

# POLICY

## BOARD OF EDUCATION OF MONTGOMERY COUNTY

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**Related Entries:** HDA, HDB, HDC  
**Responsible Office:** Chief Operating Officer  
Association Relations

### **Designation of the Montgomery County Association of Administrators and Principals as Exclusive Representative of Noncertificated Supervisory Employees**

WHEREAS, In August 2006, the Montgomery County Association of Administrative and Supervisory Personnel (MCAASP), in accordance with the requirements of the *Annotated Code of Maryland*, Education, Section 6-506, requested the opportunity to enter into negotiations with the Montgomery County Board of Education (Board of Education) on the subject of establishing a bargaining unit of noncertificated supervisory employees; and

WHEREAS, On September 14, 2006, the Board of Education directed the superintendent of schools to enter into negotiations with any interested employee organization to determine the composition of a unit of noncertificated supervisory employees who were not then currently in a bargaining unit; and

WHEREAS, Both MCAASP and the Service Employees International Union (SEIU) Local 500 requested negotiations with the Board of Education on the subject of the composition of the bargaining unit; and

WHEREAS, Negotiations have occurred involving both organizations requesting negotiations on this issue and the representatives of the Board of Education; and

WHEREAS, On March 26, 2007, the Board of Education approved the formation of a bargaining unit of noncertificated supervisory employees; and

WHEREAS, The unit is to consist of noncertificated supervisory employees who provide responsible direction to other employees and exercise independent judgment, are responsible for the evaluation of at least two other employees, and who do not report to members of the SEIU Local 500 bargaining unit, and all other similarly situated positions now and in the future; and

WHEREAS, The unit shall include those positions identified in the attachment to the Board's resolution of March 26, 2007, but only to the extent those positions meet the description of the unit set forth above and may include other positions meeting the unit description in the future; and

WHEREAS, Management personnel, confidential employees, and those persons designated by the Board of Education to act in a negotiations capacity, all pursuant to Section 6-501 of *The Annotated Code of Maryland*, Education, and temporary employees are excluded from any unit; and

WHEREAS, On May 22, 2007, MCAASP submitted certification that it has membership enrollment of at least 30 percent of the public school employees in the unit named in this resolution as provided under *The Annotated Code of Maryland*, Education, Section 6-506; and

WHEREAS, On May 29, 2007, MCAASP submitted certification that it has membership enrollment of the majority of the public school employees in the unit named in this resolution as provided under *The Annotated Code of Maryland*, Education, Section 6-506; and

WHEREAS, As of the May 28, 2007 deadline, no other employee organization has certified having a membership enrollment of at least 10 percent of the total number of employees in such unit; and

WHEREAS, MCAASP did not request an election under the *Annotated Code of Maryland*, Education, Section 6-506; and

WHEREAS, On March 11, 2008, in accordance with the provisions of the *Annotated Code of Maryland*, Education, Section 6-506 (e) *Designation without an election*, the Board of Education designated the Montgomery County Association of Administrative and Supervisory Personnel as the exclusive representative of all public school employees in the unit named in this resolution effective June 13, 2007, and continuing as provided by law; and

WHEREAS, Management personnel, confidential employees, and those persons designated by the Board of Education to act in a negotiations capacity, all pursuant to Section 6-501 of the *Annotated Code of Maryland*, Education, are excluded from this unit, pursuant to the *Annotated Code of Maryland*, Education, Section 6-506, and temporary employees are excluded from any unit; and

WHEREAS, On July 1, 2009, the Montgomery County Association of Administrative and Supervisory Personnel changed its name to the Montgomery County Association of Administrators and Principals; now therefore be it

*Resolved*, That in accordance with the provisions of the *Annotated Code of Maryland, Education Article, Section 6-506(e) Designation without an election*, the Board of Education reaffirms the Montgomery County Association of Administrators and Principals as the exclusive representative of all public school employees in the unit named in this resolution, and continuing as provided by law.

**Policy History:** Adopted by Resolution No. 82-08, March 11, 2008; amended by Resolution No. 451-11, September 13, 2011.