BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: March 13, 2007

TO: BOARD OF EDUCATION

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: LEGISLATION UPDATE

ORIGINATOR: Dr. Donald A. Peccia Assistant Superintendent of Human Resources and Governmental Relations

RECOMMENDATION

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That the Board of Education consider taking positions on Key School Legislation.

Attachment I – Key School Legislation Summary
Attachment II – New House Bills
UPDATED LEGISLATION

(*Status is as of 2/28/2007)

• Support Continued full-funding of the Bridge to Excellence (Thornton)

The Governor’s budget recommends full funding of Thornton for FY08. No funds were included for the Geographic Cost of Education Index (GCEI), although SB109 and HB391 call for a phase-in of the GCEI beginning either this year (HB391) or in 2009 (SB109). No action has been taken on either of these bills to date.

• Support considerable increases in capital funding that are appropriate and proportional to the needs of Baltimore County.

The Governor has proposed a total of $400 million for school construction. Distribution amounts will not be available until late March. Enhancement in funds for Aging Schools is being questioned. The enhancement is only about $1.2 million, Baltimore County could get almost $780,000 of the enhancements if adopted.

• Discourage legislation that could adversely impact the ability of the Board of Education and the Superintendent to fulfill the mission of the school system.
(NEW) HB317 – Student Health and Fitness Act of 2007

Requiring that public school students in kindergarten through grade 5 be provided a specified minimum level of a program of physical education each week; requiring an increasing minimum level of a program of physical education over a period of 4 school years; requiring that the program of physical education be consistent with a student’s Individualized Education Plan if applicable; etc.

Recommended Board of Education position: Oppose

*Status: House – Hearing on March 6, 2007 at 1:00 p.m.

(NEW) HB1079 - Education - Collective Bargaining - Public School Labor Relations Board

Establishing a Public School Labor Relations Board; specifying the manner of appointment, membership, duties, and responsibilities of the Board; providing for staffing of the Board; authorizing the Board to adopt and enforce certain regulations, guidelines, and policies; permitting the Board to petition a circuit court to seek enforcement of an order of the Board; and providing that a hearing and determination under the Act is a contested case.

Recommended Board of Education position: Oppose

*Status: House – First Reading 02/09/07
HB71 – Baltimore County – Board of Education – Elected Members (Cross Filed with SB82)

Establishing a procedure for the election of specified members of the Baltimore County Board of Education; requiring the elected members of the County Board to reside in and be elected from specified districts; establishing the term of office for the elected members and for their removal under specified circumstances; providing a procedure for filling a vacancy for an elected member; providing for the election of the chair and vice chair of the County Board; providing for the compensation of the members of the County Board; etc.

Board of Education position: Oppose

*Status: House – Hearing on February 21, 2007 at 1:00 p.m.

SB79 – Baltimore County – Board of Education – Membership

Requiring the appointment of the members of the Baltimore County Board of Education made by the Governor to be with the advice and consent of the Senate of Maryland and requiring the composition of the membership of the Board to reflect the demographic composition of the student population in the county.

Board of Education position: No Position

*Status: Senate - Hearing on February 14, 2007 at 1:00 p.m.

SB82 – Baltimore County – Board of Education – Elected Members (Cross Filed with HB71)

Establishing a procedure for the election of specified members of the Baltimore County Board of Education; requiring the elected members of the County Board to reside in and be elected from specified districts; establishing the term of office for the elected members and for their removal under specified circumstances; providing a procedure for filling a vacancy for an elected member; providing for the election of the chair and vice chair of the County Board; providing for the compensation of the members of the County Board; etc.

Board of Education position: Oppose

*Status: Senate – Hearing on February 14, 2007 at 1:00 p.m.
SB99 – Education – Baltimore County Board of Education – School Board Nominating Convention of Baltimore County

Altering the appointment process for specified members of the Baltimore County Board of Education to require the Governor to select a member from a list of nominees submitted by the School Board Nominating Convention of Baltimore County; requiring the list of nominees to contain a specified number of names; and specifying that members of the County Board be residents of the County.

Board of Education position: Support

*Status: Senate – Hearing on February 14, 2007 at 1:00 p.m.

Introduced and read first time: January 31, 2007

Assigned to: Ways and Means

A BILL ENTITLED

AN ACT concerning

Student Health and Fitness Act of 2007

FOR the purpose of requiring that public school students in kindergarten through a certain grade be provided certain minimum levels of a program of physical education each week; requiring increasing minimum levels of a program of physical education over a certain period of time; requiring that the program of physical education for a certain category of student be consistent with a certain plan for the student; and generally relating to student health and fitness.

BY repealing and reenacting, with amendments,

Article – Education
Section 7–409
Annotated Code of Maryland
(2006 Replacement Volume)

Preamble

WHEREAS, Obesity leads to at least 300,000 deaths among adults in the United States each year due in part to physical inactivity and a poor diet; and

WHEREAS, Inadequate participation in physical activity is a significant contributor to the “epidemic of obesity” that has plagued the nation’s young people during the past 2 decades; and
WHEREAS, Physical activity offers young people many health benefits, including improving aerobic endurance and muscular strength, helping to control weight, building lean muscle, and reducing fat, and helping to build greater bone mass, all of which thwart the development of osteoporosis in adulthood and prevent or reduce high blood pressure; and

WHEREAS, A growing body of evidence suggests that providing students with more physical education and physical activity opportunities helps reduce the costs schools incur by reducing absenteeism, improving student health, and reducing staff time spent addressing academic performance; and

WHEREAS, A growing body of evidence also suggests that improvement in test scores and overall academic achievement can be linked to increased time in physical education; and

WHEREAS, The National PTA considers “Early Physical Education” a “Parent Priority” and urges its members to promote physical education in the schools; now, therefore,

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

Article – Education

7–409.

(a) [Each] SUBJECT TO SUBSECTION (B) OF THIS SECTION, EACH public school shall have a program of physical education that is given in a planned and sequential manner to all students, kindergarten through grade 12, to develop their good health and physical fitness and improve their motor coordination and physical skills.

(B) (1) ALL STUDENTS IN KINDERGARTEN THROUGH GRADE 5 SHALL BE PROVIDED A PROGRAM OF PHYSICAL EDUCATION AS PROVIDED IN THIS SUBSECTION:

(i) BEGINNING IN THE 2008–09 SCHOOL YEAR, A MINIMUM OF 60 MINUTES A WEEK OF PHYSICAL EDUCATION;

(ii) BEGINNING IN THE 2009–10 SCHOOL YEAR, A MINIMUM OF 90 MINUTES A WEEK OF PHYSICAL EDUCATION;
(III) Beginning in the 2010–11 school year, a minimum of 120 minutes a week of physical education; and

(iv) Beginning in the 2011–12 school year, and each school year thereafter, a minimum of 150 minutes a week of physical education.

(2) As applicable, a student’s program of physical education shall be consistent with the student’s Individualized Education Plan (IEP).

[(b)] (C) The Department shall employ a full–time director of physical education.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2007.
By: Delegates Howard, Benson, and Proctor
Introduced and read first time: February 9, 2007
Assigned to: Appropriations

A BILL ENTITLED

AN ACT concerning

Education – Collective Bargaining – Public School Labor Relations Board

FOR the purpose of establishing a Public School Labor Relations Board; specifying the manner of appointment, membership, duties, and responsibilities of the Board; providing for staffing of the Board; providing for the staggering of terms; authorizing the Board to adopt and enforce certain regulations, guidelines, and policies; permitting the Board to petition a circuit court to seek enforcement of an order of the Board; providing that a hearing and determination under this Act is a contested case; requiring the Board to decide any controversy or dispute involving a labor organization of certificated or noncertificated public school employees; providing that a certain decision of the Board is a final decision; requiring the Board to supervise the election of certain exclusive employee representatives; altering the determination of certain matters which may be negotiated by a certain designated representative; authorizing a certain party to petition the Board over certain matters; authorizing the Board to make a certain determination of impasse during certain negotiations under certain circumstances; authorizing the Board to provide certain assistance during a certain impasse; requiring that certain provisions are subject to certain other provisions concerning a fiscal relationship between certain parties; authorizing the Board to make a certain determination concerning bad faith bargaining and unfair labor practices; defining certain terms; and generally relating to the Public School Labor Relations Board and collective bargaining for certificated and noncertificated public school employees.

BY repealing and reenacting, with amendments,

Article – Education

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
Section 2–205(e), 6–401, 6–405(f), 6–408, 6–501, 6–506(f), and 6–510

Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to

Article – Education

Section 6–801 through 6–807 to be under the new subtitle “Subtitle 8. Public School Labor Relations Board”

Annotated Code of Maryland
(2006 Replacement Volume)

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

Article – Education

2–205.

(e) (1) Without charge and with the advice of the Attorney General, the State Board shall explain the true intent and meaning of the provisions of:

(i) This article that are within its jurisdiction; and

(ii) The bylaws, rules, and regulations adopted by the Board.

(2) [The] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION AND IN TITLE 6, SUBTITLES 4 AND 5 OF THIS ARTICLE, THE Board shall decide all controversies and disputes under these provisions.

(3) The decision of the Board is final.

(4) (I) THE PUBLIC SCHOOL LABOR RELATIONS BOARD SHALL DECIDE ANY CONTROVERSY OR DISPUTE ARISING UNDER TITLE 6, SUBTITLE 4 OR SUBTITLE 5 OF THIS ARTICLE IN ACCORDANCE WITH THE PROVISIONS OF §§ 6–401(F) AND 6–501(G) OF THIS ARTICLE.

(II) A DECISION OF THE PUBLIC SCHOOL LABOR RELATIONS BOARD IS FINAL.

6–401.

(a) In this subtitle the following words have the meanings indicated.
(b) “BOARD” means the Public School Labor Relations Board established under Subtitle 8 of this title.

(C) “Employee organization” means an organization that:

1. Includes certificated employees of a public school employer or individuals of equivalent status in Baltimore City; and

2. Has as one of its main purposes the representation of the employees in their relations with that public school employer.

[(c)] (D) (1) “Home and hospital teacher” means a teacher employed by a public school employer to provide instructional services to a public school student who is unable to function effectively in the classroom setting due to the student’s medical, physical, or emotional condition.

2. A home and hospital teacher may teach in:

   (i) A private home;
   (ii) A hospital;
   (iii) A therapeutic center;
   (iv) A school; or
   (v) Any other appropriate site.

[(d)] (E) (1) “Public school employee” means a certificated professional individual who is employed by a public school employer or an individual of equivalent status in Baltimore City, except for a county superintendent or an individual designated by the public school employer to act in a negotiating capacity as provided in § 6-408(b) of this subtitle.

2. In Montgomery County, “public school employees” include:

   (i) Certificated and noncertificated substitute teachers employed by the public school employer for at least 7 days before March 1 of the school fiscal year ending June 30, 1978, and each year after; and
(ii) Home and hospital teachers employed by the public school employer for at least 7 days before March 1 of the school fiscal year ending June 30, 2000, and each year after.

(3) In Baltimore County, “public school employee” includes:

(i) A secondary school nurse, an elementary school nurse, and a special school nurse; and

(ii) Supervisory noncertificated employees as defined under § 6–501(h) of this title.

(4) In Frederick County, “public school employee” includes a social worker employed by a public school employer.

(5) In Prince George’s County, “public school employee” includes home and hospital teachers and Junior Reserve Officer Training Corps (JROTC) instructors.

(6) In Charles County and Garrett County, “public school employee” includes Junior Reserve Officer Training Corps (JROTC) instructors.

“Public school employer” means a county board of education or the Baltimore City Board of School Commissioners.

(f) (1) The [State] Board shall adopt rules and regulations for:

(i) Verifying the number of certificated employees of the public school employer or individuals of equivalent status in Baltimore City who are members in good standing of an employee organization on the date of the certification or who have signed a petition under this section; and

(ii) Holding elections under this section and the certification of their results.

(2) The [State] Board shall provide for supervision of these elections.

(3) The elections shall be held:

(i) In each school facility where public employees are assigned on a regularly scheduled school day;
(ii) In a manner assuring the secrecy of the ballot; and

(iii) On a regular working day for public school employees, between June 1 and June 15, inclusive, except in Baltimore City where the elections shall be held between November 1 and November 15 following the date on which certification of required membership enrollment is made.

(4) In any election held under this section, the employee organization that receives the largest number of votes cast in a unit shall be declared to be the exclusive representative of all public school employees in the unit. If the largest number of votes in the election is cast not to have exclusive representation, a representative may not be designated for the unit.

(5) The public school employer shall provide any assistance required in holding the elections.

6–408.

(a) (1) In this section, “negotiate” includes the duty to:

(i) Confer in good faith, at all reasonable times; and

(ii) Reduce to writing the matters agreed on as a result of the negotiations.

(2) The agreements may provide for binding arbitration of the grievances arising under the agreement that the parties have agreed to be subject to arbitration.

(b) (1) On request a public school employer or at least two of its designated representatives shall meet and negotiate with at least two representatives of the employee organization that is designated as the exclusive negotiating agent for the public school employees in a unit of the county on:

(I) ALL MANDATORY SUBJECTS OF BARGAINING, INCLUDING all matters that relate to salaries, wages, hours, and other working conditions; AND

(II) ALL PERMISSIVE SUBJECTS OF BARGAINING, INCLUDING ALL OTHER MATTERS THAT ARE MUTUALLY AGREED TO BY THE EMPLOYER AND THE EMPLOYEE ORGANIZATION.
(2) Except as provided in paragraph (3) of this subsection, a public school employer or at least two of its designated representatives may negotiate with at least two representatives of the employee organization that is designated as the exclusive negotiating agent for the public school employees in a unit of the county on other matters that are mutually agreed to by the employer and the employee organization.

(3) A public school employer may not negotiate the school calendar, the maximum number of students assigned to a class, or any matter that is precluded by applicable statutory law.

(4) A matter that is not subject to negotiation under paragraph (2) of this subsection because it has not been mutually agreed to by the employer and the employee organization may not be raised in any action taken to resolve an impasse under subsection (d) of this section.

(5) In Montgomery County, the exclusive negotiating agent for the public school employees in a unit and the public school employer shall meet and negotiate under this section the salaries, wages, hours, and other working conditions of all persons actually employed as substitute teachers or home and hospital teachers.

(c) The designation of representatives by the employer under this section does not prevent the designated employee organization from appearing before or making proposals to the public school employer at a public meeting or hearing.

(d) (1) If, on the request of either party, the [State Superintendent] BOARD determines from the facts that an impasse is reached in negotiations between a public school employer and an employee organization that is designated as an exclusive negotiating agent, the assistance and advice of the [State] Board may be requested, with the consent of both parties.

(2) If consent is not given and at the request of either party, a panel shall be named to aid in resolving the differences.

(3) The panel shall contain three individuals chosen as follows:
(i) One member is to be named by each party within 3 days; and

(ii) The third member is to be chosen by the other two members within 10 days after the request.

(4) The [State] Board or the panel selected shall meet with the parties to aid in resolving the differences, and, if the matter is not resolved, shall make a written report and recommendation within 30 days after the request.

(5) A copy of the report shall be sent to the representatives of the public school employer and the employee organization.

(6) All costs of mediation shall be shared by the public school employer and the employee organization.

(7) Notwithstanding any other provision of this subtitle, the public school employer shall make the final determination as to matters that have been the subject of negotiation, but this final determination is subject to the other provisions of this article concerning the fiscal relationship between the public school employer and the county commissioners, county council, and Mayor and City Council of Baltimore City.

6–501.

(a) In this subtitle the following words have the meanings indicated.

(b) “BOARD” MEANS THE PUBLIC SCHOOL LABOR RELATIONS BOARD ESTABLISHED UNDER SUBTITLE 8 OF THIS TITLE.

(C) “Confidential employee” includes an individual whose employment responsibilities require knowledge of the public school employer’s posture in the collective negotiation process, as determined by the public school employer in negotiations with an employee organization that requests negotiation on this issue.

[(c)] (D) “Employee organization” means an organization that:

(1) Includes noncertificated employees of a public school employer; and

(2) Has as one of its main purposes the representation of the employees in their relations with that public school employer.
“Management personnel” includes an individual who is engaged mainly in executive and managerial functions, as determined by the public school employer in negotiation with an employee organization that requests negotiation on this issue.

“Noncertificated employee”, in Montgomery County, means only a full-time employee.

“Public school employee” means a noncertificated individual who is employed for at least 9 months a year on a full-time basis by a public school employer.

“Public school employee” includes a noncertificated employee in Baltimore City notwithstanding that the noncertificated employee does not work for at least 9 months a year on a full-time basis.

“Public school employee” does not include:

(i) Management personnel;

(ii) A confidential employee; or

(iii) Any individual designated by the public school employer to act in a negotiating capacity as provided in § 6–510(b) of this subtitle.

“Public school employer” means the county board in each county.

“Public school employer” includes the Baltimore City Board of School Commissioners.

“Supervisory employee” includes any individual who responsibly directs the work of other employees, as determined by the public school employer in negotiation with an employee organization that requests negotiation on this issue.

The State Board shall adopt rules and regulations for:

(i) Verifying the number of public school employees who are members in good standing of an employee organization on the date of the certification or who have signed a petition under this section; and
(ii) Holding elections under this section and the certification of their results.

(2) The [State] Board shall provide for supervision of these elections.

(3) The elections shall be held:

(i) In each school facility where public school employees are assigned on a regularly scheduled school day;

(ii) In a manner assuring the secrecy of the ballot; and

(iii) On a regular working day for public school employees, between June 1 and June 15, inclusive.

(4) In all elections held under this section, the employee organization that receives a majority of the votes cast in a unit shall be declared to be the exclusive representative of all public school employees in the unit. If a majority of the votes in the election are cast not to have exclusive representation, a representative may not be designated for the unit.

(5) The two choices on the ballot that receive the most votes shall be placed on a ballot for a runoff election that shall be held in the same manner as the original election if:

(i) More than one employee organization is on the ballot;

(ii) No employee organization obtains a majority of the votes; and

(iii) A majority of the votes is not for “not to have exclusive representation”.

(6) The public school employer shall provide any assistance required in conducting the elections.

6–510.

(a) (1) In this section, “negotiate” includes the duty to:

(i) Confer in good faith, at all reasonable times; and
(ii) Reduce to writing the matters agreed on as a result of the negotiations.

(2) The agreements may provide for binding arbitration of the grievances arising under the agreement that the parties have agreed to be subject to arbitration.

(b) (1) On request, a public school employer or at least two of its designated representatives shall meet and negotiate with at least two representatives of the employee organization that is designated as the exclusive negotiating agent for the public school employees in a unit of the county on:

(I) **ALL MANDATORY SUBJECTS OF BARGAINING,** including all matters that relate to salaries, wages, hours, and other working conditions; AND

(II) **ALL PERMISSIVE SUBJECTS OF BARGAINING,** including all other matters including due process for discipline and discharge for public school employees in a unit of the county, that are mutually agreed to by the employer and the employee organization.

(2) [Except as provided in paragraph (3) of this subsection, a public school employer or at least two of its designated representatives may negotiate with at least two representatives of the employee organization that is designated as the exclusive negotiating agent for the public school employees in a unit of the county on other matters, including due process for discipline and discharge, that are mutually agreed to by the employer and the employee organization.

(3)] A public school employer may not negotiate the school calendar, the maximum number of students assigned to a class, or any matter that is precluded by applicable statutory law.

[(4) A matter that is not subject to negotiation under paragraph (2) of this subsection because it has not been mutually agreed to by the employer and the employee organization may not be raised in any action taken to resolve an impasse under subsection (d) of this section.]
(3) On petition by either party to the Board, the Board shall determine if a matter is a mandatory subject, a permissive subject, or an illegal subject for bargaining.

(4) On petition by either party, the Board shall determine issues concerning bad faith bargaining and unfair labor practices.

(c) The designation of representatives by the employer under this section does not prevent an employee organization from appearing before or making proposals to the public school employer at a public meeting or hearing.

(d) (1) If, on the request of either party, the [State Superintendent] Board determines from the facts that an impasse is reached in negotiations between a public school employer and an employee organization that is designated as an exclusive negotiating agent, the assistance and advice of the [State] Board may be requested, with the consent of both parties.

(2) If consent is not given and at the request of either party, a panel shall be named to aid in resolving the differences.

(3) The panel shall contain three individuals chosen as follows:

   (i) One member is to be named by each party within 3 days; and

   (ii) The third member is to be chosen by the other two members within 10 days after the request.

(4) The [State] Board or the panel selected shall meet with the parties to aid in resolving the differences, and, if the matter is not resolved, shall make a written report and recommendation within 30 days after the request.

(5) A copy of the report shall be sent to representatives of the public school employer and the employee organization.

(6) All costs of the impasse proceedings, including mediation, shall be shared equally by the public school employer and the employee organization.

(7) [Notwithstanding any other provision of this subtitle, the public school employer shall make the final determination as to matters which have been the
subject of negotiation, but this final determination] **Any negotiated provision** is subject to the other provisions of this article concerning the fiscal relationship between the public school employer and the county commissioners and county council.

**SUBTITLE 8. PUBLIC SCHOOL LABOR RELATIONS BOARD.**

**6–801.**

In this subtitle, **"board" means the public school labor relations board established under §6–802 of this subtitle.**

**6–802.**

There is a **public school labor relations board established as an independent unit of state government.**

**6–803.**

(A) **The board shall consist of the following five members:**

(1) **One member appointed by the governor, with the advice and consent of the Senate, representing the public and who has experience in labor relations:**

   (I) **Who is not an officer or employee of a board of education or employee organization representing public school system employees; and**

   (II) **Who is not an elected official of the State, a county or an employee organization representing public school employees;**

(2) **Two members chosen from a list of candidates submitted by each designated exclusive representative organization representing certificated and noncertificated employees, under subtitles 4 and 5 of this title, appointed by the governor with the advice and consent of the Senate:**

   (I) **Who are not employees of the state or a public school employee organization; and**
(II) WHO ARE KNOWN FOR OBJECTIVE AND INDEPENDENT JUDGMENT; AND

(3) TWO MEMBERS OF THE EDUCATION OR BUSINESS COMMUNITY, APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE:

(I) WHO ARE NOT OFFICERS OR EMPLOYEES OF THE STATE OR COUNTY OR STATE BOARDS OF EDUCATION AND ARE NOT OFFICERS OR EMPLOYEES OF EMPLOYEE ORGANIZATIONS REPRESENTING EMPLOYEES OF PUBLIC SCHOOL SYSTEMS IN MARYLAND; AND

(II) WHO ARE KNOWN FOR OBJECTIVE AND INDEPENDENT JUDGMENT.

(B) BEFORE TAKING OFFICE EACH MEMBER SHALL TAKE THE OATH REQUIRED BY ARTICLE I, SECTION 9 OF THE MARYLAND CONSTITUTION.

(C) THE PUBLIC SCHOOL LABOR RELATIONS BOARD SHALL ELECT A CHAIR FROM AMONG ITS MEMBERS.

(D) (1) THE TERM OF A MEMBER IS 5 YEARS.

(2) THE TERMS OF MEMBERS WILL BE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE BOARD ON JULY 1, 2007.

(3) AT THE END OF A TERM A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REMAINDER OF THAT TERM.

(E) THE GOVERNOR MAY REMOVE A MEMBER ONLY FOR INCOMPETENCE OR MISCONDUCT.

6–804.

A MEMBER OF THE BOARD SHALL BE ENTITLED TO:
(1) A salary provided in the State budget; and

(2) Reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

6–805.

(A) The Board shall appoint an executive director of the Board.

(B) The executive director:

   (1) is responsible to and serves at the pleasure of the Board; and

   (2) is entitled to salary provided in the State budget.

(C) The executive director may hire any staff necessary to carry out the provisions of this subtitle.

(D) The executive director shall perform the duties that the Board assigns, including operating the office of the Board and keeping the official records.

6–806.

(A) The Board shall administer and enforce the labor relations provisions of Subtitles 4 and 5 of this title.

(B) The Board may:

   (1) adopt and enforce regulations, guidelines, and policies to carry out its rights and responsibilities under this title; and

   (2) make recommendations for legislative action regarding the operation of this title.
(A) In deciding matters covered under the provisions of Subtitles 4 and 5 of this title, the Board:

(1) May:

   (I) Conduct hearings;

   (II) Subpoena witnesses and documents;

   (III) Administer oaths;

   (IV) Take the testimony or deposition of a person under oath; and

   (V) Conduct investigations; and

(2) Shall decide controversies and disputes.

(B) (1) If a person fails to comply with an order issued by the Board, a member of the Board may petition the circuit court to order the person to comply with the Board’s order.

   (2) The Board may not be required to post bond in an action under paragraph (1) of this subsection.

(C) Each hearing and determination of an appeal or complaint by the Board is a contested case, subject to the provisions of Title 10, Subtitle 2 of the State Government Article.

AND BE IT FURTHER ENACTED, That the terms of the members of the Public School Labor Relations Board shall expire as follows:

(a) one member in 2009;

(b) two members in 2010; and

(c) two members in 2011.
SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2007.