



Karen B. Salmon, Ph.D.
Acting State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • msde.maryland.gov

TO: Members of the State Board of Education

FROM: Karen B. Salmon, Ph.D.

DATE: June 28, 2016

SUBJECT: Code of Maryland Regulations (COMAR) 13A.07.11 Standards for Professional Learning
ADOPTION

PURPOSE:

The purpose of this action is to request that the State Board grant permission to adopt amendments to regulations that govern Standards for Professional Learning.

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. After the State Board votes to propose such a regulation, the proposed regulation is sent to the AELR Committee for a 15-day review period. If the AELR Committee 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, MSDE staff reviews and summarizes the public comments. Thereafter, MSDE staff will present a recommendation to the State Board of Education to either: (1) adopt the regulation in the form it was proposed; or (2) revise the regulation and adopt it as final because 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.

BACKGROUND/HISTORICAL PERSPECTIVE:

The purpose of professional learning is for educators to develop their knowledge and practice in order to reflect, improve, and individualize student performance and increase student achievement. A growing, and increasingly rigorous body of research has confirmed that

effective teaching is the most important school-related variable related to student success. Maryland has a rich history of professional learning standards. In 1995, the Maryland State Board approved the use of the Standards for Staff Development from the National Staff Development Council (NSDC). Then, in 2001 Maryland authored and adopted the 2001 Maryland Professional Development Standards. Both the 1995 NSDC Standards and the 2001 Maryland Standards have provided consistency and high-quality to professional learning across the state. They have been used on the school system level to create educator courses and other professional development offerings for educators. They have been used on the state level to evaluate and approve courses offered for Continuing Professional Development credit.

In 2011, Maryland began a study to upgrade the Maryland Professional Development Standards. Input was solicited from the professional development coordinators and the assistant superintendents of instruction from the 24 state school systems. The resulting recommendation was to move to the practice of employing the *Learning Forward* (formerly NSDC) Professional Learning Standards in Maryland. The *Learning Forward* Standards embody the 2001 Maryland standards, but are updated to include the most recent body of research around professional learning. As a result, in 2012 Maryland began the shift from the 2001 Maryland Standards to the *Learning Forward* Standards for Professional Learning. A January 2016 survey conducted by the MSDE Division of Curriculum, Assessment, and Accountability to the central office staff in Maryland's 24 school systems revealed that 19 of the state's 24 systems are currently using the *Learning Forward* Standards for Professional Learning. In addition, these standards are currently being employed by MSDE to evaluate and approve courses offered for Continuing Professional Development credit. Since 2012, all MSDE state-wide professional learning initiatives have employed these standards as a basis, including the Educator Effectiveness Academies and the College and Career Readiness Conferences.

At the March 22, 2016 State Board of Education meeting, permission was granted to publish amendments to regulations under COMAR 13A.07.11 Standards for Professional Learning. Opportunities for public comment were provided through publication of the proposed amended regulations in the Maryland Register, Volume 43, Issue 10, Friday, May 13, 2016 (attached). No comments or questions were received.

EXECUTIVE SUMMARY:

The adoption of this COMAR will validate Maryland's rich history of professional learning and will provide Maryland school systems with guidance and consistency in offering high quality professional learning based upon the most recent research.

ACTION:

Request permission to adopt amendments to regulations under COMAR 13A.07.11 Standards for Professional Learning.

Attachment

(5) The applicant shall demonstrate to the Administration that he *or she* possesses the financial capability to purchase trip permits from the [Motor Vehicle] Administration in advance of sale in quantities specified by the [Motor Vehicle] Administration.

B. Issuance of Trip Permits/Temporary Operating Authorities by Licensees.

(1) Licensees shall purchase from the Administration and sell trip permits/temporary operating authorizations in the manner prescribed by the [Motor Vehicle] Administration.

(2) The licensee may charge the purchaser of a trip permit/temporary operating authorities a fee for its service not to exceed the rate established by the [Motor Vehicle] Administration.

C. Liability. The [Motor Vehicle] Administration is not liable for the illegal or improper acts of its licensees.

D. Inspection of Record. The applicant agrees to the availability and inspection of all its records by the [Motor Vehicle] Administration during normal business hours, for the determination of compliance with the [Motor Vehicle] Administration requirements and regulations.

E. Transferability and Revocation of License.

(1) (text unchanged)

(2) Licensees may terminate the license by giving 30 days written notice to the [Motor Vehicle] Administration. If the license arrangement is cancelled by either party, the licensee shall promptly turn in to the offices of the Administration all unissued trip permits and the Administration shall refund their cost.

CHRISTINE NIZER
Administrator
Motor Vehicle Administration

Title 13A STATE BOARD OF EDUCATION

Subtitle 07 SCHOOL PERSONNEL

13A.07.11 Standards for Professional Learning

Authority: Education Article, §2-205(c) and (q)(2)(vii), Annotated Code of Maryland

Notice of Proposed Action

[16-116-P-I]

The Maryland State Board of Education proposes to adopt new Regulations .01—.05 under a new chapter, **COMAR 13A.07.11 Standards for Professional Learning**. This action was considered at the March 22, 2016 meeting of the State Board of Education.

Statement of Purpose

The purpose of this action is to provide guidance for local school systems to establish a high quality, comprehensive professional learning program based on professional learning standards aligned to the international Learning Forward Standards for Professional Learning.

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 Cecilia J. Roe, Director of Instructional Assessment and Professional Learning, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, Maryland 21201, or call 410-767-0574 (TTY 410-333-6442), or email to cecilia.roe@maryland.gov, or fax to 410-333-6442. Comments will be accepted through June 13, 2016. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Maryland State Board of Education during a public meeting to be held on June 28, 2016, 9 a.m., at 200 West Baltimore Street, Baltimore, Maryland 21201.

Editor's Note on Incorporation by Reference

Pursuant to State Government Article, §7-207, Annotated Code of Maryland, the Learning Forward Standards for Professional Learning, August 2011, has been declared a document generally available to the public and appropriate for incorporation by reference. For this reason, it will not be printed in the Maryland Register or the Code of Maryland Regulations (COMAR). Copies of this document are filed in special public depositories located throughout the State. A list of these depositories was published in 43:1 Md. R. 10 (January 8, 2016), and is available online at www.dsd.state.md.us. The document may also be inspected at the office of the Division of State Documents, 16 Francis Street, Annapolis, Maryland 21401.

.01 Scope.

This chapter applies to local school systems that provide professional learning programs for educators.

.02 Purpose.

The purpose of this chapter is to provide guidance for local school systems to establish a high quality, comprehensive professional learning program based on professional learning standards aligned to the international Learning Forward Standards for Professional Learning that result in increased student achievement by:

A. Providing support for the implementation of Maryland content standards and Science, Technology, Engineering and Mathematics (STEM) Education;

B. Fostering collaborative inquiry and learning that enhances individual and collective performance;

C. Providing research and evidence-based professional learning to ensure equity and excellence in educator learning;

D. Aligning with the professional growth model for implementation of teacher and principal evaluation; and

E. Including the Learning Forward Standards for Professional Learning set forth in Regulation .03A of this chapter.

.03 Incorporation by Reference.

In this chapter, the following documents are incorporated by reference:

A. Learning Forward Standards for Professional Learning, August 2011; and

B. Maryland Teacher Professional Development Evaluation Guide, October 2008, which has been incorporated by reference in COMAR 13A.07.01.02.

.04 Evaluation of the Professional Learning Program.

Local school systems shall evaluate the effectiveness of the professional learning program and shall use the Maryland Teacher Professional Development Evaluation Guide, October 2008, as a resource for developing an evaluation model.

.05 Reporting Requirements.

Local school systems shall, in accordance with Education Article, §5-401(c), Annotated Code of Maryland, report in their Bridge to Excellence Master Plans their goals, objectives, and strategies regarding their professional learning programs along with timelines for implementation and methods for measuring progress.

JACK R. SMITH, Ph.D.
Interim State Superintendent of Schools

Title 26

DEPARTMENT OF THE ENVIRONMENT

Subtitle 04 REGULATION OF WATER SUPPLY, SEWAGE DISPOSAL, AND SOLID WASTE

26.04.01 Quality of Drinking Water in Maryland

Authority: Environment Article, Title 9, Subtitles 2 and 4, Annotated Code of Maryland

Notice of Proposed Action

[16-113-P]

The Secretary of the Environment proposes to amend Regulations **.01, .01-1, .03, .04, .10, .11, .11-1, .11-2, .15-2, .19, .20, .20-2, and .21** and to adopt new Regulation **.11-4** under **COMAR 26.04.01 Quality of Drinking Water in Maryland**.

Statement of Purpose

The purpose of this action is to adopt federal regulations under the Safe Drinking Water Act for the Revised Total Coliform Rule (RTCR), which were finalized by EPA in February 2013, and to adopt a minor revision to the Stage 2 Disinfection Byproduct Rule monitoring requirements (COMAR 26.04.01.15-2).

The RTCR eliminates the specific drinking water standards for total coliform bacteria and fecal coliform bacteria while increasing other monitoring and reporting requirements that will increase oversight of public water systems. The RTCR establishes a maximum contaminant level (MCL) for E.coli and uses the presence of E.coli or total coliform to initiate a “find and fix” approach to address contamination that could enter into the distribution system. E.coli is a more specific indicator of fecal contamination than fecal coliform, which was the indicator under the Total Coliform Rule (TCR) which was adopted in 1989. EPA also replaced the MCL for total coliforms with a treatment technique (TT) requirement for total coliforms in the RTCR.

Under the RTCR all PWSs that confirm total coliform bacteria in the drinking water must complete a Level 1 assessment of the PWS. A Level 1 assessment is an evaluation to identify the presence of sanitary defects, defects in distribution system coliform monitoring practices, and the probable causes for the assessment. It is conducted by the system operator or owner. PWSs would be required to submit a report identifying sanitary defects detected, corrective actions completed, and a timetable for any corrective actions not already completed.

Under the RTCR all PWSs experiencing ongoing total coliform contamination or E. coli contamination must receive a Level 2 assessment. A Level 2 assessment provides a more detailed examination of the system (including the systems monitoring and operational practices) than the Level 1 assessment through the use of

more comprehensive investigation and review of available information, additional internal and external resources, and other relevant practices. It is conducted by the State or a third party approved by the State. The State may also direct expedited actions in the case of an E.coli violation. Additionally, as part of the Level 2 assessment, PWSs must submit to the State a report identifying sanitary defects detected, corrective actions completed, and a timetable for completion of any corrective actions that are not already completed.

All PWSs must comply with the RTCR requirements starting April 1, 2016. PWSs include all Community Water Systems (CWSs) Non-Transient Non-Community water Systems (NTNCWSs), and Transient Non-Community Water Systems (TNCWSs).

Background

The Safe Drinking Water Act (SDWA) requires EPA to review and revise, as appropriate each existing National Primary Drinking Water Regulation (NPDWR) at least once every 6 years. In 2003, EPA completed its review of the TCR. The purpose of the review was to identify new health risk assessments and changes in technology or other factors that would support a regulatory revision that would maintain or improve public water protection. The EPA published the RTCR in the Federal Register on February 13, 2013 (78 FR 10269) and minor corrections on February 26, 2014 (79 FR 10665). The RTCR upholds the purpose of the 1989 TCR to protect public health by ensuring the integrity of the drinking water distribution system and monitoring for the presence of microbial contamination. The RTCR, as with the TCR, is the only microbial drinking water regulation that applies to all PWSs.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. Changes to the existing Total Coliform Rule will have a direct effect on the issuing agency by increasing the cost of its regulatory program, and on suppliers of water by increasing the costs for report preparation. Changes to the requirements for testing will have a negligible impact. A benefit to the public, the issuing agency, and the local government, though not quantifiable, will result in improved maintenance and treatment of the water system since the focus will be on identifying potential contamination sources, and correcting the sanitary defect. Changes to the affected industries will have a negligible impact. The estimated changes in cost from the 1989 TCR to the RTCR are related to 7 categories: Rule Implementation and Annual Administration, Revision of Sample Siting Plans, Monitoring, Annual Site Visits, Assessments, Corrective Actions and Public Notification. The estimated economic impacts for these categories are summarized in the table shown in the Assumptions Section under D. for other industries and trade groups, they cost is calculated by adding the totals for all three PWS types (total - \$286,400). The basis for the cost estimates was provided with the final rule in the Federal Register, and is annualized.

RTCR Rule Implementation and Annual Administration: Under the RTCR all PWSs would incur one-time costs that include training employees on rule requirements. All PWSs are subject to additional transitional implementation activities. The State and local agencies will incur administrative costs to implement the RTCR. These implementation costs are necessary to ensure that the provisions of the RTCR are properly carried out. The State will need to allocate time for staff to establish and maintain the programs necessary to comply with the RTCR, including adopting state regulations, developing new report forms, and modifying data management systems to track the new PWS reports to the State.