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By: **Prince George's County Delegation**  
Introduced and read first time: February 4, 2002  
Assigned to: Ways and Means

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 12, 2002

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Prince George's County - Education - Home and Hospital Teacher**  
3 **Representation and Junior Reserve Officer Training Corps Instructors**  
4 **PG 403-02**

5 FOR the purpose of including Prince George's County home and hospital teachers and  
6 Junior Reserve Officer Training Corps (JROTC) instructors in the definition of  
7 "public school employees" for the purpose of certain provisions of law related to  
8 organizations of certificated employees; and generally relating to representation  
9 for home and hospital teachers and JROTC instructors in Prince George's  
10 County.

11 BY repealing and reenacting, with amendments,  
12 Article - Education  
13 Section 6-401  
14 Annotated Code of Maryland  
15 (2001 Replacement Volume)

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

18 **Article - Education**

19 6-401.

20 (a) In this subtitle the following words have the meanings indicated.

21 (b) "Employee organization" means an organization that:

1 (1) Includes certificated employees of a public school employer or  
2 individuals of equivalent status in Baltimore City; and

3 (2) Has as one of its main purposes the representation of the employees  
4 in their relations with that public school employer.

5 (c) (1) "Home and hospital teacher" means a teacher employed by a public  
6 school employer to provide instructional services to a public school student who is  
7 unable to function effectively in the classroom setting due to the student's medical,  
8 physical, or emotional condition.

9 (2) A home and hospital teacher may teach in:

10 (i) A private home;

11 (ii) A hospital;

12 (iii) A therapeutic center;

13 (iv) A school; or

14 (v) Any other appropriate site.

15 (d) (1) "Public school employee" means a certificated professional individual  
16 who is employed by a public school employer or an individual of equivalent status in  
17 Baltimore City, except for a county superintendent or an individual designated by the  
18 public school employer to act in a negotiating capacity as provided in § 6-408(b) of  
19 this subtitle.

20 (2) In Montgomery County, "public school employees" include:

21 (i) Certificated and noncertificated substitute teachers employed  
22 by the public school employer for at least 7 days before March 1 of the school fiscal  
23 year ending June 30, 1978, and each year after; and

24 (ii) Home and hospital teachers employed by the public school  
25 employer for at least 7 days before March 1 of the school fiscal year ending June 30,  
26 2000, and each year after.

27 (3) In Baltimore County, "public school employee" includes a secondary  
28 school nurse, an elementary school nurse, and a special school nurse.

29 (4) In Frederick County, "public school employee" includes a social  
30 worker employed by a public school employer.

31 (5) IN PRINCE GEORGE'S COUNTY, "PUBLIC SCHOOL EMPLOYEE"  
32 INCLUDES HOME AND HOSPITAL TEACHERS AND JUNIOR RESERVE OFFICER  
33 TRAINING (JROTC) INSTRUCTORS.

34 (e) "Public school employer" means a county board of education or the New  
35 Baltimore City Board of School Commissioners.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 October 1, 2002.