



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

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

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

**DATE:** August 27, 2019

**SUBJECT:** COMAR 13A.04.12  
*Program in Mathematics*  
**ADOPTION**

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**PURPOSE:**

The purpose of this action is to request that the State Board adopt amendments to COMAR 13A.04.12 *Program in Mathematics*.

**REGULATION PROMULGATION PROCESS:**

Under Maryland law, a state agency, such as the State Board, may propose a new or amended 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 Administrative, Executive, and Legislative Review Committee (AELR) 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, the Maryland State Department of Education (MSDE) staff reviews and summarizes the public comments. Thereafter, the MSDE staff will present a recommendation to the State Board of Education to either: (1) adopt the regulation in the form it was proposed; (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 the 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:**

COMAR 13A.04.12 *Program in Mathematics* requires local school systems to use curriculum that is aligned to Maryland College and Career Ready Standards for mathematics. Once every five years, each local superintendent is required to certify to the State Superintendent of Schools that instructional programming within grades prekindergarten-12 meet all requirements in COMAR 13A.04.12, which include alignment of curriculum to standards. In the current regulation, local school system superintendents are not required to demonstrate evidence that the curriculum for the school system aligns to Maryland College and Career Standards.

**EXECUTIVE SUMMARY:**

The amendments to COMAR 13A.04.12 strengthen the regulation to require each local school system superintendent or chief executive officer to provide evidence of alignment to standards for curriculum.

**Current Regulation:**

By September 1, 2005 and each 5 years after that, each local superintendent of schools shall certify to the State Superintendent of Schools that the instructional programming within grades prekindergarten—12 meets, at a minimum, the requirements set forth in Regulation .01 of this chapter.

**Revised Regulation:**

A. By September 1, 2020 and thereafter, upon adoption of new State standards, local school system curricula, or curriculum support materials, each local superintendent of schools or chief executive officer shall certify to the State Superintendent of Schools that the instructional programming for mathematics courses aligned to the Maryland College and Career Ready Standards meets, at a minimum, the requirements set forth in Regulation .01 of this chapter.

B. The superintendent or chief executive officer shall provide evidence of meeting the requirements. Acceptable forms of evidence include:

- (1) A Maryland State Department of Education Curriculum Vetting Report demonstrating that the reviewed curriculum has earned an acceptable rating as determined by the agency on all sections for mathematics for the identified grade level(s) or course(s);
- (2) A curriculum vetting report produced by a nationally recognized external party that demonstrates alignment to Maryland College and Career Ready Standards for the identified grade level(s) or course(s); or
- (3) Documentation of national ratings to demonstrate an alignment to Maryland College and Career Ready Standards and strong (level 1) or moderate (level 2) evidence, as defined under §8101(21)(A)(i)(I) and §8101(21)(A)(i)(II) of the Every Student Succeeds Act, for all third-party curriculum and curriculum support materials in use.

The State Board reviewed the amended regulation and granted permission to publish at the April 23, 2019 State Board meeting. The regulation was published in the Maryland Register from June 24, 2019 to July 22, 2019. No comments were received. The Division of State Documents recommended punctuation and style revisions to the final regulation that are different from the regulation published in the Maryland Register. Counsel has advised that the edits are non-substantive.

**ACTION:**

Request adoption of amendments to COMAR 13A.04.12 *Program in Mathematics*.

Attachment:

COMAR 13A.04.12 *Program in Mathematics*.

(4) Identify all individuals present at each location and confirm they are permitted to hear the client's health information; and

(5) Be held to the same standards of practice and documentation as those applicable for in-person sessions.

C. An LCSW-C or an LMSW, under the supervision of an LCSW-C, may not treat a client based solely on an online questionnaire.

**.05 Client Evaluation.**

An LCSW-C or an LMSW, under the supervision of an LCSW-C, shall perform a client evaluation to establish diagnoses and identify underlying conditions or contraindications to teletherapy before providing the teletherapy service.

**.06 Discipline.**

A. The Board shall use the same standards in evaluating and investigating a complaint and disciplining an LCSW-C or an LMSW, under the supervision of an LCSW-C, who practices teletherapy as it would use for an LCSW-C or an LMSW, under the supervision of an LCSW-C, who does not use teletherapy technology.

B. The failure of an LCSW-C or an LMSW, under the supervision of an LCSW-C, to comply with this chapter shall constitute unprofessional conduct and may be subject to disciplinary action by the Board in accordance with COMAR 10.42.09.

ROBERT R. NEALL  
Secretary of Health

# Title 13A STATE BOARD OF EDUCATION

## Subtitle 04 SPECIFIC SUBJECTS

### 13A.04.12 Program in Mathematics

Authority: Education Article, §§[2-205(h)] 2-205(c) and (h) and 7-205.1, Annotated Code of Maryland

**Notice of Proposed Action**  
[19-123-P]

The Maryland State Board of Education proposes to amend Regulation .02 under **COMAR 13A.04.12 Program in Mathematics**. This action was considered at the April 23, 2019, meeting of the State Board of Education.

**Statement of Purpose**

The purpose of this action is to define the process that local school systems must use to demonstrate evidence of alignment of curriculum to Maryland College and Career Ready Standards.

**Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

**Estimate of Economic Impact**

**I. Summary of Economic Impact.** The proposed amendments require local school system leaders to provide evidence that the curriculum being implemented in mathematics is aligned to State standards. There are three methods of demonstrating alignment:

1. A curriculum vetting report produced by the Maryland State Department of Education.
2. A curriculum vetting report produced by a nationally recognized third party.
3. Documentation of national ratings to demonstrate an alignment to standards and strong (level 1) or moderate (level 2)

evidence for all third-party curriculum and curriculum support materials in use.

All options will have an economic impact at either the State or local level.

<b>II. Types of Economic Impact.</b>	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	(E+)	Unknown
B. On other State agencies:	NONE	
C. On local governments:	(E+)	Unknown
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:	NONE	
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

**III. Assumptions.** (Identified by Impact Letter and Number from Section II.)

A. The Maryland State Department of Education (MSDE) has allocated funds to support curriculum vetting. This includes hiring a Coordinator to oversee curriculum vetting and hiring consultants to vet curriculum.

C. There will be an expense on local government if school system leaders decide not to have the MSDE vet their curriculum. The expense would be for local school system leaders to have their curriculum vetted by a nationally recognized external party. There will be an expense on local government if a school system has to replace or revise curriculum if it is determined that the curriculum is not aligned to standards.

**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 Tiara Booker-Dwyer, Executive Director, Office of Leadership Development and School Improvement, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, MD 21201, or call 410-767-3676 (TTY 410-333-6442), or email to tiara.booker-dwyer@maryland.gov. Comments will be accepted through July 22, 2019. A public hearing has not been scheduled.

**Open Meeting**

Final action on the proposal will be considered by the State Board of Education during a public meeting to be held on August 27, 2019, at 9 a.m., at 200 West Baltimore Street, Baltimore, MD 21201.

**.02 Certification Procedures.**

[By September 1, 2005 and each 5 years after that, each local superintendent of schools shall certify to the State Superintendent of Schools that the instructional programming within grades

prekindergarten—12 meets, at a minimum, the requirements set forth in Regulation .01 of this chapter.]

A. By September 1, 2020 and thereafter, upon adoption of new State standards, local school system curriculum, or curriculum support materials, each local superintendent of schools or chief executive officer shall certify to the State Superintendent of Schools that the instructional programming for mathematics courses aligned to the Maryland College and Career Ready Standards meets, at a minimum, the requirements set forth in Regulation .01 of this chapter.

B. The superintendent or chief executive officer shall provide evidence of meeting the requirements. Acceptable forms of evidence include:

(1) A Maryland State Department of Education Curriculum Vetting Report demonstrating that the reviewed curriculum has earned an acceptable rating as determined by the agency on all sections for mathematics for the identified grade level(s) or course(s).

(2) A curriculum vetting report produced by a nationally recognized external party that demonstrates alignment to Maryland College and Career Ready Standards for the identified grade level(s) or course(s).

(3) Documentation of national ratings to demonstrate an alignment to Maryland College and Career Ready Standards and strong (level 1) or moderate (level 2) evidence, as defined under §8101(21)(A)(i)(I) and §8101(21)(A)(i)(II) of the Every Student Succeeds Act, for all third-party curriculum and curriculum support materials in use.

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

**Subtitle 04 SPECIFIC SUBJECTS**

**13A.04.14 Program in English Language Arts/Literacy**

Authority: Education Article, §§2-205(c) and (h), 7-202, and 7-205.1, Annotated Code of Maryland

**Notice of Proposed Action**  
[19-122-P]

The Maryland State Board of Education proposes to amend Regulation .02 under **COMAR 13A.04.14 Program in English Language Arts/Literacy**. This action was considered at the April 23, 2019, meeting of the State Board of Education.

**Statement of Purpose**

The purpose of this action is to define the process that local school systems must use to demonstrate evidence of alignment of curriculum to Maryland College and Career Ready Standards.

**Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

**Estimate of Economic Impact**

**I. Summary of Economic Impact.** The proposed amendments require local school system leaders to provide evidence that the curriculum being implemented in English language arts is aligned to state standards. There are three methods of demonstrating alignment:

1. A curriculum vetting report produced by the Maryland State Department of Education.
2. A curriculum vetting report produced by a nationally recognized third party.
3. Documentation of national ratings to demonstrate an alignment to standards and strong (level 1) or moderate (level 2) evidence for all third-party curriculum and curriculum support materials in use.

All options will have an economic impact at either the state or local level.

<b>II. Types of Economic Impact.</b>	Revenue (R+/R-)	
	Expenditure (E+/E-)	Magnitude
A. On issuing agency:	(E+)	Unknown
B. On other State agencies:	NONE	
C. On local governments:	(E+)	Unknown
	Benefit (+) Cost (-)	
D. On regulated industries or trade groups:	NONE	
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

**III. Assumptions.** (Identified by Impact Letter and Number from Section II.)

A. The Maryland State Department of Education (MSDE) has allocated funds to support curriculum vetting. This includes hiring a Coordinator to oversee curriculum vetting and hiring consultants to vet curriculum.

C. There will be an expense on local government if school system leaders decide not to have the MSDE vet their curriculum. The expense would be for local school system leaders to have their curriculum vetted by a nationally recognized external party. There will be an expense on local government if a school system has to replace or revise curriculum if it is determined that the curriculum is not aligned to standards.

**Economic Impact on Small Businesses**

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

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The proposed action has no impact on individuals with disabilities.

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