

# HOUSE BILL 828

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6lr3078

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By: **Delegate Ebersole**

Introduced and read first time: February 4, 2026

Assigned to: Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 6, 2026

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## CHAPTER \_\_\_\_\_

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; altering the number of members required to  
6 affirmatively vote for the State Board to take an action on certain matters; and  
7 generally relating to the membership of the State Board of Education.

8 BY repealing and reenacting, with amendments,  
9 Article – Education  
10 Section 2–202 and 2–204  
11 Annotated Code of Maryland  
12 (2025 Replacement Volume and 2025 Supplement)

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

15 **Article – Education**

16 2–202.

17 (a) The State Board consists of 13 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.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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 unique  
5 needs.

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

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

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

11 (ii) The Governor; and

12 (iii) The State Superintendent.

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

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

18 (iii) The Department shall provide notice of a teacher member  
19 vacancy on the State Board to:

20 1. All certified teachers who are actively teaching in the  
21 State; and

22 2. All teachers' organizations representing teachers in the  
23 State for purposes of collective bargaining.

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

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

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

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

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

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

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

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

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

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

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

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

28 **[(5)] (6) (i) Of the 13 regular members of the State Board, one regular**  
29 **member shall be the parent of a student enrolled in a public school in the State.**

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

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

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

5 ~~[(6)]~~ (7) The student member shall be selected by the Governor from a list  
6 of 2 persons nominated by the Maryland Association of Student Councils.

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

8 (i) A regularly enrolled student; and

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

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

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

13 (i) The dismissal of or other disciplinary action involving personnel;  
14 or

15 (ii) Appeals to the State Board under § 2–205 of this subtitle or §  
16 4–205 or § 6–202 of this article.

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

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

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

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

26 2–204.

27 (a) (1) Each year, the State Board shall hold:

28 (i) A meeting in July; and

29 (ii) At least three other regular meetings.

1           (2)    The Board may hold special meetings as necessary.

2           (b)   (1)   At the annual Board meeting in July, the State Board shall select a  
3 president and a vice president from among its members.

4           (2)    A member may not serve for more than 4 years as president.

5           (c)   (1)   The State Superintendent is the Chief Executive, Secretary, and  
6 Treasurer of the State Board.

7           (2)    [He] THE STATE SUPERINTENDENT shall attend each meeting of the  
8 Board and of its committees, except when [his own] THE tenure, salary, or the  
9 administration of [his] THE STATE SUPERINTENDENT’S office are under consideration.

10          (3)    [He] THE STATE SUPERINTENDENT may advise the Board on any  
11 question under consideration, but may not vote.

12          (d)    A member of the State Board serves without compensation but is entitled to  
13 reimbursement for expenses in accordance with the Standard State Travel Regulations.

14          (e)    (1)    [The] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS  
15 SUBSECTION, THE affirmative vote of a majority of the members then serving on the State  
16 Board is required for any action by the Board.

17               (2)    IN MATTERS CONSIDERED BY THE STATE BOARD FOR WHICH A  
18 MEMBER IS PROHIBITED IN LAW FROM VOTING, AN AFFIRMATIVE VOTE OF A  
19 MAJORITY OF THE MEMBERS THEN SERVING WHO ARE AUTHORIZED TO VOTE ON THE  
20 MATTER IS REQUIRED FOR ACTION BY THE BOARD.

21           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
22 1, 2026.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.