

HOUSE BILL 9

Unofficial Copy
Q3

1999 Regular Session
9lr0883

(PRE-FILED)

By: **Delegates Hixson, Rawlings, Taylor, Arnick, Busch, Dewberry, Doory,
Guns, Harrison, Howard, Hurson, Kopp, Menes, Montague, Owings,
Rosenberg, Vallario, and Wood**

Requested: November 20, 1998

Introduced and read first time: January 13, 1999

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Quality Teacher Incentive Act of 1999**

3 FOR the purpose of providing certain competitive State grants to county boards of
4 education for certain teacher mentoring programs; providing for a 3-year
5 probationary period of employment for teachers and certain other public school
6 employees; requiring the State Board to adopt certain regulations for certain
7 mentoring programs; providing for certain State stipends and salary
8 enhancements for certain teachers under certain circumstances; requiring the
9 Governor to include funding for certain stipends and salary enhancements in
10 the operating budget each year; repealing certain authority for the State Board
11 of Education to establish a certain fee for issuance or renewal of teacher
12 certificates; requiring the State Department of Education to collect a fee of a
13 certain amount for the issuance or renewal of certain certificates; providing that
14 all money collected from the fees constitutes a special fund to be used only to
15 defray partially the expenses incurred in the administration of teacher
16 certificates; allowing an individual who is a classroom teacher a credit against
17 the State income tax for certain tuition paid for certain courses required to
18 maintain certification under certain circumstances; providing for a certain
19 report; and generally relating to qualifications and incentives for teachers in
20 Maryland public school systems.

21 BY repealing

22 Article - Education

23 Section 6-202(b)

24 Annotated Code of Maryland

25 (1997 Replacement Volume and 1998 Supplement)

26 BY adding to

27 Article - Education

28 Section 5-206.1, 6-202(b), and 6-306

29 Annotated Code of Maryland

1 (1997 Replacement Volume and 1998 Supplement)

2 BY repealing and reenacting, with amendments,

3 Article - Education

4 Section 6-704(b)

5 Annotated Code of Maryland

6 (1997 Replacement Volume and 1998 Supplement)

7 BY adding to

8 Article - Tax - General

9 Section 10-712

10 Annotated Code of Maryland

11 (1997 Replacement Volume and 1998 Supplement)

12 Preamble

13 WHEREAS, Maryland public school enrollments are projected to rise from 20%

14 to almost 40% in some school systems by the fall of 2001; and

15 WHEREAS, The numbers of retirement-eligible teachers will be rising

16 concurrently; and

17 WHEREAS, Teacher preparation programs are not producing enough graduates

18 in areas of critical need; and

19 WHEREAS, The Maryland General Assembly believes it imperative that

20 Maryland move now to create incentives to attract and to retain high quality teachers

21 in the State's public schools; now, therefore,

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

23 MARYLAND, That the Laws of Maryland read as follows:

24 **Article - Education**

25 5-206.1.

26 (A) IT IS THE INTENT OF THIS SECTION TO PROVIDE COMPETITIVE GRANTS TO

27 ENCOURAGE COUNTY BOARDS TO EXPAND MENTORING PROGRAMS FOR NEWLY

28 HIRED TEACHERS.

29 (B) (1) SUBJECT TO THE APPROPRIATION OF FUNDS IN THE ANNUAL STATE

30 BUDGET, THE STATE SUPERINTENDENT ANNUALLY SHALL DISTRIBUTE

31 COMPETITIVE GRANTS TO COUNTY BOARDS FOR EXPANSION OF MENTOR PROGRAMS

32 FOR NEWLY HIRED TEACHERS.

33 (2) THE DEPARTMENT SHALL ESTABLISH GUIDELINES FOR THE

34 DETERMINATION OF ELIGIBILITY FOR AND DISTRIBUTION OF GRANTS UNDER THIS

35 SECTION.

1 (3) THE HIGHEST PRIORITY FOR THE GRANTS UNDER THIS SECTION
2 SHALL BE TO MENTORING PROGRAMS FOR NEWLY HIRED TEACHERS IN AT-RISK
3 SCHOOLS.

4 (4) THE TOTAL GRANTS DISTRIBUTED UNDER THIS SECTION FOR ANY
5 FISCAL YEAR MAY NOT EXCEED \$5,000,000.

6 6-202.

7 [(b) This section does not prohibit the State Board from adopting bylaws to
8 provide for a probationary period of employment of 2 years or less.]

9 (B) (1) THE PROBATIONARY PERIOD OF EMPLOYMENT OF A TEACHER,
10 PRINCIPAL, SUPERVISOR, ASSISTANT SUPERINTENDENT, OR OTHER PROFESSIONAL
11 ASSISTANT SHALL BE FOR A PERIOD OF 3 YEARS FROM THE DATE OF EMPLOYMENT.

12 (2) THE STATE BOARD SHALL ADOPT REGULATIONS THAT DEFINE THE
13 SCOPE OF A MENTORING PROGRAM THAT WILL BE ALIGNED WITH THE 3-YEAR
14 PROBATIONARY PERIOD.

15 6-306.

16 (A) (1) FOR FISCAL YEAR 2000 AND EACH SUBSEQUENT FISCAL YEAR, THE
17 GOVERNOR SHALL INCLUDE IN EACH YEAR'S OPERATING BUDGET FUNDING FOR THE
18 STIPENDS AND SALARY ENHANCEMENTS PROVIDED IN THIS SUBSECTION.

19 (2) A CLASSROOM TEACHER WHO HOLDS A STANDARD PROFESSIONAL
20 CERTIFICATE OR AN ADVANCED PROFESSIONAL CERTIFICATE WHO IS EMPLOYED BY
21 A COUNTY BOARD AND WHO EARNS A CERTIFICATE ISSUED BY THE NATIONAL
22 BOARD FOR PROFESSIONAL TEACHING STANDARDS SHALL RECEIVE A STIPEND
23 FROM THE STATE IN AN AMOUNT EQUAL TO 10% OF THE TEACHER'S ANNUAL SALARY
24 FOR EACH YEAR THAT THE TEACHER MAINTAINS NATIONAL BOARD CERTIFICATION
25 AND REMAINS EMPLOYED AS A TEACHER IN A MARYLAND PUBLIC SCHOOL SYSTEM.

26 (3) (I) AN INDIVIDUAL WHO GRADUATES FROM AN ACCREDITED
27 INSTITUTION OF HIGHER EDUCATION IN THE TOP 10% OF HIS OR HER CLASS,
28 BECOMES EMPLOYED BY A COUNTY BOARD, AND REMAINS EMPLOYED AS A
29 CLASSROOM TEACHER IN THE PUBLIC SCHOOL SYSTEM FOR A MINIMUM OF 3
30 CONSECUTIVE YEARS SHALL RECEIVE A SALARY SIGNING BONUS OF \$3,000.

31 (II) IF THE INDIVIDUAL LEAVES EMPLOYMENT WITH THE PUBLIC
32 SCHOOL SYSTEM BEFORE THE END OF THE 3-YEAR COMMITMENT, THE INDIVIDUAL
33 SHALL REIMBURSE THE STATE IN THE AMOUNT OF \$3,000.

34 (4) A CLASSROOM TEACHER WHO HOLDS AN ADVANCED PROFESSIONAL
35 CERTIFICATE AND TEACHES IN OR ACTS AS A MENTOR IN A PUBLIC SCHOOL WITH A
36 HIGH AT-RISK STUDENT POPULATION SHALL RECEIVE A STIPEND FROM THE STATE
37 IN THE AMOUNT OF \$1,000 FOR EACH YEAR THAT THE TEACHER PERFORMS
38 SATISFACTORILY IN THE CLASSROOM OR AS A MENTOR IN THE SCHOOL.

1 (B) AN INDIVIDUAL WHO RECEIVES A STIPEND OR SALARY ENHANCEMENT
2 UNDER SUBSECTION (A) OF THIS SECTION MAY NOT BE DEEMED AN EMPLOYEE OF
3 THE STATE.

4 (C) THE EMPLOYER OF AN INDIVIDUAL WHO RECEIVES A STIPEND OR SALARY
5 ENHANCEMENT UNDER SUBSECTION (A) OF THIS SECTION SHALL PAY THE
6 INCREASE IN FRINGE BENEFIT COSTS ASSOCIATED WITH THE STIPEND OR SALARY
7 ENHANCEMENT.

8 (D) THE DEPARTMENT SHALL ACT AS FISCAL AGENT FOR FUNDS DISPERSED
9 UNDER THIS SECTION.

10 6-704.

11 (b) (1) The [Board may establish] DEPARTMENT SHALL COLLECT a fee[,
12 not to exceed \$10,] OF \$20 for THE issuance or renewal of a [teacher] certificate
13 ISSUED TO A TEACHER OR OTHER PROFESSIONAL ASSISTANT.

14 (2) The Board may not require a fee:

15 [(1)] (I) For the addition of any new area of certification to a currently
16 valid certificate; or

17 [(2)] (II) Except for the fee authorized under this subsection, for the
18 evaluation of credentials for the certification of teachers.

19 (3) (I) ALL MONEY COLLECTED UNDER THIS SUBSECTION
20 CONSTITUTES A SPECIAL FUND TO BE USED ONLY TO DEFRAY PARTIALLY THE
21 EXPENSES INCURRED IN THE ADMINISTRATION OF TEACHER CERTIFICATES.

22 (II) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ANY
23 MONEY UNEXPENDED AT THE END OF A FISCAL YEAR SHALL REMAIN IN THE FUND
24 AND DOES NOT REVERT TO THE GENERAL FUND OF THE STATE.

25 **Article - Tax - General**

26 10-712.

27 (A) AN INDIVIDUAL WHO IS A CLASSROOM TEACHER HOLDING A STANDARD
28 PROFESSIONAL CERTIFICATE OR AN ADVANCED PROFESSIONAL CERTIFICATE MAY
29 CLAIM A CREDIT AGAINST THE STATE INCOME TAX FOR UP TO \$1,500 OF TUITION
30 PAID BY THE INDIVIDUAL DURING THE TAXABLE YEAR FOR GRADUATE LEVEL
31 COURSES REQUIRED TO MAINTAIN CERTIFICATION IF THE INDIVIDUAL:

32 (1) SUCCESSFULLY COMPLETES THE COURSES WITH A GRADE OF B OR
33 BETTER;

34 (2) IS EMPLOYED BY A COUNTY BOARD OF EDUCATION;

1 (3) TEACHES IN A PUBLIC SCHOOL AND RECEIVES A SATISFACTORY
2 PERFORMANCE EVALUATION FOR THAT TEACHING ; AND

3 (4) HAS NOT BEEN REIMBURSED BY THE COUNTY FOR THE TUITION
4 PAID.

5 (B) (1) THE CREDIT ALLOWED UNDER THIS SECTION MAY NOT EXCEED THE
6 STATE INCOME TAX FOR THAT TAXABLE YEAR, CALCULATED BEFORE THE
7 APPLICATION OF THE CREDITS ALLOWED UNDER THIS SECTION AND §§ 10-701 AND
8 10-701.1 OF THIS SUBTITLE BUT AFTER THE APPLICATION OF THE OTHER CREDITS
9 ALLOWABLE UNDER THIS SUBTITLE.

10 (2) THE UNUSED AMOUNT OF THE CREDIT FOR ANY TAXABLE YEAR MAY
11 NOT BE CARRIED OVER TO ANY OTHER TAXABLE YEAR.

12 SECTION 2. AND BE IT FURTHER ENACTED, That the probationary period
13 of 3 years of employment as provided by § 6-202(b) of the Education Article, as
14 enacted under Section 1 of this Act, shall apply to all professional assistants hired on
15 or after July 1, 1999.

16 SECTION 3. AND BE IT FURTHER ENACTED, That the Maryland State
17 Department of Education shall report to the Governor and General Assembly on the
18 effectiveness of the programs established in this Act after 3 years and no later than
19 September 1, 2002.

20 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take
21 effect July 1, 1999.