
By: **Delegates Flanagan and Kittleman**
Introduced and read first time: March 1, 2001
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Schools - Improvement of Education Act of 2001**

3 FOR the purpose of authorizing a county board of education to use certain salary
4 enhancements to recruit or retain teachers in certain critical shortage subject
5 areas; requiring a county board to establish the salary enhancements outside of
6 the collective bargaining process; creating a certain exception to matters that a
7 county board is required under certain circumstances to negotiate with an
8 exclusive negotiating agent for public school employees in the county; and
9 generally relating to salary enhancements for teachers in critical shortage
10 subject areas.

11 BY repealing and reenacting, with amendments,
12 Article - Education
13 Section 4-103 and 6-408(b)(1)
14 Annotated Code of Maryland
15 (1999 Replacement Volume and 2000 Supplement)

16 Preamble

17 WHEREAS, There is a critical shortage of teachers in Maryland; and

18 WHEREAS, According to the Maryland Department of Education, Maryland
19 school systems will need to hire approximately 19,000 teachers in the next 2 years;
20 and

21 WHEREAS, The Department of Education has identified 10 critical teacher
22 shortage subject areas in the State, including mathematics, computer science, and
23 physical sciences; and

24 WHEREAS, The retention of the State's teachers and the recruitment of new
25 teachers to teach these critical subject areas are of vital importance to educate
26 Maryland's future generations; and

27 WHEREAS, A pilot program needs to be implemented to determine whether a
28 differential pay scale for teachers in these critical subject areas would allow county

1 boards of education to recruit more qualified teachers in these critical subject areas;
2 now, therefore,

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

5 **Article - Education**

6 4-103.

7 (a) On the written recommendation of the county superintendent and subject
8 to the provisions of this article, each county board shall:

9 (1) Appoint all principals, teachers, and other certificated and
10 noncertificated personnel; and

11 (2) Set their salaries.

12 (b) (1) A COUNTY BOARD MAY USE A BONUS, STIPEND, OR ANY OTHER
13 SALARY ENHANCEMENT THAT IT CONSIDERS NECESSARY TO RECRUIT OR RETAIN A
14 TEACHER WHO TEACHES IN A CRITICAL TEACHER SHORTAGE SUBJECT AREA AS
15 CERTIFIED BY THE COUNTY SUPERINTENDENT AND APPROVED BY THE STATE
16 SUPERINTENDENT.

17 (2) THE COUNTY BOARD SHALL ESTABLISH A BONUS, STIPEND, OR
18 OTHER SALARY ENHANCEMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION
19 OUTSIDE OF THE COLLECTIVE BARGAINING PROCESS.

20 (C) In Baltimore City, the New Board of School Commissioners shall exercise
21 the authority granted in this section.

22 6-408.

23 (b) (1) On request a public school employer or at least two of its designated
24 representatives shall meet and negotiate with at least two representatives of the
25 employee organization that is designated as the exclusive negotiating agent for the
26 public school employees in a unit of the county on all matters that relate to [salaries,
27 wages,] hours, [and] other working conditions, AND, EXCEPT AS PROVIDED UNDER §
28 4-103(B) OF THIS ARTICLE, SALARIES AND WAGES.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 June 1, 2001.