

SENATE BILL 687

F5, F1, E4

(1lr2474)

ENROLLED BILL

— *Education, Health, and Environmental Affairs/Economic Matters* —

Introduced by **Senator Peters**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Militia – Employment for Military Spouses – Teachers, Health Care**
3 **Practitioners, and Individuals in Business Occupations and Professions**

4 FOR the purpose of requiring the State Department of Education to develop a certain
5 form relating to teacher certification and tenure and to post the form on its Web
6 site; requiring the Adjutant General or the Adjutant General's designee to assist
7 certain military spouses in finding certain employment under certain
8 circumstances; ~~requiring certain teachers to be granted tenure under certain~~
9 ~~circumstances~~; and generally relating to employment for military spouses.

10 BY adding to

11 Article – Education

12 Section 6–201.1

13 Annotated Code of Maryland

14 (2008 Replacement Volume and 2010 Supplement)

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.

Italics indicate opposite chamber/conference committee amendments.



1 ~~BY repealing and reenacting, without amendments,~~
 2 ~~Article – Education~~
 3 ~~Section 6–202(b)(1)~~
 4 ~~Annotated Code of Maryland~~
 5 ~~(2008 Replacement Volume and 2010 Supplement)~~

6 ~~BY repealing and reenacting, with amendments,~~
 7 ~~Article – Education~~
 8 ~~Section 6–202(b)(3)~~
 9 ~~Annotated Code of Maryland~~
 10 ~~(2008 Replacement Volume and 2010 Supplement)~~

11 BY repealing and reenacting, with amendments,
 12 Article – Public Safety
 13 Section 13–302
 14 Annotated Code of Maryland
 15 (2003 Volume and 2010 Supplement)

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

18 **Article – Education**

19 **6–201.1.**

20 **THE DEPARTMENT SHALL:**

21 **(1) DEVELOP AN INFORMATIONAL FORM THAT LISTS AND**
 22 **EXPLAINS THE VARIOUS PATHS THAT CAN BE TAKEN IN ORDER TO OBTAIN**
 23 **CERTIFICATION AND TENURE IN THE STATE; AND**

24 **(2) POST THE FORM ON ITS WEB SITE.**

25 ~~6–202.~~

26 ~~(b) (1) Except as provided in paragraph (3) of this subsection, the~~
 27 ~~probationary period of employment of a certificated employee in a local school system~~
 28 ~~shall cover a period of 3 years from the date of employment and shall consist of a~~
 29 ~~1-year employment contract that may be renewed by the county board.~~

30 ~~(3) (i) Subject to subparagraph (ii) of this paragraph, if a~~
 31 ~~certificated employee has achieved tenure in a local school system in the State and~~
 32 ~~moves to another local school system in the State, OR AN INDIVIDUAL WHO HAS~~
 33 ~~ACHIEVED TENURE OR AN EQUIVALENT LEVEL OF CERTIFICATION OR~~
 34 ~~LICENSURE IN AN OUT-OF-STATE JURISDICTION AND MOVES TO A~~

1 ~~JURISDICTION IN THE STATE, that employee OR INDIVIDUAL shall be tenured if the~~
2 ~~employee's OR INDIVIDUAL'S contract is renewed after 1 year of probationary~~
3 ~~employment in the local school system to which the employee OR INDIVIDUAL~~
4 ~~relocated if:~~

5 ~~1. The employee's OR INDIVIDUAL'S final evaluation in~~
6 ~~the local school system OR OUT OF STATE JURISDICTION from which the employee~~
7 ~~OR INDIVIDUAL departed is satisfactory or better; and~~

8 ~~2. There has been no break in the employee's OR~~
9 ~~INDIVIDUAL'S service between the two systems of longer than 1 year.~~

10 ~~(ii) A local school system may extend the probationary period for~~
11 ~~a certificated employee OR INDIVIDUAL subject to subparagraph (i) of this paragraph~~
12 ~~for a second year from the date of employment if:~~

13 ~~1. The employee OR INDIVIDUAL does not qualify for~~
14 ~~tenure at the end of the first year based on established performance evaluation~~
15 ~~criteria; and~~

16 ~~2. The employee OR INDIVIDUAL demonstrates a strong~~
17 ~~potential for improvement.~~

18 Article – Public Safety

19 13-302.

20 (a) (1) The Adjutant General may appoint:

21 (i) a chief of State operations;

22 (ii) an executive officer;

23 (iii) an administrative officer;

24 (iv) the directors of military installations, procurement, military
25 support to civil authorities, State personnel, finance, and veterans affairs;

26 (v) the site managers for military reservations; and

27 (vi) a grants administrator.

28 (2) The executive officer and directors appointed under paragraph (1)
29 of this subsection serve at the pleasure of the Adjutant General.

1 (b) (1) The Adjutant General shall keep all records required to be kept
2 and filed with the Adjutant General's office.

3 (2) On or before each October 15, the Adjutant General shall submit to
4 the Governor a detailed statement of all the receipts and expenditures for military
5 purposes during the year ending the previous September 30.

6 (c) (1) **ON REQUEST, THE ADJUTANT GENERAL OR THE ADJUTANT
7 GENERAL'S DESIGNEE SHALL ASSIST THE SPOUSE OF A MEMBER OF THE
8 MILITARY WHO RESIDES IN THE STATE OR IS TRANSFERRED TO THE STATE IN
9 FINDING EMPLOYMENT IN THE STATE.**

10 (2) **THE ASSISTANCE PROVIDED UNDER PARAGRAPH (1) OF THIS
11 SUBSECTION MAY INCLUDE PROVIDING:**

12 (i) **THE INFORMATIONAL FORM DEVELOPED BY THE STATE
13 DEPARTMENT OF EDUCATION UNDER § 6-201.1 OF THE EDUCATION ARTICLE;**

14 (ii) **INFORMATION RELATING TO HEALTH OCCUPATIONS IN
15 THE STATE THAT PERMIT RECIPROCAL LICENSURE ~~BY ENDORSEMENT~~; AND**

16 (iii) **INFORMATION RELATING TO BUSINESS OCCUPATIONS
17 IN THE STATE THAT PERMIT RECIPROCAL LICENSURE ~~BY ENDORSEMENT~~.**

18 [(c)] (D) (1) The Adjutant General is responsible for:

19 (i) each armory that the State owns; and

20 (ii) each building or other property purchased, occupied, or
21 leased by or on behalf of the State military forces.

22 (2) If the Adjutant General rejects an application to use an armory for
23 nonmilitary purposes, the application is subject to review and approval by the Board of
24 Public Works, the Adjutant General, and the commanding officer of the unit occupying
25 that armory.

26 (3) The Adjutant General may adopt regulations to enforce this
27 subsection.

28 [(d)] (E) The Adjutant General is the custodian of battle flags and war
29 records and is responsible for their proper care and preservation.

30 [(e)] (F) The Adjutant General may employ employees as required.

1 **[(f)] (G)** The Adjutant General shall carry out the Governor's policies
2 concerning matters specified in this title and Title 14, Subtitles 1, 2, and 4 of this
3 article.

4 **[(g)] (H)** The seal of the Adjutant General's office shall be delivered by the
5 Adjutant General to the Adjutant General's successor.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2011.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.