

Department of Legislative Services
Maryland General Assembly
2011 Session

FISCAL AND POLICY NOTE
Revised

House Bill 202

(Delegate Kaiser, *et al.*)

Health and Government Operations

Education, Health, and Environmental Affairs

Education - Discrimination Prohibited - Protected Classes

This bill conforms the provisions of law relating to discrimination in the employment of public school employees to other provisions of State law governing discrimination in employment by adding ancestry, age, marital status, and sexual orientation as protected classes.

Fiscal Summary

State Effect: Any administrative changes can be handled with existing resources.

Local Effect: Any administrative changes can be handled with existing resources.

Small Business Effect: None.

Analysis

Current Law/Background: The State Superintendent of Schools, a local board of education, a local superintendent, or an assistant to any one of these may not make any distinction or discriminate in favor of or against any teacher in determining employment for a public school because of race, religion, color, national origin, handicap, or sex. There are exceptions for sex if employment of a certain sex is reasonably necessary because of the nature of the employment or for a handicap if the handicap adversely affects the person's ability to perform the duties of the position.

It is the policy of the State to assure all persons equal opportunity in receiving employment and in all labor management-union relations, regardless of race, color, religion, ancestry or national origin, sex, age, marital status, sexual orientation, or disability unrelated in nature and extent so as to reasonably preclude the performance of the employment.

Additional Information

Prior Introductions: HB 462 of 2010, which applied only to public school teachers, passed the House, and passed second reading in the Senate.

Cross File: None.

Information Source(s): Maryland State Department of Education, Baltimore and Montgomery counties, Department of Legislative Services

Fiscal Note History: First Reader - March 6, 2011
mm/mwc Revised - House Third Reader - March 31, 2011

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