

HOUSE BILL 1052

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3lr2800

By: **Delegate Ivey**

Introduced and read first time: February 8, 2013

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Public Charter Schools – Hiring of Certificated and**
3 **Paraprofessional Employees**

4 FOR the purpose of providing that mutual consent between the county board and
5 charter operator shall govern the hiring of certain qualified and certificated
6 individuals and paraprofessional employees who are working in a public charter
7 school; providing that existing obligations or contract rights may not be
8 impaired by this Act; and generally relating to the hiring of certificated and
9 paraprofessional public charter school employees.

10 BY repealing and reenacting, with amendments,
11 Article – Education
12 Section 9–108
13 Annotated Code of Maryland
14 (2008 Replacement Volume and 2012 Supplement)

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

17 **Article – Education**

18 9–108.

19 (a) Employees of a public charter school:

20 (1) Are public school employees, as defined in §§ 6–401(e) and 6–501(g)
21 of this article;

22 (2) Are employees of a public school employer, as defined in §§
23 6–401(f) and 6–501(h) of this article, in the county in which the public charter school is
24 located; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) Shall have the rights granted under Title 6, Subtitles 4 and 5 of
2 this article.

3 (b) If a collective bargaining agreement under Title 6, Subtitle 4 or Subtitle 5
4 of this article is already in existence in the county where a public charter school is
5 located, the employee organization and the public charter school may mutually agree
6 to negotiate amendments to the existing agreement to address the needs of the
7 particular public charter school.

8 **(c) NOTWITHSTANDING ANY OTHER PROVISION OF LAW OR CONTRACT,**
9 **MUTUAL CONSENT BETWEEN THE COUNTY BOARD AND CHARTER OPERATOR**
10 **SHALL GOVERN THE HIRING OF ALL QUALIFIED AND CERTIFICATED**
11 **INDIVIDUALS AND PARAPROFESSIONAL EMPLOYEES WHO ARE WORKING IN A**
12 **PUBLIC CHARTER SCHOOL.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That a presently existing
14 obligation or contract right may not be impaired by this Act.

15 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 July 1, 2013.