

HOUSE BILL 202

F1
HB 462/10 – HGO

1lr1376

By: **Delegates Kaiser, Bobo, Cane, Carr, Clippinger, Frick, Gutierrez, Guzzone, Hixson, Ivey, Luedtke, McIntosh, A. Miller, Reznik, B. Robinson, Rosenberg, F. Turner, Waldstreicher, Washington, and Zucker**

Introduced and read first time: January 28, 2011
Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Discrimination Prohibited – Protected Classes**

3 FOR the purpose of conforming provisions of law relating to discrimination in the
4 employment of teachers in the public schools in the State to other provisions of
5 State law governing discrimination in employment; and generally relating to
6 protected classes of employees under provisions of law governing discrimination
7 in the employment of teachers in the public schools in the State.

8 BY repealing and reenacting, with amendments,
9 Article – Education
10 Section 6–104
11 Annotated Code of Maryland
12 (2008 Replacement Volume and 2010 Supplement)

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

15 **Article – Education**

16 6–104.

17 (a) This section applies to the appointment, assignment, compensation,
18 promotion, transfer, dismissal, and any other matter that relates to the employment of
19 teachers in the public schools in this State.

20 (b) The State Superintendent, a county board, a county superintendent, or
21 an assistant to any one of these may not make any distinction or discriminate in favor
22 of or against any teacher in the employment of a public school of this State because of

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 race, religion, color, ANCESTRY OR national origin, [handicap, or] sex, AGE, MARITAL
2 STATUS, SEXUAL ORIENTATION, OR DISABILITY UNRELATED IN NATURE AND
3 EXTENT SO AS TO REASONABLY PRECLUDE THE PERFORMANCE OF THE
4 EMPLOYMENT except[:

5 (1) As], AS to sex, if the employment of a certain sex is reasonably
6 necessary because of the nature of the employment[; and

7 (2) As to handicap, if the handicap adversely affects the person's
8 ability to perform the duties of the position].

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2011.