

live, each board member comes to look upon his community as a part of a whole, rather than a walled district whose social interests must be defended.

Each portion of the State could be headed to this end by the educational interests of laymen and educators where they are part of the concern of a state program of high quality.

A State Board of Education has been a part of the history of the State. In 1870 the General Assembly established the State Board of Education. We are now constitutionalizing it.

I ask that we go one step farther in this constitutionalization and implement this board with the state superintendent. The General Assembly has enacted what has been considered a model state code, and many of the provisions have remained unchanged after approximately a half a century.

THE CHAIRMAN: You have one-half minute, Delegate Blair.

DELEGATE BLAIR: I read that the educators also oppose appointment of superintendents by the governor. Abolition of such method of selection for Maryland was recommended in 1921, in a report to the Federal Education Survey Commission by Flexner and Backman, wherein it is stated "that the superintendent who is the State's educational executive should be chosen not by the governor but by a board as far removed from political influences as possible for a term either indefinite or long enough to remove danger of political complications."

This recommendation has been followed to today. I ask that this be constitutionalized.

THE CHAIRMAN: Delegate Lord.

DELEGATE LORD: Would the Chair advise me how much controlled time remains?

THE CHAIRMAN: About ten minutes.

DELEGATE LORD: I would like to yield three minutes to Delegate Singer.

THE CHAIRMAN: Delegate Singer.

DELEGATE SINGER: Mr. Chairman, ladies and gentlemen of the Convention, the choice between the Majority and Minority Reports is in reality a choice between preserving the educational status quo or preserving freedom of choice and meeting the future educational needs of this State. The

creation in this constitution of a State Board of Education or any other board by whatever name you may wish to call it, endowed with the broadest of powers, including the appointment of the constitutional office of state superintendent, is in reality an attempt to elevate these functions and solidify them.

I am yielding into the mold chosen for the future solution of problems in this area of vital concern. We have heard much so far about the governing board for public education.

The real point in the Majority Report, is that the State Board of Education shall formulate policy, and exercise control and direction over the public school system.

This is the power and the authority which we reject as being included in this constitution.

We also do not wish to make the state superintendent of schools a constitutional office, as it is done in only very few states. I believe eleven states only require that the superintendent be appointed by the board in their constitution, so that the institution of constitutional mandate for the flexibility of legislative enactment requires the State Board of Education to be appointed from various geographic areas. As the minority's memorandum indicates, much of the language recommended by the majority has been taken from existing statutes, indicating that the General Assembly has recognized its responsibility in the past and discharged that responsibility.

No compelling reasons have been advanced to elevate these laws into constitutional provisions. To the contrary, the numerous and also conflicting theories of education which have been and are presently being advanced throughout the State and the country dictate to us in this Convention that the doors should be left open for new thinking and fresh solutions to continuing problems, and the problems of tomorrow may well require governmental action unthought of today, action that may be foreclosed by the establishment of the educational authority advocated by the majority.

I would point out to you that the model state constitution, in just five lines, deals with the subject of education which it recognizes as having preeminent importance. The Constitutional Convention Commission's draft had two sections on education, and contained none of the detailed administrative structure we find in the majority's recommendation.