

SENATE BILL 841

F3

71r2851

By: **Carroll County Senators**

Introduced and read first time: February 19, 2007

Assigned to: Rules

A BILL ENTITLED

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 (2006 Replacement Volume)

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
19 individual who is employed by a public school employer or an individual of equivalent
20 status in Baltimore City, except for a county superintendent or an individual

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 designated by the public school employer to act in a negotiating capacity as provided
2 in § 6–408(b) of this subtitle.

3 (2) In Montgomery County, “public school employees” include:

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

7 (ii) Home and hospital teachers employed by the public school
8 employer for at least 7 days before March 1 of the school fiscal year ending June 30,
9 2000, and each year after.

10 (3) In Baltimore County, “public school employee” includes:

11 (i) A secondary school nurse, an elementary school nurse, and a
12 special school nurse; and

13 (ii) Supervisory noncertificated employees as defined under §
14 6–501(h) of this title.

15 (4) In Frederick County, “public school employee” includes a social
16 worker employed by a public school employer.

17 (5) In Prince George’s County, “public school employee” includes home
18 and hospital teachers and Junior Reserve Officer Training Corps (JROTC) instructors.

19 (6) In Charles County **AND GARRETT COUNTY**, “public school
20 employee” includes Junior Reserve Officer Training Corps (JROTC) instructors.

21 **(7) IN CARROLL COUNTY, “PUBLIC SCHOOL EMPLOYEE”**
22 **INCLUDES SUPERVISORY NONCERTIFICATED EMPLOYEES AS DEFINED UNDER §**
23 **6–501(H) OF THIS TITLE.**

24 6–505.

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

28 (2) In Baltimore City, Garrett County, and Frederick County, the
29 public school employer shall designate, as provided in this subtitle, which employee

1 organization, if any, shall be the exclusive representative of all public school
2 employees in a specified unit in the county.

3 (b) The public school employer shall determine the composition of the unit in
4 negotiation with any employee organization that requests negotiation concerning the
5 composition of the unit.

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

8 (2) If a county has more than three recognized units and, as of July 1,
9 1974, the units have exclusive representation for collective negotiations, these units
10 may continue as negotiating units.

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

13 (4) **IN CARROLL COUNTY, BEGINNING ON OCTOBER 1, 2007:**

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

15 (II) **ALL UNITS SHALL BE NONSUPERVISORY UNITS.**

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

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

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

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

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2007.