be appointed by the Governor. The principal member may attend and participate in an executive session of the board and the principal may not vote on any matter that relates to the appointment, suspension, or dismissal of personnel. MSDE must provide notice of a principal member vacancy to all certified principals in the State. The Governor must appoint the initial principal member to serve for a term of 2 years and 6 months beginning January 1, 2024, and terminating at the end of June 30, 2026, or until a successor is appointed and qualifies. **The bill takes effect July 1, 2023.**

Fiscal Summary

State Effect: The bill does not materially affect State operations or finances. Any expense reimbursements for the additional State Board of Education member are assumed to be minimal and absorbable within existing budgeted resources.

Local Effect: The bill does not affect local government finances. Any operational changes associated with a school principal serving on the State board can be handled with existing resources.

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). 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.

Additional Information

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

Designated Cross File: None.

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

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km/hlb

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