

State as Superintendent of Common Schools and also required local districts to raise revenues before State funds were released to them. The proposed code required of Baltimore City only an annual report and stopped appropriations to all private institutions and academies, except St. John's College and Charlotte Hall Academy. The code proposed in 1843 was never enacted.

Debate over public education continued at the Constitutional Convention of 1850-1851. Where legislation repeatedly failed, constitutional provision might succeed. The Convention's committee on educational matters recommended a permanent and adequate school fund, a uniform system of public school education, an elected superintendent of education, and a normal (or model) school to train teachers. Old grievances over distribution of the Free School Fund caused the proposal to be postponed. The more populous counties and Baltimore City believed a State system would continue to deprive them of their fair share of educational funds and smaller counties did not want to change a distribution which benefitted them. The proposal was not revived.

Maryland's first provision for uniform statewide education was adopted by the Constitutional Convention of 1864. Votes of Union soldiers helped ratify the Constitution of 1864 and, because an oath was required at the polls, many Maryland voters with Southern sympathies were disenfranchised. Only in effect for about two years, the Constitution of 1864 propelled public education forward, mandating a uniform system of free public education, a State Superintendent of Public Instruction, a State Board of Education, county school commissioners, an annual State tax to support free public education, and a permanent State school fund. The legislature was prohibited from passing local laws concerning education. The State Superintendent was appointed by the Governor and immediately was to submit a plan for the organization of free public education. If the legislature bogged down in old controversies and failed to enact a bill within the new constitutional framework, the plan of the Superintendent would become law. The State tax of ten cents on every hundred dollars of property was to be distributed to the counties and Baltimore City in proportion to their population between ages five and twenty years.

In 1865, the first State Superintendent of Public Instruction proposed the establishment of free primary schools, grammar schools, one high school per county, a normal school, and a university, as well as separate schools for Negroes, the blind, deaf, handicapped, and the imprisoned. Attendance would be compulsory. The General Assembly adopted portions of his plan. In 1865, Maryland shifted from local control of schools to a highly centralized system whereby the State Board with the State Superintendent selected textbooks, set the curriculum, certified teachers, approved school building designs, and distributed State funds. Appropriations to academies were continued just until county high schools could be established. Taxes assessed against Negroes were set aside for schools for Negroes under the jurisdiction of the State Board of Education, although few, if any, were started. In 1865, Maryland began a formal system of segregated schooling that would last for ninety years.

Opposition to State control came from the formerly disenfranchised voters of 1864 and from Baltimore City. They perceived the change as too sweeping, the cost too great. In 1868, the legislature returned control of educational matters to the counties (Chapter 407, Acts of 1868). Issues concerning local schools were to be referred to the voters, who elected both the Board of County School Commissioners and the Board of School House District Trustees. The State continued to fund the schools, however, through the ten-cent tax on every hundred dollars of property. The Principal of the State Normal School could receive reports from county boards and Baltimore City and make recommendations to the Governor and General Assembly, but had no authority. The reactionary law of 1868 was amended in 1870. A Board of State School Commissioners was created, appointed by the Governor. Under the new law, circuit court judges appointed boards of county school commissioners, who, in turn, selected district school commissioners (Chapter 311, Acts of 1870). Free public schools were mandated for Negro children in 1872, under the control of the existing county and district boards (Chapter 377, Acts of 1872). The office of Superintendent of Public Instruction was revived in 1900 with limited duties of collecting and diffusing information (Chapter 428, Acts of 1900). School attendance was made compulsory in 1902 for children between the ages of eight and twelve; children over age twelve were not required to attend school if they were gainfully employed and could read and write (Chapter 269, Acts of 1902).

An educational survey was undertaken in 1914 at the legislature's behest after release of disturbing illiteracy figures for Maryland. Basically an indictment, the survey report had a major impact on shaping education in Maryland. The surveyors found inadequate buildings, frequent truancy, and badly trained teachers, supervised by political appointees poorly educated themselves. Funds were ample but distributed without regard for accountability. The Superintendent's office had almost no staff and no authority to implement changes. The survey demonstrated the need for efficient administration and supervision of schools and public school funds. In response, the General Assembly created the State Department of Education, headed by the State Board of Education, and administered by the State Superintendent of