

SENATE BILL 426

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CF HB 213

By: **Senators Hettleman, Waldstreicher, and Kramer**

Introduced and read first time: January 19, 2024

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

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Maryland STEM Program – Established**

3 FOR the purpose of establishing the Maryland STEM Program in the State Department of
4 Education to provide additional compensation to educators who teach STEM classes
5 at a nonpublic school, incentivize current and retired teachers to obtain the
6 necessary qualifications to teach STEM subjects, and improve statewide access to
7 STEM education to address the workforce demands in the State; authorizing
8 nonpublic schools to apply for the Program and requiring nonpublic schools that
9 participate in the Program to report certain information to the Department each
10 year; authorizing local school systems to object to certain teachers participating in
11 the Program under certain circumstances; requiring public schools to inform certain
12 teachers about the Program each year and to submit a list of interested teachers to
13 the superintendent of the local school system on or before a certain date each year;
14 and generally relating to the Maryland STEM Program.

15 BY adding to
16 Article – Education
17 Section 7–135
18 Annotated Code of Maryland
19 (2022 Replacement Volume and 2023 Supplement)

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

22 **Article – Education**

23 **7–135.**

24 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
25 **INDICATED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) “ELIGIBLE TEACHER” MEANS AN INDIVIDUAL WHO IS:**

2 **(I) EMPLOYED AS A TEACHER IN A PUBLIC SCHOOL IN THE**
3 **STATE; OR**

4 **(II) A RETIRED MARYLAND PUBLIC SCHOOL TEACHER**
5 **RESIDING IN THE STATE.**

6 **(3) “NONPUBLIC SCHOOL” MEANS AN ELEMENTARY OR SECONDARY**
7 **SCHOOL IN THE STATE THAT IS NOT PART OF THE PUBLIC ELEMENTARY AND**
8 **SECONDARY EDUCATION SYSTEM OF THE STATE.**

9 **(4) “PROGRAM” MEANS THE MARYLAND STEM PROGRAM.**

10 **(5) “STEM” MEANS A SCIENCE FIELD, MATHEMATICS, TECHNOLOGY**
11 **EDUCATION, OR COMPUTER SCIENCE EDUCATION.**

12 **(B) (1) THERE IS A MARYLAND STEM PROGRAM IN THE DEPARTMENT.**

13 **(2) THE PURPOSE OF THE PROGRAM IS TO:**

14 **(I) PROVIDE ADDITIONAL COMPENSATION TO EDUCATORS**
15 **WHO TEACH STEM CLASSES AT A NONPUBLIC SCHOOL;**

16 **(II) INCENTIVIZE CURRENT AND RETIRED TEACHERS TO**
17 **OBTAIN THE NECESSARY QUALIFICATIONS TO TEACH STEM SUBJECTS;**

18 **(III) INCENTIVIZE INDIVIDUALS TO ENTER THE TEACHING**
19 **PROFESSION TO FILL THE DEMAND FOR QUALIFIED EDUCATORS IN STEM**
20 **SUBJECTS;**

21 **(IV) ASSIST IN ADDRESSING THE DIFFICULTIES PUBLIC AND**
22 **NONPUBLIC SCHOOLS HAVE IN ATTRACTING QUALIFIED EDUCATORS IN STEM**
23 **FIELDS; AND**

24 **(V) IMPROVE STATEWIDE ACCESS TO EDUCATION IN THE STEM**
25 **FIELDS TO ADDRESS THE WORKFORCE DEMANDS IN THE STATE.**

26 **(3) THE DEPARTMENT SHALL ADMINISTER THE PROGRAM.**

27 **(C) (1) BEGINNING IN THE 2024–2025 SCHOOL YEAR, AN ELIGIBLE**
28 **TEACHER MAY RECEIVE ADDITIONAL COMPENSATION TO TEACH STEM CLASSES AT**

1 A NONPUBLIC SCHOOL UNDER THE PROGRAM.

2 (2) A NONPUBLIC SCHOOL THAT IS INTERESTED IN PARTICIPATING IN
3 THE PROGRAM SHALL:

4 (I) PARTNER WITH AT LEAST ONE ELIGIBLE TEACHER WHO
5 AGREES TO TEACH STEM CLASSES AT THE NONPUBLIC SCHOOL AT TIMES
6 MUTUALLY AGREED ON BY THE ELIGIBLE TEACHER, NONPUBLIC SCHOOL, AND, IF
7 APPLICABLE, THE SCHOOL SYSTEM IN WHICH THE ELIGIBLE TEACHER IS EMPLOYED;
8 AND

9 (II) SUBMIT AN APPLICATION TO THE DEPARTMENT IN
10 ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION.

11 (3) IF AN ELIGIBLE TEACHER IS EMPLOYED AS A TEACHER IN THE
12 LOCAL SCHOOL SYSTEM, THE LOCAL SCHOOL SYSTEM MAY OBJECT TO THE ELIGIBLE
13 TEACHER PARTICIPATING IN THE PROGRAM IF THE LOCAL SCHOOL SYSTEM CITES,
14 WITH SUFFICIENT SUPPORTING EVIDENCE, AS DEFINED BY THE DEPARTMENT, A
15 VALID REASON FOR THE OBJECTION, INCLUDING THAT:

16 (I) THE PROPOSED HOURS AT THE NONPUBLIC SCHOOL
17 CONFLICT WITH THE ELIGIBLE TEACHER'S WORK RESPONSIBILITY IN THE LOCAL
18 SCHOOL SYSTEM AND NO RESOLUTION COULD BE FOUND AFTER CONSULTING WITH
19 THE ELIGIBLE TEACHER AND THE NONPUBLIC SCHOOL; OR

20 (II) APPROVAL OF A PROPOSED PARTNERSHIP BETWEEN THE
21 NONPUBLIC SCHOOL AND THE ELIGIBLE TEACHER WOULD SUBSTANTIALLY IMPACT
22 THE QUALITY OF STUDENT INSTRUCTION IN THE LOCAL SCHOOL SYSTEM.

23 (D) (1) THE DEPARTMENT SHALL ESTABLISH APPLICATION
24 PROCEDURES AND DEADLINES FOR THE PROGRAM THAT MEET THE REQUIREMENTS
25 OF THIS SUBSECTION.

26 (2) AN APPLICATION SHALL INCLUDE:

27 (I) THE NAMES OF THE NONPUBLIC SCHOOL, ELIGIBLE
28 TEACHER, AND, IF APPLICABLE, THE LOCAL SCHOOL SYSTEM IN WHICH THE
29 ELIGIBLE TEACHER IS EMPLOYED;

30 (II) A SIGNED AGREEMENT FROM THE NONPUBLIC SCHOOL
31 THAT THE ELIGIBLE TEACHER WILL TEACH AT THE NONPUBLIC SCHOOL DURING
32 HOURS WHEN THE TEACHER HAS NO CONFLICTING DUTIES AT THE PUBLIC SCHOOL;

1 **(III) THE PROPOSED SCHEDULE AND GRADES TO BE TAUGHT BY**
2 **THE ELIGIBLE TEACHER AT THE NONPUBLIC SCHOOL;**

3 **(IV) THE NUMBER OF STUDENTS, BASED ON ENROLLMENT**
4 **PROJECTIONS, THAT WILL RECEIVE INSTRUCTION FROM THE ELIGIBLE TEACHER**
5 **UNDER THE PROPOSED SCHEDULE AT THE NONPUBLIC SCHOOL;**

6 **(V) CERTIFICATION FROM THE NONPUBLIC SCHOOL THAT THE**
7 **ELIGIBLE TEACHER SHALL PROVIDE ONLY SECULAR INSTRUCTION AT THE**
8 **NONPUBLIC SCHOOL; AND**

9 **(VI) ANY OTHER INFORMATION REQUIRED BY THE**
10 **DEPARTMENT.**

11 **(3) (I) IF AN ELIGIBLE TEACHER IS EMPLOYED BY A LOCAL**
12 **SCHOOL SYSTEM, THE DEPARTMENT SHALL SEND THE COMPLETED APPLICATION**
13 **TO THE LOCAL SCHOOL SYSTEM.**

14 **(II) IF THE LOCAL SCHOOL SYSTEM OBJECTS TO THE ELIGIBLE**
15 **TEACHER'S PARTICIPATION IN THE PROGRAM, WITHIN 10 BUSINESS DAYS AFTER**
16 **RECEIPT OF THE COMPLETED APPLICATION, THE LOCAL SCHOOL SYSTEM SHALL**
17 **NOTIFY THE DEPARTMENT OF ITS OBJECTION IN ACCORDANCE WITH SUBSECTION**
18 **(C)(3) OF THIS SECTION.**

19 **(III) IF THE DEPARTMENT DETERMINES THAT THE OBJECTION**
20 **OF THE LOCAL SCHOOL SYSTEM IS VALID IN ACCORDANCE WITH SUBSECTION (C)(3)**
21 **OF THIS SECTION, THE DEPARTMENT SHALL REJECT THE APPLICATION AND**
22 **INFORM THE ELIGIBLE TEACHER AND THE NONPUBLIC SCHOOL THAT THE**
23 **APPLICATION WAS REJECTED.**

24 **(E) (1) THE DEPARTMENT SHALL ESTABLISH SELECTION CRITERIA TO**
25 **AWARD GRANTS UNDER THE PROGRAM.**

26 **(2) SUBJECT TO THE AVAILABILITY OF FUNDS, THE DEPARTMENT**
27 **SHALL AWARD GRANTS UNDER THE PROGRAM BASED ON REVIEW OF THE**
28 **APPLICATIONS.**

29 **(3) (I) FUNDS AWARDED UNDER PARAGRAPH (2) OF THIS**
30 **SUBSECTION SHALL BE DISTRIBUTED TO:**

31 **1. THE LOCAL SCHOOL SYSTEM WHERE THE ELIGIBLE**
32 **TEACHER IS EMPLOYED; OR**

1 **2. IF THE ELIGIBLE TEACHER IS RETIRED, THE LOCAL**
2 **SCHOOL SYSTEM IN WHICH THE NONPUBLIC SCHOOL IS LOCATED.**

3 **(II) THE LOCAL SCHOOL SYSTEM SHALL USE THE FUNDS TO**
4 **PROVIDE COMPENSATION TO AN ELIGIBLE TEACHER PARTICIPATING IN THE**
5 **PROGRAM.**

6 **(4) (I) THE DEPARTMENT SHALL ESTABLISH THE AMOUNT OF**
7 **EACH GRANT AWARDED TO A PARTICIPATING ELIGIBLE TEACHER, WHICH SHALL BE**
8 **AT LEAST EQUAL TO THE NUMBER OF HOURS THE TEACHER TEACHES STEM**
9 **CLASSES AT A NONPUBLIC SCHOOL MULTIPLIED BY THE AVERAGE HOURLY SALARY**
10 **OF A PUBLIC SCHOOL TEACHER IN THE LOCAL SCHOOL SYSTEM MULTIPLIED BY 1.25.**

11 **(II) PAYMENTS RECEIVED BY AN ELIGIBLE TEACHER UNDER**
12 **THE PROGRAM MAY NOT BE CONSIDERED COMPENSATION UNDER A COLLECTIVE**
13 **BARGAINING AGREEMENT.**

14 **(5) FUNDS APPROPRIATED FOR THE PROGRAM SHALL BE USED**
15 **EXCLUSIVELY TO PAY ELIGIBLE TEACHERS TO TEACH STEM CLASSES AT A**
16 **PARTICIPATING NONPUBLIC SCHOOL, AND THE ELIGIBLE TEACHER SHALL TEACH**
17 **ONLY THE CLASSES STIPULATED UNDER THE PROGRAM AT THE NONPUBLIC**
18 **SCHOOL.**

19 **(F) (1) IF A PARTICIPATING NONPUBLIC SCHOOL DETERMINES THAT A**
20 **PARTICIPATING ELIGIBLE TEACHER IS NOT IN COMPLIANCE WITH THE PROGRAM OR**
21 **IS VIOLATING THE NONPUBLIC SCHOOL'S CODE OF CONDUCT OR THE FACULTY**
22 **HANDBOOK, THE NONPUBLIC SCHOOL MAY:**

23 **(I) REQUEST THAT THE TEACHER BE REMOVED FROM**
24 **PARTICIPATION IN THE PROGRAM AT THE NONPUBLIC SCHOOL; AND**

25 **(II) SUBMIT TO THE DEPARTMENT INFORMATION THAT**
26 **DEMONSTRATES NONCOMPLIANCE WITH THE PROGRAM, THE NONPUBLIC SCHOOL'S**
27 **CODE OF CONDUCT, OR THE NONPUBLIC SCHOOL'S FACULTY HANDBOOK.**

28 **(2) AFTER REVIEWING THE INFORMATION, THE DEPARTMENT MAY**
29 **TERMINATE THE TEACHER'S PARTICIPATION IN THE PROGRAM AT THAT NONPUBLIC**
30 **SCHOOL.**

31 **(G) (1) EACH YEAR, EACH PUBLIC SCHOOL SHALL:**

32 **(I) INFORM ALL TEACHERS EMPLOYED AT OR RETIRED FROM**
33 **THE PUBLIC SCHOOL ABOUT THE PROGRAM; AND**

1 **(II) SUBMIT A LIST OF ALL ELIGIBLE TEACHERS THAT EXPRESS**
2 **AN INTEREST IN PARTICIPATING IN THE PROGRAM TO THE SUPERINTENDENT OF**
3 **THE LOCAL SCHOOL SYSTEM ON OR BEFORE JANUARY 15 EACH YEAR.**

4 **(2) THE SUPERINTENDENT OF THE LOCAL SCHOOL SYSTEM SHALL**
5 **SHARE THE LIST OF ELIGIBLE TEACHERS WITH A NONPUBLIC SCHOOL ON REQUEST.**

6 **(H) (1) AT THE CONCLUSION OF EACH SCHOOL YEAR, A NONPUBLIC**
7 **SCHOOL PARTICIPATING IN THE PROGRAM SHALL SUBMIT A REPORT TO THE**
8 **DEPARTMENT ON THE NONPUBLIC SCHOOL'S IMPLEMENTATION OF THE PROGRAM.**

9 **(2) THE REPORT SHALL INCLUDE:**

10 **(I) THE DAYS AND CLASSROOM HOURS THAT AN ELIGIBLE**
11 **TEACHER TAUGHT IN THE NONPUBLIC SCHOOL;**

12 **(II) INFORMATION REGARDING WHETHER ANY SCHEDULING**
13 **OBSTACLES WERE ENCOUNTERED AND, IF SO, HOW THEY WERE ADDRESSED;**

14 **(III) RECOMMENDATIONS TO IMPROVE THE PROGRAM; AND**

15 **(IV) ANY OTHER INFORMATION RELEVANT TO THE PROGRAM.**

16 **(I) FOR EACH FISCAL YEAR, THE GOVERNOR SHALL INCLUDE IN THE**
17 **ANNUAL BUDGET BILL AN APPROPRIATION OF \$1,000,000 TO THE DEPARTMENT**
18 **FOR GRANTS UNDER THE PROGRAM.**

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
20 1, 2024.