

SENATE BILL 791

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CF HB 883

By: Senators Elfreth and Kramer, Kramer, Augustine, Brooks, Feldman, Kagan,
Lewis Young, Simonaire, M. Washington, and Watson

Introduced and read first time: February 6, 2023

Assigned to: Education, Energy, and the Environment and Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 8, 2023

CHAPTER _____

1 AN ACT concerning

2 **Primary and Secondary Education – Public School Employees – Job Duties and**
3 **Salaries**

4 FOR the purpose of ~~altering the minimum salary for and establishing certain salary~~
5 ~~increases for certain public school employees~~; altering the duties of an assistant
6 principal on the career ladder; ~~repealing~~ providing that a requirement ~~that~~ for
7 a county board of education ~~must~~ to select a certain teacher on the teacher leadership
8 track of the career ladder to write certain curriculum and assessment plans is subject
9 to a certain condition; and generally relating to the ~~salaries and~~ job duties of public
10 school employees.

11 BY repealing and reenacting, without amendments,
12 Article – Education
13 Section ~~6–401(a), (e), and (f) and~~ 6–1001(a), (c), and (e)
14 Annotated Code of Maryland
15 (2022 Replacement Volume)

16 ~~BY adding to~~
17 ~~Article – Education~~
18 ~~Section 6–412~~
19 ~~Annotated Code of Maryland~~
20 ~~(2022 Replacement Volume)~~

21 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Article – Education
 2 Section 6–1003(b) and 6–1004(e)
 3 Annotated Code of Maryland
 4 (2022 Replacement Volume)

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

7 **Article – Education**

8 ~~6–401.~~

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

10 ~~(c) (1) “Public school employee” means a certificated professional individual~~
 11 ~~who is employed by a public school employer or an individual of equivalent status in~~
 12 ~~Baltimore City, except for a county superintendent or an individual designated by the~~
 13 ~~public school employer to act in a negotiating capacity as provided in § 6–408(c) of this~~
 14 ~~subtitle.~~

15 ~~(2) In Montgomery County, “public school employees” include:~~

16 ~~(i) Certificated and noncertificated substitute teachers employed by~~
 17 ~~the public school employer for at least 7 days before March 1 of the school fiscal year ending~~
 18 ~~June 30, 1978, and each year after; and~~

19 ~~(ii) Home and hospital teachers employed by the public school~~
 20 ~~employer for at least 7 days before March 1 of the school fiscal year ending June 30, 2000,~~
 21 ~~and each year after.~~

22 ~~(3) In Baltimore County, “public school employee” includes a secondary~~
 23 ~~school nurse, an elementary school nurse, and a special school nurse.~~

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

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

28 ~~(6) In Baltimore County, Calvert County, Charles County, and Garrett~~
 29 ~~County, “public school employee” includes Junior Reserve Officer Training Corps (JROTC)~~
 30 ~~instructors.~~

31 ~~(7) In Carroll County, “public school employee” includes:~~

32 ~~(i) A registered nurse;~~

1 (ii) ~~Supervisory noncertificated employees as defined under §~~
2 ~~6-501(i) of this title; and~~

3 (iii) ~~Junior Reserve Officer Training Corps (JROTC) instructors.~~

4 (f) ~~“Public school employer” means a county board of education or the Baltimore~~
5 ~~City Board of School Commissioners.~~

6 ~~6-412.~~

7 (A) (1) ~~IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS~~
8 ~~INDICATED.~~

9 (2) ~~“ALTERNATIVE HIGH QUALITY EDUCATOR CREDENTIAL” MEANS~~
10 ~~A NON-NBC CERTIFICATION OR CREDENTIAL.~~

11 (i) ~~AWARDED TO AN EDUCATOR FOR MEETING HIGH QUALITY~~
12 ~~STANDARDS ON AN ASSESSMENT IN A PROFESSIONAL FIELD OR SPECIALTY THAT~~
13 ~~DOES NOT HAVE NBC STANDARDS; AND~~

14 (ii) ~~THAT HAS BEEN APPROVED JOINTLY BY THE STATE BOARD~~
15 ~~AND THE PROFESSIONAL STANDARDS AND TEACHER EDUCATION BOARD.~~

16 (3) ~~“NBC” HAS THE MEANING STATED IN § 6-1001 OF THIS TITLE.~~

17 (4) (i) ~~“QUALIFIED EDUCATOR” MEANS A PUBLIC SCHOOL~~
18 ~~EMPLOYEE WHO PROVIDES DIRECT INSTRUCTION OR SERVICES TO STUDENTS IN A~~
19 ~~PUBLIC SCHOOL.~~

20 (ii) ~~“QUALIFIED EDUCATOR” DOES NOT INCLUDE A TEACHER,~~
21 ~~AS DEFINED IN § 6-1001 OF THIS TITLE.~~

22 (B) ~~BEGINNING JULY 1, 2026, THE MINIMUM SALARY FOR ALL PUBLIC~~
23 ~~SCHOOL EMPLOYEES SHALL BE \$60,000.~~

24 (C) ~~SUBJECT TO SUBSECTION (E) OF THIS SECTION, BEGINNING JULY 1,~~
25 ~~2023, SALARY INCREASES FOR QUALIFIED EDUCATORS SHALL, AT A MINIMUM,~~
26 ~~INCLUDE THE FOLLOWING:~~

27 (1) ~~FOR AN INITIAL AWARD OF AN NBC OR ALTERNATIVE~~
28 ~~HIGH QUALITY EDUCATOR CREDENTIAL - \$10,000 SALARY INCREASE; AND~~

29 (2) ~~FOR A QUALIFIED EDUCATOR ASSIGNED TO A LOW PERFORMING~~
30 ~~SCHOOL AS IDENTIFIED BY THE COUNTY BOARD - \$7,000 SALARY INCREASE.~~

~~(D) (1) IF A QUALIFIED EDUCATOR IS ELIGIBLE FOR MORE THAN ONE SALARY INCREASE UNDER SUBSECTION (C) OF THIS SECTION, THE QUALIFIED EDUCATOR SHALL RECEIVE ALL SALARY INCREASES THAT APPLY.~~

~~(2) A QUALIFIED EDUCATOR WHO RECEIVES A SALARY INCREASE UNDER SUBSECTION (C)(2) OF THIS SECTION FOR TEACHING AT A LOW PERFORMING SCHOOL MAY NOT LOSE THAT SALARY INCREASE WHILE TEACHING AT THE SCHOOL EVEN IF THE SCHOOL CEASES TO BE LOW PERFORMING.~~

~~(E) THE QUALIFIED EDUCATOR SALARY INCREASES DESCRIBED UNDER SUBSECTION (C) OF THIS SECTION DO NOT APPLY UNTIL § 6-1002(A) OF THIS TITLE BECOMES EFFECTIVE AS RECOMMENDED BY THE DEPARTMENT AND APPROVED BY THE ACCOUNTABILITY AND IMPLEMENTATION BOARD.~~

6-1001.

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

(c) “NBC” means National Board Certification issued by the National Board for Professional Teaching Standards.

(e) (1) “Teacher” means a certified public school employee who is primarily responsible and accountable for teaching the students in the class.

(2) “Teacher” does not include, unless otherwise provided:

(i) Curriculum specialists;

(ii) Instructional aides;

(iii) Attendance personnel;

(iv) Psychologists;

(v) Social workers;

(vi) Clerical personnel;

(vii) An individual with a Resident Teacher Certificate; or

(viii) An individual with a certification for career professionals.

6-1003.

(b) (1) An assistant principal is on level three of the career ladder and shall:

- 1 (i) Be an NBC teacher; or
- 2 (ii) Have an advanced professional certificate for administration.

3 (2) Beginning with teachers listed under § 6–1002(f)(3) of this subtitle, as
4 specified by the State Board, an assistant principal shall~~f~~:

5 (i) ~~Teach in the classroom]~~ ~~PARTICIPATE IN CLASSROOM~~
6 ~~ACTIVITY INVOLVING DIRECT INTERACTIONS WITH STUDENTS LEAD ACADEMIC~~
7 ~~INSTRUCTION FOR STUDENTS IN A CLASSROOM, SMALL GROUPS, OR A ONE-ON-ONE~~
8 ~~INTERACTION~~ for at least 20% of their working hours~~f~~; and

9 (ii) Spend A PORTION OF the remaining time on other teacher
10 activities, including:

11 1. Setting priorities for the subject level departments of the
12 school; and

13 2. Fulfilling specialized roles, such as head of professional
14 development~~f~~.

15 **(3) THE REQUIREMENTS OF PARAGRAPH (2) OF THIS SUBSECTION**
16 **MAY NOT BE CONSTRUED TO REQUIRE THAT AN ASSISTANT PRINCIPAL BE**
17 **DESIGNATED AS A TEACHER OF RECORD.**

18 6–1004.

19 (e) ~~A~~ **WHEN THE CAREER LADDER UNDER § 6–1002(A) OF THIS TITLE IS**
20 **DETERMINED BY THE ACCOUNTABILITY AND IMPLEMENTATION BOARD TO BE WELL**
21 **ESTABLISHED THROUGHOUT THE STATE, A** county board shall select~~f~~:

22 (1) ~~A~~ ~~A~~ mentor teacher for induction programs and teacher training
23 practicums from the teacher leadership track~~f~~; and

24 (2) An expert to write curriculum and assessment items and develop model
25 lessons from the distinguished teacher and professor distinguished teacher tiers of the
26 teacher leadership track~~f~~.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
28 1, 2023.