
By: **Senators Pinsky, Collins, Conway, Hollinger, Frosh, Forehand, Sfikas,
Van Hollen, and Exum**

Introduced and read first time: February 4, 1999

Assigned to: Economic and Environmental Affairs and Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Teacher Certification Incentive Grants - Establishment**

3 FOR the purpose of providing for the distribution of grants to teachers who achieve
4 certain certification; establishing certain guidelines for the provision of the
5 grants; requiring the Governor to include certain moneys in the budget to fund
6 the grants; requiring a county to collectively bargain a certain grant; providing
7 that a grant under this Act is considered earnable compensation for certain
8 purposes; authorizing a public school employer and a school employee
9 organization to collectively bargain a certain grant; defining certain terms; and
10 generally relating to teacher certification incentive grants.

11 BY adding to

12 Article - Education
13 Section 5-208.1
14 Annotated Code of Maryland
15 (1997 Replacement Volume and 1998 Supplement)

16 BY repealing and reenacting, with amendments,

17 Article - Education
18 Section 6-408(b)
19 Annotated Code of Maryland
20 (1997 Replacement Volume and 1998 Supplement)

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

23 **Article - Education**

24 5-208.1.

25 (A) (1) IN THIS SECTION THE FOLLOWING TERMS HAVE THE MEANINGS
26 INDICATED.

1 (2) "NEGOTIATED GRANT" MEANS AN ANNUAL GRANT DISTRIBUTED OUT
2 OF LOCAL FUNDS BY A COUNTY BOARD TO A QUALIFIED TEACHER.

3 (3) "QUALIFIED TEACHER" MEANS A TEACHER CERTIFIED BY THE
4 NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS.

5 (4) "STATE GRANT" MEANS AN ANNUAL MATCHING GRANT DISTRIBUTED
6 OUT OF STATE FUNDS BY THE DEPARTMENT TO A COUNTY BOARD FOR FURTHER
7 DISTRIBUTION TO A QUALIFIED TEACHER.

8 (5) "TEACHER CERTIFICATION INCENTIVE GRANT" MEANS A GRANT
9 DISTRIBUTED BY A COUNTY BOARD TO A QUALIFIED TEACHER THAT IS THE SUM OF
10 THE NEGOTIATED GRANT AND THE STATE GRANT.

11 (B) THE PURPOSE OF THIS SECTION IS TO PROVIDE STATE AND LOCAL AID TO
12 TEACHERS WHO ACHIEVE CERTIFICATION BY THE NATIONAL BOARD FOR
13 PROFESSIONAL TEACHING STANDARDS.

14 (C) TEACHER CERTIFICATION INCENTIVE GRANTS SHALL BE DISTRIBUTED
15 ANNUALLY AS FOLLOWS:

16 (1) A COUNTY BOARD MAY COLLECTIVELY BARGAIN WITH THE LOCAL
17 EMPLOYEE ORGANIZATION TO ESTABLISH A NEGOTIATED GRANT THAT THE COUNTY
18 BOARD DISTRIBUTES ANNUALLY TO QUALIFIED TEACHERS.

19 (2) A COUNTY BOARD THAT ESTABLISHES A NEGOTIATED GRANT SHALL
20 SUBMIT BY JANUARY 1 EACH YEAR TO THE DEPARTMENT:

21 (I) A LIST OF QUALIFIED TEACHERS IN THE COUNTY ON THE
22 PREVIOUS DECEMBER 15; AND

23 (II) A COPY OF THE COLLECTIVE BARGAINING AGREEMENT
24 BETWEEN THE COUNTY BOARD AND THE LOCAL EMPLOYEE ORGANIZATION STATING
25 THE NEGOTIATED GRANT.

26 (3) THE DEPARTMENT SHALL DISTRIBUTE STATE GRANTS BY JUNE 1
27 EACH YEAR TO EACH COUNTY BOARD THAT ESTABLISHES A NEGOTIATED GRANT, IN
28 AN AMOUNT PER QUALIFIED TEACHER EQUAL TO 4 TIMES THE COUNTY'S
29 NEGOTIATED GRANT, UP TO A MAXIMUM OF \$2,000 PER QUALIFIED TEACHER.

30 (4) A COUNTY BOARD THAT ESTABLISHES A NEGOTIATED GRANT SHALL
31 DISTRIBUTE THE TEACHER CERTIFICATION INCENTIVE GRANTS TO QUALIFIED
32 TEACHERS.

33 (D) IN FISCAL YEAR 2000 AND EVERY YEAR THEREAFTER, THE GOVERNOR
34 SHALL INCLUDE IN THE STATE BUDGET FUNDING FOR THE STATE GRANTS, IN AN
35 AMOUNT AT LEAST EQUAL TO THE SUM OF THE INDIVIDUAL COUNTIES' NEGOTIATED
36 GRANT TIMES 4 PER QUALIFIED TEACHER, UP TO A MAXIMUM OF \$2,000 PER
37 QUALIFIED TEACHER.

1 (E) TO BE ELIGIBLE TO RECEIVE AND DISTRIBUTE A STATE GRANT UNDER
2 THIS SECTION, A COUNTY BOARD SHALL COLLECTIVELY BARGAIN A NEGOTIATED
3 GRANT.

4 (F) A GRANT DISTRIBUTED UNDER THIS SECTION IS EARNABLE
5 COMPENSATION FOR THE PURPOSE OF DETERMINING A TEACHER'S AVERAGE FINAL
6 COMPENSATION AS DEFINED IN §§ 20-204 AND 20-205 OF THE STATE PERSONNEL AND
7 PENSIONS ARTICLE.

8 6-408.

9 (b) (1) On request a public school employer or at least two of its designated
10 representatives shall meet and negotiate with at least two representatives of the
11 employee organization that is designated as the exclusive negotiating agent for the
12 public school employees in a unit of the county on all matters that relate to salaries,
13 wages, hours, TEACHER CERTIFICATION INCENTIVE GRANTS UNDER § 5-208.1 OF
14 THIS ARTICLE, and other working conditions.

15 (2) In Montgomery County, notwithstanding any agreement in effect on
16 June 1, 1978 which excludes substitute teachers, and without affecting any other part
17 of such an agreement, the exclusive negotiating agent for the public school employees
18 in a unit and the public school employer shall meet and negotiate under this section
19 the salaries, wages, hours, TEACHER CERTIFICATION INCENTIVE GRANTS UNDER §
20 5-208.1 OF THIS ARTICLE, and other working conditions of all persons actually
21 employed as substitute teachers.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 July 1, 1999.