

HOUSE BILL 828

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6lr3078

By: **Delegate Ebersole**

Introduced and read first time: February 4, 2026

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Education – Membership – Educational Support Member**

3 FOR the purpose of altering the membership of the State Board of Education to include an
4 educational support member; providing for the qualifications, term, powers, and
5 election of the new member; and generally relating to the membership of the State
6 Board of Education.

7 BY repealing and reenacting, with amendments,
8 Article – Education
9 Section 2–202
10 Annotated Code of Maryland
11 (2025 Replacement Volume and 2025 Supplement)

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

14 **Article – Education**

15 2–202.

16 (a) The State Board consists of 13 regular members, and 1 student member,
17 appointed by the Governor with the advice and consent of the Senate.

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

20 (i) All parts of this State; and

21 (ii) Areas of this State with concentrations of population or unique
22 needs.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2) Except as provided in paragraphs (4) through [(6)] (7) of this subsection, the members of the Board shall be appointed from the general public.

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

(i) Except for the teacher member, **EDUCATIONAL SUPPORT MEMBER**, and student member, any individual who is subject to the authority of the Board;

(ii) The Governor; and

(iii) The State Superintendent.

(4) (i) Of the 13 regular members of the State Board, one regular member shall be a certified teacher who is actively teaching.

(ii) The Governor shall appoint the teacher member, with the advice and consent of the Senate, who received the highest number of votes after an election by teachers in the State.

(iii) The Department shall provide notice of a teacher member vacancy on the State Board 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.

(iv) 1. The election shall be conducted under regulations that the Department adopts.

2. The Department may consult with the State Retirement Agency of the Maryland State Retirement and Pension System to conduct the election required under this subparagraph.

(v) The teacher member may attend and participate in an executive session of the State Board.

(vi) The teacher member may not vote on any matter that relates to appeals to the State Board under § 6–202 of this article.

(5) (I) OF THE 13 REGULAR MEMBERS OF THE STATE BOARD, ONE REGULAR MEMBER SHALL BE AN EDUCATIONAL SUPPORT PROFESSIONAL WHO IS ACTIVELY WORKING IN A PUBLIC SCHOOL AS A NONCERTIFICATED, NONSUPERVISORY PUBLIC SCHOOL EMPLOYEE DESIGNATED AS PART OF A BARGAINING UNIT UNDER TITLE 6, SUBTITLE 5 OF THIS ARTICLE.

(II) THE GOVERNOR SHALL APPOINT THE EDUCATIONAL SUPPORT MEMBER, WITH THE ADVICE AND CONSENT OF THE SENATE, WHO RECEIVED THE HIGHEST NUMBER OF VOTES AFTER AN ELECTION BY EDUCATIONAL SUPPORT PROFESSIONALS IN THE STATE.

(III) THE DEPARTMENT SHALL PROVIDE NOTICE OF AN EDUCATIONAL SUPPORT MEMBER VACANCY ON THE STATE BOARD TO:

1. ALL EDUCATIONAL SUPPORT PROFESSIONALS WHO ARE ACTIVELY WORKING IN A PUBLIC SCHOOL AS A NONCERTIFICATED, NONSUPERVISORY PUBLIC SCHOOL EMPLOYEE DESIGNATED AS PART OF A BARGAINING UNIT UNDER TITLE 6, SUBTITLE 5 OF THIS ARTICLE IN THE STATE; AND

2. ALL EDUCATIONAL SUPPORT PROFESSIONALS' ORGANIZATIONS REPRESENTING EDUCATIONAL SUPPORT PROFESSIONALS IN THE STATE FOR PURPOSES OF COLLECTIVE BARGAINING.

(IV) THE ELECTION SHALL BE CONDUCTED UNDER REGULATIONS THAT THE DEPARTMENT ADOPTS.

(V) THE EDUCATIONAL SUPPORT MEMBER MAY ATTEND AND PARTICIPATE IN AN EXECUTIVE SESSION OF THE STATE BOARD.

(VI) THE EDUCATIONAL SUPPORT MEMBER MAY NOT VOTE ON ANY MATTER THAT RELATES TO APPEALS TO THE STATE BOARD UNDER § 6-202 OF THIS ARTICLE.

~~[(5)] (6)~~ (i) Of the 13 regular members of the State Board, one regular member shall be the parent of a student enrolled in a public school in the State.

(ii) The Governor shall appoint the parent member, with the advice and consent of the Senate, from a list of three qualified individuals submitted to the Governor by the Maryland PTA.

(iii) The Department shall provide notice of the parent member vacancy on the State Board to the Maryland PTA.

(iv) The parent member may attend and participate in an executive session of the State Board.

~~[(6)] (7)~~ The student member shall be selected by the Governor from a list of 2 persons nominated by the Maryland Association of Student Councils.

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

1 (i) A regularly enrolled student; and

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

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

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

6 (i) The dismissal of or other disciplinary action involving personnel;
7 or

8 (ii) Appeals to the State Board under § 2–205 of this subtitle or §
9 4–205 or § 6–202 of this article.

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

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

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

17 (4) The student member shall serve for a term of 1 year. A student member
18 is eligible for reappointment but may not serve more than two full 1–year terms.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
20 1, 2026.