

**Department of Legislative Services**  
Maryland General Assembly  
2017 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 590  
Ways and Means

(Delegate Ebersole, *et al.*)

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**State Board of Education - Membership - Teachers and Parents**

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This bill increases the membership of the State Board of Education, from 12 to 17, by adding 3 certified teachers and 2 parents of students enrolled in a public school. The Governor must appoint the teacher and parent members with the advice and consent of the Senate, from a list of qualified individuals submitted to the Governor. For teacher members, the Maryland State Department of Education (MSDE) submits the list to the Governor after an election by teachers in the State. MSDE must provide notice of a teacher member vacancy to (1) all certificated teachers in the State and (2) all statewide teachers' organizations representing a majority of teachers in the State for purposes of collective bargaining. The elections must be conducted under regulations adopted by MSDE. For parent members, MSDE must provide notice of a parent member vacancy to the Maryland PTA; Maryland PTA then submits a list of three qualified individuals per vacancy to the Governor. The bill also staggers the terms of the teacher and parent members.

This bill takes effect June 1, 2017.

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**Fiscal Summary**

**State Effect:** The bill does not materially affect State operations or finances. Any expense reimbursements for the additional State Board of Education members are assumed to be minimal and absorbable within existing budgeted resources. MSDE can notify the specified organizations of vacancies using existing resources.

**Local Effect:** The bill does not affect local government finances. Any operational changes associated with having public school teachers serve on the State board can be handled with existing resources.

**Small Business Effect:** None.

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## **Analysis**

**Current Law/Background:** The State Board of Education consists of 11 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 student member, 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.

According to research of state statutes by the Department of Legislative Services (DLS), eight states either require or allow a teacher to be a member of a state board of education (Indiana, Mississippi, Nevada, Tennessee, Wyoming, Connecticut, North Carolina, and Pennsylvania). In Indiana, at least six members of the board must have professional experience in education, including as a teacher. North Carolina allows up to two current public school employees to be appointed to the board. However, seven states prohibit current teachers or professional educators from serving on the state board of education (Arkansas, Iowa, Kentucky, Maine, Oregon, Washington, and West Virginia). Two states (Massachusetts and Nevada) require a parent of a public school student to be appointed to the board.

**State Fiscal Effect:** The bill does not materially affect State operations or finances. MSDE advises that adding five members to the State Board of Education is anticipated to increase expenditures by less than \$10,000 annually due to reimbursing expenditures and mailing meeting materials. DLS advises that MSDE may be able to control many of the expenses related to new board members through choices made about printing, postage, and board activities.

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## Additional Information

**Prior Introductions:** None.

**Cross File:** SB 609 (Senator Madaleno, *et al.*) - Education, Health, and Environmental Affairs.

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

**Fiscal Note History:** First Reader - February 20, 2017  
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