

**Department of Legislative Services**  
Maryland General Assembly  
2009 Session

**FISCAL AND POLICY NOTE**  
**Revised**

House Bill 792  
Ways and Means

(Delegate Rice, *et al.*)

Finance

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**Education - Collective Bargaining - Topics of Negotiation**

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This bill requires local boards of education to meet and negotiate with the designated public school noncertificated employees' organizations about discipline and discharge, rather than authorizing a local board of education to negotiate due process for discipline and discharge of noncertificated employees. The bill is only to be applied prospectively.

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** Requiring local boards of education to negotiate due process for discipline and discharge for noncertificated employees does not materially affect local finances.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** On request, a local board of education or at least two of its designated representatives must meet and negotiate with at least two representatives from the exclusive negotiating agent for noncertificated public school employees about salaries, wages, hours, and other working conditions. A local board may not negotiate the school calendar or the maximum number of students assigned to a class. A local board may negotiate with an employee organization on other matters, including due process for discipline and discharge, but these additional matters must be mutually agreed to by the local board and the employee organization.

**Background:** Generally, noncertificated local board of education employees include building maintenance staff, school bus drivers, support staff, and other staff who do not require professional teaching certification.

**Local Expenditures:** Each local board of education is required to negotiate due process for discipline and discharge for noncertificated employees, rather than being authorized to negotiate on the topic. This may increase the number of negotiations with local school employee organizations, but it is assumed this does not materially affect local finances.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None designated; however, SB 569 is identical.

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

**Fiscal Note History:** First Reader - March 6, 2009  
ncs/mwc Revised - House Third Reader - April 1, 2009

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