
By: Carroll County Delegation

Introduced and read first time: January 30, 2006

Assigned to: Ways and Means

Committee Report: Favorable

House action: Adopted

Read second time: March 22, 2006

CHAPTER_____

1 AN ACT concerning

2 **Carroll County - Education - Organization of Teachers and Other Personnel**

3 FOR the purpose of altering the definition of a "public school employee" in Carroll
4 County, as it relates to the organization or certificated employees, to include a
5 supervisory noncertificated employee; providing that in Carroll County,
6 beginning on a certain date, there may be no more than a certain number of
7 units and all units shall be nonsupervisory units; and generally relating to the
8 organization of teachers and other personnel in Carroll County.

9 BY repealing and reenacting, with amendments,
10 Article - Education
11 Section 6-401(d) and 6-505
12 Annotated Code of Maryland
13 (2004 Replacement Volume and 2005 Supplement)

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

16 **Article - Education**

17 6-401.

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

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

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

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

8 (3) In Baltimore County, "public school employee" includes:

9 (i) A secondary school nurse, an elementary school nurse, and a
10 special school nurse; and

11 (ii) Supervisory noncertificated employees as defined under §
12 6-501(h) of this title.

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

15 (5) In Prince George's County, "public school employee" includes home
16 and hospital teachers and Junior Reserve Officer Training Corps (JROTC)
17 instructors.

18 (6) In Charles County, "public school employee" includes Junior Reserve
19 Officer Training Corps (JROTC) instructors.

20 (7) IN CARROLL COUNTY, "PUBLIC SCHOOL EMPLOYEE" INCLUDES
21 SUPERVISORY NONCERTIFICATED EMPLOYEES AS DEFINED UNDER § 6-501(H) OF
22 THIS TITLE.

23 6-505.

24 (a) (1) Each public school employer may designate, as provided in this
25 subtitle, which employee organization, if any, shall be the exclusive representative of
26 all public school employees in a specified unit in the county.

27 (2) In Baltimore City, Garrett County, and Frederick County, the public
28 school employer shall designate, as provided in this subtitle, which employee
29 organization, if any, shall be the exclusive representative of all public school
30 employees in a specified unit in the county.

31 (b) The public school employer shall determine the composition of the unit in
32 negotiation with any employee organization that requests negotiation concerning the
33 composition of the unit.

34 (c) (1) There may not be more than three units in a county and a unit may
35 not include both supervisory and nonsupervisory employees.

1 (2) If a county has more than three recognized units and, as of July 1,
2 1974, the units have exclusive representation for collective negotiations, these units
3 may continue as negotiating units.

4 (3) In Baltimore County, there shall only be three nonsupervisory units
5 in addition to the supervisory unit defined under § 6-404(c)(2) of this title.

6 (4) IN CARROLL COUNTY, BEGINNING ON OCTOBER 1, 2006:

7 (I) THERE SHALL BE NO MORE THAN THREE UNITS; AND

8 (II) ALL UNITS SHALL BE NONSUPERVISORY UNITS.

9 (d) (1) All eligible public school employees shall:

10 (i) Be included in one of these units; and

11 (ii) Have the rights granted in this subtitle.

12 (2) Except for an individual who is designated as management personnel
13 or a confidential employee under this subtitle, each public school employee is eligible
14 for membership in one of the negotiating units.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2006.