

KEY SCHOOL LEGISLATION

January 29, 2002

HB 15 Education – Teacher Salary Signing Bonus – Eligibility Requirements

This bill would alter the eligibility requirement for the teacher-signing bonus to require a grade point average of at least 3.6 on a 4.0 scale or its equivalent from an accredited institution of higher education. Would further increase the teacher salary-signing bonus from the current \$1,000 to \$3,000. Would also alter the amount the teacher must reimburse the State if the teacher fails to meet the three-year commitment from \$1,000 to \$3,000. This enhancement of the existing program is an added incentive to recruitment.

Staff recommends support of HB 15.

HB 51 Education – State Stipends – Eligibility of Library Media Specialists and Reading Specialists

This bill would alter the definition of classroom teacher to include library media specialists and reading specialists to grant library media specialists and reading specialists eligibility to receive specific State stipends.

Staff recommends support of HB 51.

SB 153 Education – Full-Day Kindergarten and Half-Day Pre-Kindergarten Program – Establishment

By the 2007-2008 school year, each county board would be required to establish full-day kindergarten programs in that county. The State Board shall adopt regulations to phase in the implementation by the 2007-2008 school year. Would repeal the exemption for kindergarten programs from requirements for minimum days or hours of operation.

Would require the Governor to include \$5 million in the State budget for fiscal years 2004 through 2008 for the establishment of half-day pre-kindergarten programs in each local school system in the State for 4-year-old children who are potentially at risk of failing in school. The school systems may contract with a private provider for the operation of the half-day pre-kindergarten programs, provided that the programs comply in all respects with the laws and regulations governing early childhood and extended elementary education programs.

Staff recommends no position at this time pending the introduction of legislation to articulate the recommendations of the Thornton Commission.

SB 169 Teachers’ Retirement and Pension Systems – Reemployment of Retired Personnel

This legislation expands the category of employees who may retire and be rehired by a board of education without a penalty in their retirement benefit by adding assistant principals and guidance counselors. If passed, this legislation offers local boards additional staffing options in areas of shortage.

Staff recommends support of SB 169.

SB 186 Education – Children in Out-of-County Living Arrangements – Informal Kinship Care

This legislation would alter the current residency or “domicile” law governing student enrollment. Residency with a guardian would be expanded to be defined as a “relative who exercises care, custody, and control over the child 24 hours a day and 7 days a week” to be referred to as “informal kinship care.” Serious family hardships, upon which a superintendent “SHALL” admit a child are defined. Verification of said “kinship care” is achieved through submission of an affidavit specified in the bill and cites penalties for fraudulent use and notes the superintendent will remove the subject child.

The bill as presented requires no substantiation of the hardships cited, only the presentation of the affidavit.

Staff recommends that the presenter of the affidavit be required to present some evidence of the hardship as a companion requirement for admission, for instance, in the case of the death of a parent of the child, a copy of the death certificate.

Staff recommends that the affidavit language be amended to require supporting documentation of one or more of the hardships in paragraph (c)(IV) of the new language proposed for Section 7-101. If this is not attainable, the “SHALL” in line 22 of page 3 of the bill must be changed to the word “MAY.” If some standards of verifiable hardship are not in place, the potential to a return to the conditions that preceded the “domicile” law are significant.

SB 233 (HB 290) Education – Negotiations Between Public School Employers and Employee Organizations

This Administration Bill, through a few brief amendments to current law, completely revises the scope of what may be bargained and negates the role and decisions of the State Board of Education as the arbiter of school labor issues in Maryland. The language, “A PUBLIC SCHOOL EMPLOYER MAY NOT NEGOTIATE ANY MATTER THAT IS PRECLUDED BY APPLICABLE LAW,” would have the converse effect of allowing the many items, declared illegal subjects of bargaining by the State Board, to be bargained. As they are not precluded by “law” but rather by Board decisions, issues such as class size and calendar would be on the table. This safeguard of the scope of collective

bargaining being vested with the lay citizen leadership of a State Board of Education is a cornerstone of Maryland education governance.

Additionally, this bill includes language that would allow, in the non-certification section of the law, that the substance of discipline and discharge be an item of bargaining. If it were to be bargained, and a case were at hand, present binding grievance law would allow a third party to decide the discipline or lack thereof that we could enforce.

Staff recommends opposition to this bill.