
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

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 24, 1999

CHAPTER _____

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~~ allowing a county to collectively bargain a certain grant;
7 requiring a county board to submit a certain report to the State Department of
8 Education under certain circumstances; providing that a grant under this Act is
9 considered earnable compensation for certain purposes; ~~authorizing a public~~
10 ~~school employer and a school employee organization to collectively bargain a~~
11 ~~certain grant~~; defining certain terms; and generally relating to teacher
12 certification incentive grants.

13 BY adding to
14 Article - Education
15 Section 5-208.1
16 Annotated Code of Maryland
17 (1997 Replacement Volume and 1998 Supplement)

18 ~~BY repealing and reenacting, with amendments,~~
19 ~~Article - Education~~
20 ~~Section 6-408(b)~~
21 ~~Annotated Code of Maryland~~
22 ~~(1997 Replacement Volume and 1998 Supplement)~~

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

3 **Article - Education**

4 5-208.1.

5 (A) (1) IN THIS SECTION THE FOLLOWING TERMS HAVE THE MEANINGS
6 INDICATED.

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

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

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

15 (5) "TEACHER CERTIFICATION INCENTIVE GRANT" MEANS A GRANT
16 DISTRIBUTED BY A COUNTY BOARD TO A QUALIFIED TEACHER THAT IS THE SUM OF
17 THE ~~NEGOTIATED COUNTY~~ GRANT AND THE STATE GRANT.

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

21 (C) TEACHER CERTIFICATION INCENTIVE GRANTS SHALL BE DISTRIBUTED
22 ANNUALLY AS FOLLOWS:

23 (1) A COUNTY BOARD MAY;

24 (I) ESTABLISH A COUNTY GRANT OUTSIDE OF THE COLLECTIVE
25 BARGAINING PROCESS; OR

26 (II) COLLECTIVELY BARGAIN WITH THE LOCAL EMPLOYEE
27 ORGANIZATION TO ESTABLISH A ~~NEGOTIATED COUNTY~~ GRANT THAT THE COUNTY
28 ~~BOARD DISTRIBUTES ANNUALLY TO QUALIFIED TEACHERS.~~ ;

29 (2) A COUNTY BOARD THAT ESTABLISHES A ~~NEGOTIATED COUNTY~~
30 GRANT SHALL SUBMIT A REPORT BY JANUARY 1 EACH YEAR TO THE DEPARTMENT
31 CERTIFYING:

32 (I) THE AMOUNT OF THE COUNTY GRANT;

33 (II) A LIST OF QUALIFIED TEACHERS IN THE COUNTY ON THE
34 PREVIOUS DECEMBER 15; AND

1 (II) ~~A COPY OF THE COLLECTIVE BARGAINING AGREEMENT~~
 2 ~~BETWEEN THE COUNTY BOARD AND THE LOCAL EMPLOYEE ORGANIZATION STATING~~
 3 ~~THE NEGOTIATED GRANT.~~

4 (III) ANY OTHER INFORMATION REQUIRED BY THE STATE BOARD;

5 (3) THE DEPARTMENT SHALL DISTRIBUTE STATE GRANTS BY JUNE 1
 6 EACH YEAR TO EACH COUNTY BOARD THAT ESTABLISHES A NEGOTIATED COUNTY
 7 GRANT, IN AN AMOUNT PER QUALIFIED TEACHER EQUAL TO ~~4 TIMES THE COUNTY'S~~
 8 THE NEGOTIATED COUNTY GRANT, UP TO A MAXIMUM OF \$2,000 PER QUALIFIED
 9 TEACHER; AND

10 (4) A COUNTY BOARD THAT ESTABLISHES A NEGOTIATED COUNTY
 11 GRANT SHALL DISTRIBUTE THE TEACHER CERTIFICATION INCENTIVE GRANTS TO
 12 QUALIFIED TEACHERS.

13 (D) IN FISCAL YEAR 2000 AND EVERY YEAR THEREAFTER, THE GOVERNOR
 14 SHALL INCLUDE IN THE STATE BUDGET FUNDING FOR THE STATE GRANTS, IN AN
 15 AMOUNT AT LEAST EQUAL TO THE SUM OF ~~THE INDIVIDUAL COUNTIES' NEGOTIATED~~
 16 ~~GRANT TIMES 4 PER QUALIFIED TEACHER~~ ALL COUNTY GRANTS, UP TO A MAXIMUM
 17 OF \$2,000 PER QUALIFIED TEACHER.

18 ~~(E) TO BE ELIGIBLE TO RECEIVE AND DISTRIBUTE A STATE GRANT UNDER~~
 19 ~~THIS SECTION, A COUNTY BOARD SHALL COLLECTIVELY BARGAIN A NEGOTIATED~~
 20 ~~GRANT.~~

21 ~~(F)~~ (E) A GRANT DISTRIBUTED UNDER THIS SECTION IS EARNABLE
 22 COMPENSATION FOR THE PURPOSE OF DETERMINING A TEACHER'S AVERAGE FINAL
 23 COMPENSATION AS DEFINED IN §§ 20-204 AND 20-205 OF THE STATE PERSONNEL AND
 24 PENSIONS ARTICLE.

25 ~~6-408.~~

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

32 (2) In Montgomery County, notwithstanding any agreement in effect on
 33 June 1, 1978 which excludes substitute teachers, and without affecting any other part
 34 of such an agreement, the exclusive negotiating agent for the public school employees
 35 in a unit and the public school employer shall meet and negotiate under this section
 36 the salaries, wages, hours, TEACHER CERTIFICATION INCENTIVE GRANTS UNDER §
 37 5-208.1 OF THIS ARTICLE, and other working conditions of all persons actually
 38 employed as substitute teachers.

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

