
By: **Delegate Heller**

Introduced and read first time: February 4, 2002

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Schools - Recruitment and Retention of Certificated Personnel**
3 **in Categories of Need - Supplemental Financial Assistance**

4 FOR the purpose of authorizing the Maryland State Board of Education to make a
5 certain determination about the need for additional certificated personnel in
6 certain categories, subject to conditions; making certain certificated personnel
7 eligible for certain additional salary stipends or bonuses, subject to conditions;
8 making certificated personnel in certain related services areas eligible for
9 certain teacher education scholarship awards; and generally relating to the
10 recruitment and retention of certificated personnel in certain categories and the
11 eligibility requirements for certain salary stipends, bonuses, and scholarship
12 awards for certain certificated personnel in schools.

13 BY repealing and reenacting, with amendments,
14 Article - Education
15 Section 6-306 and 18-703
16 Annotated Code of Maryland
17 (2001 Replacement Volume)

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

20 **Article - Education**

21 6-306.

22 (a) In this section, "county grant for national certification" means an annual
23 grant distributed to a teacher certified by the National Board for Professional
24 Teaching Standards established:

25 (1) Outside of the collective bargaining process; or

26 (2) As part of a collective bargaining agreement with the local employee
27 organization.

1 (b) (1) For fiscal year 2000 and each subsequent fiscal year, the Governor
2 shall include in each year's operating budget funding for the stipends and bonuses
3 provided in this subsection.

4 (2) A classroom teacher who holds a standard professional certificate or
5 an advanced professional certificate who is employed by a county board and who
6 holds a certificate issued by the National Board for Professional Teaching Standards
7 shall receive a stipend from the State in an amount equal to the county grant for
8 national certification, up to a maximum of \$2,000 per qualified teacher.

9 (3) (i) An individual who graduates from an accredited institution of
10 higher education in the top 10% of his or her class, becomes employed by a county
11 board, and remains employed as a classroom teacher in the public school system for a
12 minimum of 3 consecutive years shall receive a salary signing bonus of \$1,000.

13 (ii) If the individual leaves employment with the public school
14 system before the end of the 3-year commitment, the individual shall reimburse the
15 State in the amount of \$1,000.

16 (4) A classroom teacher who holds an advanced professional certificate
17 and teaches in a public school identified by the State Board as a reconstitution school,
18 a reconstitution-eligible school, or a challenge school shall receive a stipend from the
19 State in the amount of \$2,000 for each year that the teacher performs satisfactorily in
20 the classroom.

21 (5) SUBJECT TO APPROPRIATION, IF THE STATE BOARD DETERMINES,
22 ON AN ANNUAL BASIS, THAT THERE IS A NEED FOR RECRUITMENT AND RETENTION
23 MEASURES FOR CERTIFICATED PERSONNEL OTHER THAN THE PERSONNEL
24 INCLUDED UNDER PARAGRAPHS (2) THROUGH (4) OF THIS SUBSECTION, THE STATE
25 BOARD MAY, UPON THE RECOMMENDATION OF THE STATE SUPERINTENDENT, TAKE
26 ACTION AT AN OPEN MEETING TO INCLUDE ADDITIONAL CERTIFICATED PERSONNEL
27 AS ELIGIBLE RECIPIENTS FOR THE SALARY STIPEND OR BONUS SPECIFIED UNDER
28 THIS SUBSECTION.

29 (c) An individual who receives a stipend or bonus under subsection (b) of this
30 section may not be deemed an employee of the State.

31 (d) The employer of an individual who receives a stipend or bonus under
32 subsection (b) of this section shall pay the increase in fringe benefit costs associated
33 with the stipend or bonus.

34 (e) The Department shall act as fiscal agent for funds disbursed under this
35 section.

36 18-703.

37 (a) In this section the following words have the meanings indicated.

38 (1) "Public school" means a school in the public elementary and
39 secondary education system in this State.

1 (2) "Eligible institution" means an accredited college or university that
2 has a program of undergraduate or graduate studies that would certify the recipient
3 to teach in this State in an area of critical shortage and which is:

4 (i) Authorized by the Maryland Higher Education Commission;
5 and

6 (ii) Approved by the State Board of Education.

7 (3) "Area of critical shortage" means an academic field OR A RELATED
8 SERVICES AREA identified by the State Board of Education in accordance with the
9 provisions of subsection (h) of this section as having projected employment vacancies
10 which substantially exceed projected qualified graduates.

11 (4) "Area of geographic shortage" means a geographic area of the State
12 identified by the State Board of Education as less able than others in the State to
13 satisfy the need for public school teachers OR OTHER CERTIFICATED PERSONNEL in
14 an academic field identified OR A RELATED SERVICES AREA for at least 3 years as an
15 area of critical shortage.

16 (5) "Degreed recipient" means a recipient of a tuition assistance grant
17 under this section who possesses an undergraduate or graduate degree.

18 (6) "Nondegreed recipient" means a recipient of a tuition assistance
19 grant awarded under this section who does not possess an undergraduate or graduate
20 degree in an area of critical shortage.

21 (7) "Teacher recipient" means a recipient of a tuition assistance grant
22 awarded under this section employed or certified as a teacher in a field which is not
23 an area of critical shortage.

24 (8) "Service obligation" means to teach OR TO PROVIDE RELATED
25 SERVICES in the State in an area of geographic or critical shortage in a public school.

26 (9) "Tuition assistance" means any funds provided for the cost of basic
27 instructional charges, fees, room, board, or other related educational expenses.

28 (b) (1) Economic Development Student Assistance Grants to be known as
29 the Sharon Christa McAuliffe Memorial Teacher Education Award may be awarded as
30 teacher education tuition assistance grants.

31 (2) The Administration shall award annually to eligible applicants
32 tuition assistance grants for the education of persons to teach in areas of critical or
33 geographic shortage.

34 (3) The recipient of a teacher education tuition assistance grant shall use
35 the award at an eligible institution.

1 (4) The State Board of Education may adopt rules and regulations to
2 determine academic criteria for selection of tuition assistance recipients from eligible
3 applicants.

4 (c) A recipient of a tuition assistance grant shall:

5 (1) Qualify as follows:

6 (i) Have earned 60 credits of undergraduate collegiate education
7 and be enrolled in or sign a letter of intent to enroll in a program leading to
8 certification to teach in an area of critical or geographic shortage and be selected by
9 the Administration on a competitive basis among qualified applicants based on
10 academic criteria, not limited to standardized tests, established by the State Board of
11 Education; or

12 (ii) Have an undergraduate or graduate degree and be enrolled in
13 or sign a letter of intent to enroll in courses leading to certification to teach in an area
14 of critical or geographic shortage and be selected among qualified applicants on a
15 competitive basis based on academic criteria established by the State Board of
16 Education; or

17 (iii) Persons who are already teachers shall:

18 1. Be nominated by the superintendent of schools of the
19 system in which the person teaches or intends to teach; and

20 2. Enroll as a student in courses required for teacher
21 certification in an academic area in which there is a critical or geographic shortage of
22 teachers; and

23 3. Be selected by the Administration on a competitive basis
24 among qualified applicants based on criteria established by the State Board of
25 Education;

26 (2) Sign a letter of intent as follows:

27 (i) A nondegreed recipient who is not already a teacher shall be
28 enrolled in or sign a letter of intent to enroll in an eligible institution as a student in
29 an undergraduate program necessary for teacher education; or

30 (ii) A degreed recipient shall enroll in or sign a letter of intent to
31 enroll in courses leading to certification to teach in an area of critical or geographic
32 shortage; or

33 (iii) A recipient who is already a teacher shall sign a letter of intent
34 to enroll in an eligible institution as a student in a teacher certification program in an
35 area in which there is a critical or geographic shortage of teachers;

36 (3) Perform the service obligation upon completion of required studies;

1 (4) Maintain a grade point average of at least 3.0 on a 4.0 scale and
2 advance in academic standing at least 1 year in each year in which an award is
3 renewed; and

4 (5) Satisfy whatever other criteria the Administration and the State
5 Board of Education establish.

6 (d) Grants to teacher recipients may not be used to supplant retraining efforts
7 by local boards of education.

8 (e) (1) For a full-time student, the annual amount of tuition assistance shall
9 be equal to the cost of tuition, mandatory fees, and room and board, not to exceed the
10 lesser of costs incurred for the program required for teacher certification in an area of
11 critical or geographic shortage or the sum of these costs for a full-time undergraduate
12 in-State resident student at the University of Maryland, College Park.

13 (2) For a part-time student, the amount of an award may not exceed the
14 applicable cost of tuition and mandatory fees for a comparable undergraduate
15 in-State student at the University of Maryland, College Park.

16 (f) (1) A nondegreed recipient may renew an award for 1 year if the
17 recipient:

18 (i) Remains an undergraduate student in an area of critical or
19 geographic shortage; and

20 (ii) Maintains a grade point average of at least 3.0 on a 4.0 scale
21 and advances in academic standing at least 1 year for each year for which an award
22 is renewed.

23 (2) A degreed recipient and a teacher recipient may renew an award for
24 1 year if that recipient maintains a grade point average of at least 3.0 on a 4.0 scale.

25 (g) (1) The State Superintendent of Schools shall project annually the
26 number of vacancies for employment expected in each of the subsequent 5 years in
27 areas of critical or geographic shortage and the number of students expected to
28 graduate from programs qualifying them to teach in these fields during the same
29 period. The State Superintendent of Schools shall certify annually to the
30 Administration those programs that continue to be areas of critical or geographic
31 shortage as evidenced by projected employment vacancies substantially exceeding
32 projected qualified graduates.

33 (2) In any year in which an area is determined by the State
34 Superintendent of Schools to no longer be an area of critical or geographic shortage,
35 the Administration shall discontinue making new awards in that area.

36 (3) Deletion of any academic field as an area of critical or geographic
37 shortage does not:

1 (i) Terminate the right of existing recipients to renew awards
2 under § 18-704(d) of this subtitle; or

3 (ii) If the recipient continues to teach in a public school in this State
4 in that academic field, invoke the provisions of § 18-701(e)(1) of this subtitle or
5 disqualify the recipient under the provisions of § 18-701(e)(2) of this subtitle.

6 (h) Funds for the Teacher Education Tuition Assistance Program shall be as
7 provided in the annual budget of the Commission by the Governor.

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