
By: **Chairman, Ways and Means Committee (Departmental - Budget and Management)**

Introduced and read first time: February 2, 1998

Assigned to: Appropriations

Committee Report: Favorable

House action: Adopted

Read second time: March 17, 1998

CHAPTER _____

1 AN ACT concerning

2 **Education - Institutional Educator Pay Plan**

3 FOR the purpose of authorizing the Department of Budget and Management to
4 establish and administer an Institutional Educator Pay Plan; requiring the
5 Secretary of Budget and Management to conduct certain reviews and make
6 salary recommendations by a certain date; establishing an Institutional
7 Educator Pay Plan Advisory Committee; requiring the Committee to review and
8 comment on certain recommendations; and generally relating to salaries of
9 individuals employed in institutions as educators.

10 BY repealing and reenacting, with amendments,
11 Article - Education
12 Section 6-302 and 6-303
13 Annotated Code of Maryland
14 (1997 Replacement Volume and 1997 Supplement)

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

17 **Article - Education**

18 6-302.

19 (a) An individual who is employed as a teacher, librarian, principal, director of
20 education, or supervisor of vocational education on the staffs of the following
21 institutions or in the following programs, or an individual who is employed as a
22 central office director, superintendent, specialist, or coordinator of education for the

1 following institutions or programs, shall be paid the annual salary determined under
2 subsection (b) of this section:

3 (1) Any institution that is under the jurisdiction of:

4 (i) The Department of Juvenile Justice; or

5 (ii) The Department of Health and Mental Hygiene;

6 (2) Any vocational rehabilitation program operated by the State
7 Department of Education; and

8 (3) Any correctional education program operated by the State
9 Department of Education in a facility of the Department of Public Safety and
10 Correctional Services.

11 (b) (1) There shall be a single, statewide institutional educator pay plan for
12 the positions described under subsection (a) of this section. The pay plan shall be
13 established by the [Institutional Educator Pay Plan Committee] DEPARTMENT OF
14 BUDGET AND MANAGEMENT as provided in [§ 6-303 of this subtitle] PARAGRAPH (2)
15 OF THIS SUBSECTION.

16 (2) In establishing AND ADMINISTERING the pay plan, the [Institutional
17 Educator Pay Plan Committee] SECRETARY OF BUDGET AND MANAGEMENT ON AN
18 ANNUAL BASIS shall review the salaries of public school teachers, librarians, and
19 administrators in the six jurisdictions with the highest number of institutional
20 educator positions and shall [set] RECOMMEND salaries at levels that will be
21 adequate to recruit and retain qualified institutional educators. The pay plan shall
22 include classifications and pay grades based on the duties, responsibilities, education,
23 and training required. THE SECRETARY'S RECOMMENDATIONS SHALL BE MADE BY
24 DECEMBER 1 OF EACH YEAR FOR IMPLEMENTATION ON JULY 1 OF THE FOLLOWING
25 FISCAL YEAR.

26 (3) [The pay plan established under this subsection shall be provided to
27 the Secretary of Budget and Management on or before the June 1 prior to the July 1
28 of the fiscal year in which the pay plan will take effect. The Secretary of Budget and
29 Management shall review the pay plan within 15 days of receiving it and may
30 recommend changes to the pay plan. The changes shall be adopted if approved by the
31 Institutional Educator Pay Plan Committee] THE SECRETARY OF BUDGET AND
32 MANAGEMENT SHALL SUBMIT ANY RECOMMENDATIONS TO THE GOVERNOR FOR
33 APPROVAL.

34 6-303.

35 (a) There is an Institutional Educator Pay Plan ADVISORY Committee.

36 (b) [(1) The Committee consists of the following eight members:

1 (i) Three institutional educators whose positions are included in
 2 the institutional educator pay plan established under § 6-302 of this subtitle to be
 3 appointed by the Governor; and

4 (ii) The Secretary or a designee of the Secretary from each of the
 5 following departments:

- 6 1. The Department of Education;
- 7 2. The Department of Public Safety and Correctional
 8 Services;
- 9 3. The Department of Juvenile Justice;
- 10 4. The Department of Health and Mental Hygiene; and
- 11 5. The Department of Budget and Management.]

12 (1) THE ADVISORY COMMITTEE SHALL CONSIST OF:

13 (I) FOUR EMPLOYEE EDUCATORS WHOSE POSITIONS ARE
 14 INCLUDED IN THE INSTITUTIONAL EDUCATOR PAY PLAN ESTABLISHED UNDER §
 15 6-302 OF THIS SUBTITLE FROM EACH OF THE FOLLOWING UNITS:

- 16 1. THE DIVISION OF CORRECTIONAL EDUCATION IN THE
 17 DEPARTMENT OF EDUCATION;
- 18 2. THE DIVISION OF REHABILITATIVE SERVICES IN THE
 19 DEPARTMENT OF EDUCATION;
- 20 3. THE DEPARTMENT OF JUVENILE JUSTICE; AND
- 21 4. THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE;
 22 AND

23 (II) ANY ADDITIONAL AGENCY REPRESENTATIVES APPOINTED BY
 24 THE SECRETARY OF BUDGET AND MANAGEMENT.

25 (2) The State Director of the Correctional Education Association shall
 26 recommend to the [Governor] SECRETARY OF BUDGET AND MANAGEMENT
 27 individuals to serve as the institutional educator members of the ADVISORY
 28 Committee. The [Governor] SECRETARY shall take these recommendations into
 29 consideration, but may appoint any individual who is an institutional educator under
 30 [subsection (a) of this section, including institutional educators employed at the
 31 Department of Juvenile Justice and the Department of Health and Mental Hygiene]
 32 SUBSECTION (A) OF § 6-302.

33 (c) Each member of the ADVISORY Committee:

- 34 (1) Shall serve a 3-year term; and

1 (2) (i) Shall serve without compensation; but

2 (ii) Is entitled to reimbursement for expenses in accordance with
3 the Standard State Travel Regulations.

4 (d) The ADVISORY Committee shall designate:

5 (1) One member as [chairman] CHAIRPERSON; and

6 (2) The time and place of its meetings.

7 (e) [(1) In accordance with the recommendations of the Institutional
8 Educator Pay Plan Committee, the Secretary of Budget and Management shall make
9 adjustments to the institutional educator pay plan to be effective for the fiscal year
10 beginning on July 1, 1995 to ensure that salaries in the pay plan are adequate to
11 recruit and retain qualified institutional educators. For Fiscal Year 1999 and every
12 third fiscal year thereafter, the Secretary of Budget and Management shall adjust the
13 institutional educator pay plan if necessary to ensure that salaries in the pay plan are
14 adequate to recruit and retain qualified institutional educators.

15 (2) On or before the September 1 preceding the beginning of the fiscal
16 year for which adjustments to the pay plan may be made under this subsection, the
17 Institutional Educator Pay Plan Committee shall review the salaries of public school
18 teachers, librarians, and administrators in the six jurisdictions with the highest
19 number of institutional educator positions, and shall recommend adjustments to the
20 pay plan to the Secretary of Budget and Management.

21 (3) The Secretary of Budget and Management shall incorporate these
22 adjustments into the budget recommendations for the Governor's review and
23 approval for inclusion in the annual budget request.] THE ADVISORY COMMITTEE
24 SHALL REVIEW AND COMMENT ON THE INSTITUTIONAL EDUCATOR PAY PLAN
25 RECOMMENDATIONS MADE BY THE SECRETARY OF BUDGET AND MANAGEMENT
26 PRIOR TO THE SUBMISSION OF THE RECOMMENDATIONS TO THE GOVERNOR.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
28 effect October 1, 1998.