

**Department of Legislative Services**  
Maryland General Assembly  
2004 Session

**FISCAL AND POLICY NOTE**

Senate Bill 650 (Senator Kittleman)  
Education, Health, and Environmental Affairs

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**Public Schools - Improvement of Education Act of 2004**

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This bill authorizes a local board of education to use a bonus, stipend, or any other salary enhancement that is considered necessary to recruit or retain a teacher who teaches in a critical teacher shortage area, as certified by the local superintendent of schools and approved by the State Superintendent of Schools. These bonuses, stipends, and salary enhancements must be established outside the collective bargaining process and may not exceed \$500.

The bill is effective June 1, 2004.

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** Local school expenditures could increase to provide bonuses to teachers teaching in areas of critical shortages. If 10% of teachers receive \$500 bonuses, local expenditures would increase by \$2.8 million. The increases would be at least partially offset by potential reductions in negotiated salary levels.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** The scope of collective bargaining for public school teachers includes all matters that relate to salaries, wages, hours, and working conditions.

**Background:** In its *Maryland Teacher Staffing Report, 2003 - 2005*, released in August 2003, the State Board of Education recognizes several fields – technology education, computer science, English for speakers of other languages, mathematics, family and consumer sciences, chemistry, physics, and special education – as critical shortage areas. The State board also projects general teacher shortages for all 24 of Maryland’s public school systems and declares shortages of male teachers and minority teachers.

To complicate the teacher shortage, the federal No Child Left Behind legislation enacted in January 2002 requires all teachers to be “highly qualified” by the 2005-2006 school year. In effect, this means all public school teachers must meet the State’s professional certification requirements and must demonstrate a high level of competence in the subjects they teach. Maryland was not meeting this goal as of October 2002, the most recent date for which comprehensive data are available. At that time, local school systems employed almost 5,800 professional school staff who did not hold professional certification (approximately 10% of the workforce). This percentage does not include teachers who are fully certified but are teaching outside their areas of expertise. Later this year, Maryland is due to begin reporting the percentage of classes being taught by teachers who meet the federal standard.

The State has enacted many programs to aid in the recruitment and retention of certified teachers. Some of the initiatives include scholarships for teacher education students who agree to teach in Maryland public schools after graduation; signing bonuses for new teachers who met high academic standards in college; stipends for teachers working in challenge and reconstitution schools; stipends for teachers who hold certification from the National Board for Professional Teaching Standards; and tuition tax credits for teachers pursuing advanced degrees.

**Local Expenditures:** Local school expenditures could increase, depending on the use of the bonuses. There are approximately 56,700 public school teachers in Maryland. If 10% of these teachers teach in critical shortage areas and receive \$500 bonuses from their local school boards, local school expenditures would increase by \$2.8 million. These costs could occur annually and, due to the June 1, 2004 effective date, could begin in fiscal 2004.

Providing bonuses to select personnel could also influence the collective bargaining process, although the extent of the impact is difficult to predict. Increased expenditures for the bonuses could result in an equal reduction in negotiated salary expenditures, thereby offsetting the increase entirely. However, for school systems that have multi-year contracts in place with the local teachers’ unions, any use of bonuses during the life of the contracts would represent increases in local school expenditures.

## **Additional Information**

**Prior Introductions:** This bill was introduced at the 2003 session as SB 216 and received an unfavorable report from the Senate Education, Health, and Environmental Affairs Committee. A similar bill was introduced in 2001 as HB 1421 and received an unfavorable report from the House Committee on Ways and Means.

**Cross File:** None.

**Information Source(s):** Maryland Association of Boards of Education, Maryland State Department of Education, Department of Legislative Services

**Fiscal Note History:** First Reader - March 11, 2004  
mam/hlb

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