

SENATE BILL 841

F3

71r2851

By: **Carroll County Senators**

Introduced and read first time: February 19, 2007

Assigned to: Rules

Re-referred to: Finance, February 22, 2007

Committee Report: Favorable

Senate action: Adopted

Read second time: March 20, 2007

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 (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**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 6-401.

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

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

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

11 (ii) Home and hospital teachers employed by the public school
12 employer for at least 7 days before March 1 of the school fiscal year ending June 30,
13 2000, and each year after.

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

15 (i) A secondary school nurse, an elementary school nurse, and a
16 special school nurse; and

17 (ii) Supervisory noncertificated employees as defined under §
18 6-501(h) of this title.

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

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

23 (6) In Charles County **AND GARRETT COUNTY**, "public school
24 employee" includes Junior Reserve Officer Training Corps (JROTC) instructors.

25 **(7) IN CARROLL COUNTY, "PUBLIC SCHOOL EMPLOYEE"**
26 **INCLUDES SUPERVISORY NONCERTIFICATED EMPLOYEES AS DEFINED UNDER §**
27 **6-501(H) OF THIS TITLE.**

28 6-505.

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

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

8 (b) The public school employer shall determine the composition of the unit in
9 negotiation with any employee organization that requests negotiation concerning the
10 composition of the unit.

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

13 (2) If a county has more than three recognized units and, as of July 1,
14 1974, the units have exclusive representation for collective negotiations, these units
15 may continue as negotiating units.

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

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

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

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

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

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

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

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

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