

Chapter 322

(House Bill 202)

AN ACT concerning

Education – Discrimination Prohibited – Protected Classes

FOR the purpose of conforming provisions of law relating to discrimination in the employment of ~~teachers in the public schools~~ public school employees in the State to other provisions of State law governing discrimination in employment; and generally relating to protected classes of employees under provisions of law governing discrimination in the employment of ~~teachers in the public schools~~ public school employees in the State.

BY repealing and reenacting, with amendments,
 Article – Education
 Section 6–104
 Annotated Code of Maryland
 (2008 Replacement Volume and 2010 Supplement)

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

Article – Education

6–104.

(a) This section applies to the appointment, assignment, compensation, promotion, transfer, dismissal, and any other matter that relates to the employment of ~~teachers in the public schools~~ PUBLIC SCHOOL EMPLOYEES in this State.

(b) The State Superintendent, a county board, a county superintendent, or an assistant to any one of these may not make any distinction or discriminate in favor of or against any ~~teacher in the employment of a public school~~ PUBLIC SCHOOL EMPLOYEE of this State because of race, religion, color, **ANCESTRY OR** national origin, [handicap, or] sex, **AGE, MARITAL STATUS, SEXUAL ORIENTATION, OR DISABILITY UNRELATED IN NATURE AND EXTENT SO AS TO REASONABLY PRECLUDE THE PERFORMANCE OF THE EMPLOYMENT** except[:

(1) **As]**, **AS** to sex, if the employment of a certain sex is reasonably necessary because of the nature of the employment[; and

(2) **As** to handicap, if the handicap adversely affects the person's ability to perform the duties of the position].

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

Approved by the Governor, May 10, 2011.