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**TO:** Members of the Maryland State Board of Education

**FROM:** Karen B. Salmon, Ph.D.

**DATE:** May 23, 2017

**RE:** COMAR13A.12.02.15  
*Professional and Technical Education*  
**ADOPTION**

COMAR13A.12.02.16  
*Work-Based Learning Coordinator*  
**ADOPTION**

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**PURPOSE:**

The purpose of this item is to request adoption of the proposed amendments to COMAR 13A.12.02.15, *Professional and Technical Education* and COMAR 13A.12.02.16, *Work-Based Learning Coordinator* (Attachments I and II). Amendments are being proposed to expand the pool of potential applicants for local school systems by adding the ability to use teaching experience for the professional and technical education regulations and revising the number of hours of work experience an individual may present for certification for the work-based learning coordinator.

**REGULATION PROMULGATION PROCESS:**

Under Maryland law, a state agency, such as the State Board, may propose a new regulation whenever the circumstances arise to do so. The State Board shares joint authority with the Professional Standards and Teacher Education Board (PSTEB) to develop regulations governing teacher certification and preparation.

When PSTEB initiates a regulatory change, the State Board must review the proposed regulation. In order to reject a proposed regulation, a super-majority of the State Board (three-fourths of its members) must vote against the change. Otherwise, the regulation moves forward in the regulation promulgation process.

After the State Board has voted to approve the regulation (or has failed to garner a super-majority vote to disapprove the regulation), the proposed regulation is sent to the Administrative, Executive, and Legislative Review Committee (AELR) for a 15-day review period. If the AELR does not hold up the proposed regulation for further review, it is published in the Maryland Register for a 30-day public comment period. At the end of the comment period, Maryland State Department of Education (MSDE) staff reviews and summarizes the public comments. Thereafter, MSDE staff will present a recommendation to the State Board to either: (1) adopt the regulation in the form it was proposed; or (2) revise the regulation and adopt it as final because the suggested revision is not a substantive change; or (3) revise the regulation and re-propose it because the suggested revision is a substantive change. At any time during this process, the AELR Committee may stop the promulgation process and hold a hearing. Thereafter, it may recommend to the Governor that the regulation not be adopted as a final regulation or the AELR Committee may release the regulation for final adoption.

If the State Board moves to adopt the regulation in the form it was proposed, the regulation will be sent back to the PSTEB for final adoption.

### **BACKGROUND INFORMATION:**

In 2010, the Division of Career and College Readiness (DCCR) identified that the current regulations pertaining to *Professional and Technical Education* and the *Work-Based Learning Coordinator* were outdated and that there was a growing need for more teachers to be eligible to earn this endorsement. In response to the DCCR's presentation, the Professional Standards and Teacher Education Board (PSTEB) directed the MSDE to convene a workgroup to review regulatory requirements.

Staff in the DCCR and the Division of Educator Effectiveness (DEE) convened a work group in 2011. Local Directors of Career and Technology Education (CTE), principals of Career and Technology Education Centers, local school system human resource personnel, and representatives from higher education teacher preparation programs served on the work group. The work group proposed several regulatory language recommendations which were later adopted by both the State Board of Education and the PSTEB. At subsequent meetings with the Directors of CTE, other proposed changes were recommended for both the *Professional and Technical Education* and *Work-Based Learning Coordinator regulations*.

The changes to the *Professional and Technical Education* regulations included adding teaching experience as an option for meeting the occupational experience requirement. Similarly, changes for the *Work-Based Learning Coordinator* regulation revised the number of hours of work experience an individual may present for certification. These proposed changes will expand the pool of potential applicants for local school systems in an area where Maryland continues to experience a teacher shortage. Changes allow for a greater range of experienced professionals to teach in these specialized areas while still maintaining rigorous standards expected of all educators

On April 2, 2015, the PSTEB granted permission to publish the proposed regulations. On January 24, 2017, the State Board also granted permission to publish the proposed amendments.

On March 31, 2017, the proposed regulations were published by the Maryland Registry (Attachment III). Comments were to be received by May 1, 2017. The MSDE did not receive any public comments.

### **SUMMARY:**

Staff in the DCCR and DEE have met regularly with key constituents to discuss and recommend changes to certification areas related to Career and Technical Education, specifically, COMAR13A.12.02.15 *Professional and Technical Education* and COMAR 13A.12.02.16 *Work-Based Learning Coordinator*. Proposed changes include expanding the occupational experience requirement to include teaching in the career area (COMAR 13A.12.02.15), amending citations, and clarifying the number of hours required for employment (COMAR 13A.12.02.16).

### **ACTIONS:**

1. Request permission to adopt amendments to COMAR13A.12.02.15, *Professional and Technical Education*; and
2. Request permission to adopt amendments to COMAR 13A.12.02.16, *Work-Based Learning Coordinator*.

Attachments

**.03 Personnel.**

- A.—C. (text unchanged)
- D. Personnel Not Eligible.

- (1) (text unchanged)
- (2) *Personnel Under Investigation.*

(a) Personnel under investigation for a cause under COMAR 13A.12.05 shall remain ineligible for a certificate pending the result of the investigation.

(b) *If the Department's investigation concludes that the individual has committed a cause listed under COMAR 13A.12.05, that individual shall be denied a certificate by the Department.*

(c) *An individual who has been denied a certificate may appeal that decision through the process outlined in COMAR 13A.12.05.03—.07.*

- (3)—(4) (text unchanged)

KAREN B. SALMON, Ph.D.  
State Superintendent of Schools

**Subtitle 12 CERTIFICATION**

**13A.12.02 Teachers**

Authority: Education Article, §§2-205, 2-303(g), 6-121, and 6-701—6-705, Annotated Code of Maryland

**Notice of Proposed Action**

[17-104-P]

The Professional Standards and Teacher Education Board proposes to amend Regulations **.15** and **.16** under **COMAR 13A.12.02 Teachers**. This action was considered by the Professional Standards and Teacher Education Board at their meeting held on April 2, 2015.

**Statement of Purpose**

The purpose of this action is to expand the pool of potential applicants for local school systems by adding the ability to use teaching experience for the professional and technical education certificate and to revise the number of hours of work experience an individual may present for certification as a work-based learning coordinator.

**Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

**Estimate of Economic Impact**

The proposed action has no economic impact.

**Economic Impact on Small Businesses**

The proposed action has minimal or no economic impact on small businesses.

**Impact on Individuals with Disabilities**

The proposed action has no impact on individuals with disabilities.

**Opportunity for Public Comment**

Comments may be sent to Sarah Spross, M.Ed., Assistant State Superintendent, Division of Educator Effectiveness, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, Maryland 21201, or call 410-767-0385 (TTY 410-333-6442), or email to sarah.spross@maryland.gov, or fax to 410-333-8963. Comments will be accepted through May 1, 2017. A public hearing has not been scheduled.

**Open Meeting**

Final action on the proposal will be considered by the Professional Standards and Teacher Education Board during a public meeting to

be held on June 1, 2017, 9 a.m., at 200 West Baltimore Street, Baltimore, Maryland 21201.

**.15 Professional and Technical Education (Grades 7—12).**

A. To receive certification in professional and technical education (grades 7—12), the applicant shall complete one of the following options:

- (1) — (2) (text unchanged)
- (3) Option III:

(a) (text unchanged)

(b) The occupational experience in §A(3)(a) of this regulation shall be *within 10 years prior to the issuance of the certificate and may include:*

[i] Be within 10 years of the issuance of the certificate;

and]

[ii] (i) [Include 1 year full-time employment; or] *Full-time, satisfactory teaching experience in the career area to be taught; and/or*

(ii) *Full-time, satisfactory occupational experience employment.*

(iii) The applicant may substitute a Department-accepted, current industry recognized credential, *a list of which is maintained by the Department*, for [the] 1 year [employment requirement] *of the occupational experience requirement; and*

(c) (text unchanged)

(4) Option IV:

(a) (text unchanged)

(b) The occupational experience in §A(4)(a) of this regulation shall be *within 10 years prior to the issuance of the certificate and may include:*

[i] Be within 10 years of the issuance of the certificate;

and

(ii) Include 2 years full-time employment; or]

(i) *Full-time, satisfactory teaching experience in the career area to be taught; and/or*

(ii) *Full-time, satisfactory occupational experience employment.*

(iii) The applicant may substitute a Department-accepted, current industry recognized credential [for 1 year of the 2 year employment requirement], *a list of which is maintained by the Department, for 1 year of the occupational experience requirement; and*

(c) (text unchanged)

B.—C. (text unchanged)

**.16 Work-Based Learning Coordinator (Grades 7—12).**

A. (text unchanged)

B. To add an endorsement in work-based learning coordinator (grades 7—12), the applicant shall:

(1) Hold a professional certificate with certification under [COMAR 13A.12.02.06—.11, .13—.15, and .17—.20(A)(3) of this chapter;] *COMAR 13A.12.02.06, .13, and .17—.20(A)(3) of this chapter;*

(2) (text unchanged)

(3) Complete a work experience requirement through any of the following:

(a) Documented evidence of employment equivalent to a minimum of 1,000 hours of [successful] *satisfactory*, wage-earning, nonteaching occupational experience;

(b) Documented evidence of employment equivalent to a minimum of [1,500] *1,000* hours *which shall include 500 hours of [successful] satisfactory*, wage-earning, nonteaching occupational experience [plus] *and 500 hours of self-employment;*

(c)—(d) (text unchanged)

C.—D. (text unchanged)

KAREN B. SALMON, Ph.D.  
State Superintendent of Schools

# Title 13B MARYLAND HIGHER EDUCATION COMMISSION

## Subtitle 08 FINANCIAL AID

### **13B.08.02 Janet L. Hoffman Loan Assistance Repayment Program**

*Authority: Education Article §§11-105(u), 18-204(c), and 18-1503, Annotated Code of Maryland*

#### Notice of Proposed Action

[17-106-P]

The Maryland Higher Education Commission proposes to adopt new Regulations .01 — .12 under a new chapter, **COMAR 13B.08.02 Janet L. Hoffman Loan Assistance Repayment Program**. This action was considered by the Maryland Higher Education Commission at a public meeting held on February 13, 2017.

#### Statement of Purpose

The purpose of this action is to adopt regulations to implement the Janet L. Hoffman Loan Assistance Repayment Program provided for in statute.

#### Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

#### Estimate of Economic Impact

The proposed action has no economic impact.

#### Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

#### Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

#### Opportunity for Public Comment

Comments may be sent to Donna Thomas, Director, Office of Student Financial Assistance, Maryland Higher Education Commission, 6 North Liberty Street, Baltimore MD 21201, or call 410-767-3109, or email to [donnae.thomas@maryland.gov](mailto:donnae.thomas@maryland.gov). Comments will be accepted through May 1, 2017. A public hearing has not been scheduled.

#### **.01 Purpose.**

*The purpose of the Janet L. Hoffman Loan Assistance Repayment Program (Hoffman LARP) is to attract qualified individuals to fields of employment in government and the nonprofit sector, particularly those in which there are critical manpower shortages in the State and lower salaries than in the private sector, by providing State assistance in the repayment of educational loans.*

#### **.02 Eligibility.**

A. To be eligible for assistance under the Hoffman LARP, an applicant:

(1) Shall possess:

(a) An undergraduate, graduate, or professional degree from a college or university located in Maryland;

(b) A law degree from any school of law; or

(c) A resident teacher certificate from the Maryland State Department of Education after completing an alternative teaching preparation program approved by the State Superintendent of Education;

(2) Shall have obtained employment with the State (not including employment as a judicial clerk in any court), a local government, or an organization, institution, association, society, or corporation that is tax exempt under §501(c)(3) or (4) of the Internal Revenue Code of 1986;

(3) May not be in default on any higher education loan;

(4) Shall have a higher education loan for undergraduate, graduate, professional, or resident teacher certificate study obtained for tuition, educational expenses, or living expenses from a college, university, government, or commercial source; and

(5) Shall meet annual income requirements as established by the Office for Student Financial Assistance.

B. In addition to the eligibility requirements in §A of this regulation, an applicant for a Nancy Grasmick Teacher Award shall have:

(1) Taught in a public school in the State for at least 2 years:

(a) In science, technology, engineering, or math; or

(b) In a school in which at least 75 percent of the students are enrolled in the free and reduced lunch program; and

(2) Received the highest performance evaluation rating possible for the most recent year.

C. In addition to the eligibility requirements in §A of this regulation, an applicant employed as a licensed clinical counselor shall work in a high need geographic area of the State, as determined by the Department of Health and Mental Hygiene, in one of the following fields:

(1) Licensed clinical alcohol and drug counseling;

(2) Licensed clinical marriage and family therapy counseling;

or

(3) Licensed clinical professional counseling.

#### **.03 Application Procedures.**

A. To be considered for the Hoffman LARP, an applicant shall provide to the Office for Student Financial Assistance (OSFA):

(1) A completed application;

(2) Current repayment data on all education loans;

(3) Proof that the applicant has:

(a) Graduated from a college or university in Maryland;

(b) Graduated from a school of law; or

(c) Obtained of a resident teacher certificate;

(4) A statement from an eligible employer confirming the nature of the applicant's job, length of employment, full-time status, and annual salary; and

(5) A copy of the applicant's Maryland tax return for the most recent available year or, if not filed with the State, a copy of the applicant's most recent federal return. If the applicant has not filed a tax return, they shall submit verification from the IRS confirming nonfiling status.

B. Applications from law school students shall be received between July 1 and September 30 each year. Applicants shall be attending the University of Maryland Francis King Carey School of Law or the University of Baltimore School of Law and be in their final year of school.

C. Applications from individuals possessing a Resident Teacher Certificate shall be received in the individual's second year of the program and shall meet all the requirements in §A of this regulation.

D. Each applicant shall agree to provide any information or documentation requested by OSFA for the purpose of administering this program and, if requested, shall sign an authorization for the release of information to OSFA for the purpose of administering this