

BILL: House Bill 85
TITLE: Education - Collective Bargaining - Certificated Employees - Class Size
DATE: February 1, 2023
POSITION: OPPOSE
COMMITTEE: Ways and Means
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The Maryland Association of Boards of Education (MABE) strongly opposes House Bill 85 to add the complex and costly topic of class size to the topics that may be included in collective bargaining negotiations and binding agreements.

The Blueprint for Maryland's Future is requiring wholesale revisions to each of Maryland's 24 collective bargaining agreements. The agreements are negotiated annually through a highly regulated process and with an established dispute resolution process. Adding class size to the topics which may be negotiated and included in bargaining agreements would introduce an unanticipated complicating factor into the entire transition to implementing the Blueprint. Again, neither the Blueprint nor the current process for resolving teachers' contract disputes are aligned with adding class size to the types of matters which may be negotiated.

The quasi-judicial body created by the legislature to resolve collective bargaining disputes would be ill-equipped to resolve disputed on the complex topic of class size. Because none of the current bargaining agreements contain provisions on class size, the body responsible for hearing and deciding on cases in dispute, the Public School Labor Relations Board (PSLRB), would have no experience in this area. Foremost among the challenges would be the timing of decision-making relative to the end of one fiscal year, and contract term, and the impending July 1 day for the beginning of the new year. The annual negotiations cycle is already contentious. Adding class size to the scope of bargaining would only make an already complex and time-sensitive process more likely to bog down in irreconcilable disputes. It is reasonably foreseeable that the PSLRB would be unable to make final decisions in a timely manner on contract disputes on the topic of class size.

Class size disputes will, unavoidably, involve school facilities issues not contemplated when bargaining laws and procedures were adopted. This is because class size is inherently a question of physical space. MABE opposes adding class size as a topic of bargaining because reducing class size is so closely tied to the planning, timing and funding of school construction projects. As desirable as smaller class sizes may be to both the school system and teachers, state and local investments in expanding school facilities to provide more space are completely outside the control of the parties negotiating at the bargaining table.

For these reasons, MABE urges an unfavorable report on House Bill 85.