



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

TO: Members of the State Board of Education
FROM: Karen B. Salmon, Ph.D.
DATE: September 24, 2019
RE: COMAR 13A.12.01.07
Educator Licensure
REPEAL AND REPLACE – PERMISSION TO PUBLISH

PURPOSE:

On June 25, 2019, the State Board of Education (SBOE) granted permission to publish Code of Maryland Regulations (COMAR) 13A.12.01-.07 *Educator Licensure*, which would repeal and replace COMAR 13A.12.01-.06 *Certification*. The Professional Standards and Teacher Education Board (PSTEB) voted against the publication of COMAR 13A.12.01-.07, *Educator Licensure* at its September meeting. The State Board must vote on whether to override PSTEB's action and grant permission to publish the regulations.

REGULATION PROMULGATION PROCESS:

Under Maryland law, a state agency, such as the SBOE, may propose a new regulation whenever the circumstances arise to do so. The SBOE shares joint authority with the PSTEB to develop regulations governing teacher certification and preparation. When the SBOE initiates a regulatory change concerning certification, the PSTEB must review the proposed regulation. If a majority of the PSTEB members approve of the regulation, the regulation promulgation process continues. If a majority of the PSTEB members disapprove of the proposed regulation, the regulation will not move forward unless approved by a super-majority of the SBOE (three-fourths of its members).

After the PSTEB has voted to approve the regulation (or three-fourths of the State Board has voted to approve the regulation despite the PSTEB's disapproval), 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, which are presented to the initiating Board for consideration. Thereafter, MSDE staff will present a recommendation to the initiating 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. The State Board, as the originating board, would then vote to formally adopt the regulation.

HISTORICAL BACKGROUND:

Beginning in January 2019, the SBOE identified pathways leading to initial Maryland certification and types of Maryland certificates, and tasked the MSDE with developing regulatory language for review and discussion. On June 25, 2019, the SBOE granted permission to publish COMAR 13A.12.01-.07 *Educator Licensure*, which would repeal and replace COMAR 13A.12.01-.06 *Certification*. The proposed regulatory language is aligned to the MSDE comprehensive plan to increase the rigor and accountability of educator certification and preparation programs in Maryland and to the recommendations of the Commission on Innovation and Educational Excellence.

During the July 11, 2019, PSTEB meeting, no action was taken, and the decision was made to discuss the proposed regulations further during the August PSTEB meeting after members conferred with the constituency groups that they represent. During the August 1, 2019, PSTEB meeting, no action was taken, and the decision was made to have further discussion during the September PSTEB meeting.

On September 9, 2019, the PSTEB voted unanimously (with one abstention) to oppose permission to publish the proposed regulatory language in COMAR 13A.12.01-.07. The PSTEB also voted to request a Joint Conference Committee with the SBOE.

REGULATORY ACTION INFORMATION:

All regulations involving teacher certification or educator preparation programs must be approved by both the SBOE and the PSTEB prior to publication. If the PSTEB does not approve a regulation for publication, the SBOE may still send the regulation for publication, so long as three fourths of its members vote to do so.

- 1) The State Board may repeal, replace, and publish the regulations concerning educator licensure and teacher preparation programs in the same form as when they were originally approved at the June SBOE meeting:
 - Permission to repeal, replace, and publish the regulations must be done through a super-majority vote. A super-majority is three fourths of the SBOE (ordinarily nine of the board's 12 members).
 - If approved, the regulations will be referred to the AELR committee in the General Assembly for review and published in the Maryland Register, where the public may comment on them. At the end of the public comment period, the regulations would return to the State Board for final action.
 - If a super majority does not approve the regulations for publication, the regulations are not published. Either Board may introduce new regulatory language in the future.

- 2) The State Board may choose not to approve the educator licensure and teacher preparation program regulations:
 - If a super majority does not approve the regulations for publication, the regulations are not published. Either Board may introduce new regulatory language in the future.
 - Any substantive changes in the proposed regulations would need to go through the two-board approval process again.
 - The SBOE may decide to establish a Joint Conference Committee with the PSTEB to consider changes to the proposed regulations.

Joint Conference Committee Action

- 1) Vote to determine if the SBOE wishes to engage in a Joint Conference Committee with the PSTEB:
 - **Option 1:** Vote No to Joint Conference Committee
 - **Option 2:** Vote Yes to engage in a Joint Conference Committee while granting permission to publish the proposed regulatory language
 - **Option 3:** Vote Yes to engage in a Joint Conference Committee prior to taking action on the regulations

ACTIONS:

- 1) Request permission to repeal, replace, and publish amended regulatory language to COMAR 13A.12.01-.07 *Educator Licensure*.
- 2) Determine if the SBOE wishes to engage in a Joint Conference Committee with the PSTEB.

Attachment

Title 13A State Board of Education
Subtitle 12 EDUCATOR LICENSURE
Chapter 01 General Provisions

COMAR 13A.12.01.01

Purpose

Licensure is established to offer assurance to the citizens of this State that professional public educational staff possess the minimum essential knowledge and skills needed to achieve outcomes for public education declared by the State Board of Education, and maintain competent practice through career long-engagement with their content area, research, best practice, and expert opinion.

Definitions

A. In this subtitle, the following terms have the meanings indicated.

B. Terms Defined.

- (1) "Accredited nonpublic school" means a nonpublic school accredited by a national organization or regional organization.
- (2) "Approved nonpublic school" means a nonpublic school approved by a state department of education.
- (3) "Bilingual Education" means the teaching of academic content in two languages, in a native and second language.
- (4) "Certificate" is the term for an educator credential issued by the Department. The term certificate has been replaced by the word license.
- (5) "Class" means a period allocated for lessons during a school day.
- (6) "Conditional License" means a non-renewable license issued while the applicant pursues a pathway to professional licensure.
- (7) "Content coursework" means course work completed in academic disciplines as differentiated from pedagogical course work.
- (8) "Continuing Education Units (CEUs)" means credit issued from an accredited International Association for Continuing Education and Training provider; or approved by another Maryland State agency for purposes of licensure.
- (9) "Continuing Professional Development (CPD) credit" means credit earned through continuing professional development experiences approved by the Department.
- (10) "Culturally Responsive Teaching" means pedagogy that recognizes the importance of including students' cultural references in all aspects of learning.
- (11) "Crime against children" means any crime defined in Criminal Law Article, §3-601, Annotated Code of Maryland
- (12) "Crime of violence" means any crime as defined in Criminal Law Article, §14-101, Annotated Code of Maryland.
- (13) "Department" means the Maryland State Department of Education.
- (14) "Effective teaching experience" means professional, full-time experience as a teacher in a public school, approved nonpublic school, or accredited nonpublic school for which the annual overall evaluation rating is at least effective or equivalent.

- (15) "Effective performance" means professional, full-time experience as a specialist, administrator, or supervisor in a public school system, approved nonpublic school, or accredited nonpublic school for which the annual overall evaluation rating is at least effective or equivalent.
- (16) "English as a Second Language (ESOL)" means the practice and theory of learning and teaching English to students of which English is not the native language.
- (17) "English Language Learners (ELL)" means students who come from non-English speaking homes and who are learning English.
- (18) "Full-time teaching experience" means a period of not less than 9 consecutive months as the responsible teacher in a classroom pursuant to an appointment requiring service for 50 percent or more of the school week or the equivalent.
- (19) "Higher degree" means a degree earned that is higher than a bachelor's degree such as a Ph.D., Ed.D., Ed.S., Master's degree, J.D., M.D., D.D.M., D.D.S. or L.L.M.
- (20) "Historic Professional Certificate" means a previously issued certificate or area of certification that no longer exists.
- (21) "Historic Professional License" means a license or area of licensure that no longer exists.
- (22) "Individual Professional Development Plan (IPDP)" means a plan developed in partnership with a supervisor, if employed, to provide appropriate and relevant professional learning.
- (23) "Initial License" means the first Maryland professional license issued to an educator.
- (24) "Internship" means a supervised period of clinical experience offered by an educator preparation program designed to allow pre-service teachers to practice and refine their teaching skills.
- (25) "Interstate Certification Compact (ICC)" means a legal agreement with other states to facilitate the certification of out-of-State teachers and other professional educational personnel as authorized by Education Article, Title 6, Subtitle 6, Annotated Code of Maryland, or as otherwise provided by law.
- (26) "License" means an educator credential issued by the Department, which allows the holder to practice the area(s) of licensure noted.
- (27) "Local School System (LSS)" means a Maryland public school system
- (28) "Long-term substitute experience" means full-time, continuous substitute teaching service rendered in the same classroom for not less than 3 months.
- (29) "Member State" means a state that participates in the Interstate Certification Compact (ICC).
- (30) "Micro-credential" means a digital form of certification indicating the demonstration of competency/mastery in a specific skill or set of skills
- (31) "Nonpublic school approved under COMAR 13A.09.09" means a school that is issued a Certificate of Approval by the State Board, excluding the federal government or any State, county, or municipal agency or division of these, to operate an educational program in a nonpublic kindergarten, elementary school, and secondary school.

- (32) "Nonpublic school approved under COMAR 13A.09.10" means:
- (a) An entity which is responsible for governing and operating a school that provides a Type I, Type II, Type III educational program in a facility licensed by a unit of State government to provide treatment of care, or both; or
 - (b) Educational programs that provide special education to children in a nonpublic school in accordance with Education Article §8-406, Annotated Code of Maryland.
- (33) "Occupational experience" means experience gained while employed performing in the career area to be taught.
- (34) "Out-of-area assignment" means assignment of a licensed teacher to teach in a subject area other than in the area in which the teacher is licensed.
- (35) "Pedagogy" means the method and practice of teaching.
- (36) "Performance Review Program" means the scheduled review of educator performance and provision of supports to ensure quality of teaching.
- (37) "Professional and Technical Education" means areas of study which include skilled trades, applied sciences, modern technologies, and career preparation.
- (38) "Professional conference" means a workshop, institute, or seminar of four or more hours that contributes to ongoing, sustained, and high-quality professional development.
- (39) "Professional education course work" means course work dealing with the knowledge and process of teaching to prepare to become a teacher, as differentiated from content course work.
- (40) "Professional development activity" means an activity, approved by the Department, Local School System, State Agency, Maryland approved nonpublic school, or another state department of education, that improves the professional knowledge, competence, skill, or effectiveness of the license holder.
- (41) "Professional Development Point (PDP)" means a unit used to renew teacher licenses earned through completion of specific professionally aligned tasks and assignments.
- (42) "Reinstatement" means restoration of an expired license.
- (43) "Renewal" means the extension of the validity period of a license.
- (44) "Required grade" means a grade of C or better, pass, or satisfactory.
- (45) "School" means a public school, an approved nonpublic school, or an accredited nonpublic school.
- (46) "Sheltered English instruction" means an instructional approach that engages English Language Learners (ELL) in developing grade-level content-area knowledge, academic skills, and increased English proficiency.
- (47) "Specialists" means individuals licensed under COMAR 13A.12.04.
- (48) "Teaching Endorsement" means a teaching area added to a professional license of an educator who has met the qualifications of COMAR 13A.12.02.02B.

Licensure Requirements of Education Personnel

A. The regulations in this subtitle are established as licensure standards for personnel educating students in a Maryland local school system, a State-operated school, and a nonpublic school approved under COMAR 13A.09.10. A local school system, State-operated school, and approved nonpublic school approved under COMAR 13A.09.10 may establish additional requirements as a condition of employment.

B. Personnel Subject to Licensure. Teachers, specialists, administrators, and supervisors employed in a Maryland local school system, a State-operated school, and a nonpublic school approved under COMAR 13A.09.10 are subject to licensure.

(1) Teachers. A teacher employed in an early childhood, elementary, PreK—12 or secondary school program shall hold an appropriate license under COMAR 13A.12.02.

(2) Professional and Technical Education/Specialized Areas for Fine Arts. A Professional and Technical Education teacher or Specialized Area of Fine Arts teacher employed in an early childhood, elementary, PreK—12 or secondary school program shall hold an appropriate license under COMAR 13A.12.03.

(3) Specialists. A specialist employed in an early childhood, elementary, PreK—12 or secondary school program shall hold an appropriate license under COMAR 13A.12.04 or a license in certain areas as otherwise provided in State law.

(4) Administrators and Supervisors. Administrators and supervisors who have direct contact with students, who have responsibility for curriculum development, or who have responsibility for supervision of instruction shall meet the requirements for a professional license under COMAR 13A.12.05.

COMAR 13A.12.01.04

Issuance and Types of Licenses

A. Application Procedure.

- (1) To obtain licensure in a specific area, an applicant, or local school system on behalf of the applicant, shall submit an application and documentation as required by the Department.
- (2) Documentation shall be evaluated by the Department, or its designee, and if the applicant satisfies the requirements, the license shall be issued.
- (3) An applicant shall present official transcripts verified to the satisfaction of the Department.
- (4) An applicant shall present test scores to the Department in one of the following ways:
 - (a) Directly from the testing company;
 - (b) By notation on an official transcript;
 - (c) By verification from a college or university;
 - (d) By verification from a state department of education;
 - (e) With the applicant's original score report or a copy of the score report verified to the satisfaction of the Department.
- (5) The file of an applicant for licensure who is not eligible for a license shall be maintained by the Department for 1 year from the date of the last correspondence, at which time the applicant must reapply.
- (6) It is the responsibility of the licensed individual to maintain the validity of the license and to provide the Department with current information including name, email address, mailing address, and phone number.

B. Fee. The fee for the initial issuance and renewal of a license is provided in Education Article, §6-704(b), Annotated Code of Maryland, and shall be made payable to the Maryland State Department of Education by money order, certified check, cashier's check, or electronic payment.

C. Types of Educator Licenses.

- (1) **Conditional License.** The Conditional License is a nonrenewable license valid for a period not to exceed 5 years issued only for licenses under COMAR 13A.12.02.02A and 13A.12.03.02A.
- (2) **Temporary Professional License.** The Temporary Professional License is a nonrenewable license valid for a period not to exceed 2 years and issued only for licenses under COMAR 13A.12.02.02A and 13A.12.03.02A.
- (3) **Initial Professional License.** The Initial Professional License is a renewable license valid for a period not to exceed 5 years.

(4) Professional License. The Professional License is a renewable license valid for a period not to exceed 5 years.

(5) Adjunct Teacher License. The Adjunct Teacher License is a renewable license valid for a period not to exceed 1 year issued only for licenses under COMAR 13A.12.02.02A and 13A.12.03.02A.

D. A historic Maryland license may not be issued as an initial license.

E. Effective Dates of Licenses.

(1) Issuance of an Initial License.

(a) A license will be effective from the date of hire until the last day of the validity period.

(b) Those applicants who are not currently employed in a local school system, state-operated school, or nonpublic school approved under COMAR 13A.09.10, shall be issued a license that is valid from the date of approval until the last day of the validity period.

(2) Multiple Licenses. Educators may hold multiple licenses. The validity period for an additional license is the same as the initial license and will be renewed when the initial license is renewed.

(3) Teaching Endorsements. An individual who meets the qualification for initial licensure under COMAR 13A.12.02.02B may add additional teaching endorsements to the existing license. The validity period for an endorsement is the same as the initial license and will be renewed when the initial license is renewed.

(4) Reinstatement of an expired license. A reinstated license shall be valid from the date of approval until the last day of the validity period.

F. Deactivate a License or Teaching Endorsement.

(1) An educator may request, in writing, to deactivate a license or teaching endorsement.

(2) The educator shall meet the current regulatory requirements if they wish to hold that license and/or teaching endorsement in the future.

(3) An educator shall not request the deactivation of a license to avoid disciplinary action.

G. Licensure Plan. A licensure plan may be issued to an applicant who does not meet the qualifications for a license.

(1) A licensure plan shall be effective for a three-year period.

(2) If an applicant fails to satisfy the requirements for a professional license within the 3-year period, the applicant shall meet the requirements of the current applicable regulation.

COMAR 13A.12.01.05

Reinstatement of an Expired Professional License

A. General.

- (1) An educator may not be employed under an expired license.
- (2) An educator who holds an expired Maryland Initial Professional or Professional license in a teaching area may reinstate that license if the educator presents the professional development requirements under COMAR 13A.12.02.05.
- (3) An educator who holds an expired Maryland Initial Professional or Professional license in an area of professional and technical education or specialized area of fine arts may reinstate that license if the educator presents the professional development requirements under COMAR 13A.12.03.05.
- (4) An educator who holds an expired Maryland Professional license in a specialist area may reinstate that license if the educator presents the professional development requirements under COMAR 13A.12.04.15.
- (5) An educator who holds an expired Maryland Professional license in an administrator area may reinstate that license if the educator presents the professional development requirements under COMAR 13A.12.05.15.

B. Exemption. A teacher holding an expired Maryland Initial Professional or Professional license who presents a valid professional license issued by a member state, may reinstate the Maryland license.

C. Historic Professional Certificate or License.

- (1) An educator who holds an expired Maryland Professional Eligibility Certificate or Standard Professional Certificate and meets the requirements to reinstate a Maryland license under §A-B of this regulation, shall be issued an Initial Professional or Professional License.
- (2) An educator who holds an expired Maryland Advanced Professional Certificate and meets the requirements to reinstate a Maryland license under §A-B of this regulation, shall be issued a Professional License.
- (3) An educator who allows a license to expire that includes a historic area may not reinstate that area.

COMAR 13A.12.01.06

Waiver of Licensure Requirements

A. Waiver of Licensure Requirements. Except for educator licensure tests, the State Superintendent of Schools or designee has the authority to waive the specific requirements for a certificate in an individual case if it is determined, after thorough investigation, that the applicant's preparation or experience, or both, are adequate to justify a waiver.

B. Senior Educator Waiver. Renewal requirements for any professionally licensed employee of a local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10, may be waived if:

- (1) The professionally certificated employee is:
 - (a) 55 years old or older; or
 - (b) Employed in public or approved nonpublic school service for at least 25 years.
- (2) The request is recommended by the county superintendent, executive director, or chief officer of the legal authority having jurisdiction over the employee.

Title 13A STATE BOARD OF EDUCATION

Subtitle 12 EDUCATOR LICENSURE

Chapter 02 Teachers

Authority: Education Article, §§2-205, 2-303(g), 6-701—6-705, and 8-3A-03, Annotated Code of Maryland

COMAR 13A.12.02.01

Purpose.

A teacher employed in an early childhood, elementary, PreK—12 or secondary school program shall hold an appropriate license under COMAR 13A.12.02.

COMAR 13A.12.02.02

Licenses and Pathways for Teachers.

A. Types of Teacher Licenses.

(1) Temporary Professional

- (a) The Temporary Professional Teacher License is valid for 2 years and may not be renewed.
- (b) An applicant who has completed an out of state teacher preparation program or holds a valid out of state professional license but has not submitted passing scores on Maryland teacher licensure tests may request a Temporary Professional Teacher License.
- (c) An educator may be issued a Temporary Professional License under COMAR 13A.12.02.03A(3) as a result of failure to meet the renewal requirements of a professional license.

(2) Initial Professional

- (a) The Initial Professional Teacher License is valid for 5 years and may be renewed should the license holder meet the renewal requirements under §.03 of this chapter.
- (b) An applicant who has met the requirements of one of the pathways to licensure under §B of this regulation is eligible for an Initial Professional Teacher License.

(3) Professional

- (a) The Professional Teacher License is valid for 5 years and may be renewed should the license holder meet the renewal requirements under §.03 of this chapter.
- (b) An applicant who has met the requirements of one of the pathways to licensure under §B of this regulation may be eligible for a Professional Teacher License if they submit the following requirements:
 - (i) Completion of a Maryland induction program under COMAR 13A.07.01; and
 - (ii) Verification of 3 years of effective teaching performance.

(4) Conditional

- (a) The Conditional License is valid for 5 years and may not be renewed.
- (b) A local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 shall request a Conditional License only if the school is unable to fill a position with a person who qualifies for a license under §B(2)-(4) of this regulation, if the person meets the following requirements:
 - (i) Possession of a bachelor's degree or higher; and
 - (ii) Passing scores on an approved basic skills assessment or a minimum Grade Point Average of 3.0 on their most recent degree.

(c) An applicant who is issued a Conditional License must pursue a pathway to professional licensure under §B of this regulation.

(5) Adjunct Teacher

(a) The Maryland State Department of Education may issue an adjunct license upon the request of a local school system superintendent or an education director of a nonpublic school approved under COMAR 13A.09.10.

(b) The request for adjunct license must include:

(i) The name and credentials of the individual;

(ii) The course name and content to be taught; and

(iii) An explanation as to why the position cannot be filled by a qualified licensed educator.

(c) The adjunct license is nontransferable between local school systems.

(d) A local school system or nonpublic school may not employ an individual who holds an adjunct license as a full-time employee.

(e) An applicant for an adjunct license shall:

(i) Hold a high school diploma or its equivalent;

(ii) Hold an industry license, when applicable for the profession; and

(iii) Have 5 years of satisfactory occupational experience in the field to be taught.

(f) An individual who is issued an adjunct license shall be provided with the following, by the employing local school system or nonpublic school:

(i) A professionally licensed mentor;

(ii) Side-by-side coaching or co-teaching with a professionally licensed teacher;

(iii) A minimum of 45 hours of professional development, with 30 hours delivered prior to entry to the classroom and the remainder to be delivered throughout the school year; and

(iv) Evaluations of the individual's teaching effectiveness.

(g) The adjunct license issued in accordance with this regulation is valid for a 1-year period and may be renewed upon the request of the local school system or nonpublic school.

B. Pathways to Teacher Licensure.

(1) In-State Pathways to Initial Teacher Licenses

(a) Maryland Approved Program. Teacher candidates who complete a Maryland approved educator preparation program as set forth in COMAR 13A.07.06 shall meet the following requirements:

- (i) Bachelor's degree or higher;
- (ii) Completion of an approved program as set forth in COMAR 13A.07.06; and
- (iii) Passing score(s) as established by the State Superintendent of Schools on the teacher licensure test(s) approved by the State Board of Education.

(b) Performance Review Program. Teacher candidates who hold a Conditional license and are hired as a teacher of record may complete a Performance Review Program through a Department approved provider. Candidates seeking licensure under the Performance Review Program route shall meet the following eligibility requirements to enter the program:

- (i) Bachelor's degree or higher related to the field of the license sought;
- (ii) Possession of a Conditional license in the field and at the grade level of the license sought;
- (iii) At least three school years of employment in the role of the Conditional license issued under §.A(4) of this regulation;
- (iv) Documentation of seminars, courses, and experiences relevant to the Professional Standards and Maryland Competencies for Teachers in COMAR 13A.07.06;
- (v) A recommendation from the principal, or education director of the current school/local school system/nonpublic school approved under COMAR 13A.09.10 where the candidate is employed under the Conditional license in the role of the license sought;
- (vi) Completion of an induction and mentoring program as set forth in COMAR 13A.07.01; and
- (vii) Passing score(s) as established by the State Superintendent of Schools on the teacher licensure test(s) approved by the State Board of Education.

(c) Experienced Nonpublic School Teacher. Experienced teacher candidates working in Maryland nonpublic schools approved under COMAR 13A.09.09 shall meet the following requirements:

- (i) Bachelor's degree or higher related to the field of the license sought;
- (ii) Verification of five years of effective teaching experience in the field and at the grade level of the license sought at a Maryland nonpublic school approved under COMAR 13A.09.09; and
- (iii) Passing score(s) as established by the State Superintendent of Schools on the teacher licensure test(s) approved by the State Board of Education.

(2) Out of State Pathways to Initial Teacher License

(a) Out of State Teacher Preparation Program. Teacher candidates who complete a teacher preparation program in another state or foreign country shall meet the following requirements:

(i) Bachelor's degree or higher (U.S. equivalent required for foreign degrees);

(ii) Complete a teacher preparation program, to include a clinical internship, approved to lead to licensure in another state or foreign country, in the license area being sought; and

(iii) Passing score(s) as established by the State Superintendent of Schools on the teacher licensure test(s) approved by the State Board of Education.

(b) Out of State License. Teacher candidates who hold a valid professional license/certificate from another state or foreign country shall meet the following requirements:

(i) Bachelor's degree or higher (U.S. equivalent required for foreign degrees);

(ii) Valid, professional license/certificate from another state or foreign country in the license area being sought; and

(iii) Passing score(s) as established by the State Superintendent of Schools on the teacher licensure test(s) approved by the State Board of Education or verification of 3 years of effective teaching experience, verified by the employer, in the license area being sought.

(c) National Board Certificate. Teacher candidates who hold a National Board Certificate shall meet the following requirements:

(i) Bachelor's degree or higher; and

(ii) National Board Certificate issued from the National Board for Professional Teaching Standards, for which a comparable Maryland license exists.

C. Special Provision. Credits from institutions in other countries shall be evaluated for comparability of degree and course work by an independent agency authorized to analyze foreign credentials and designated by the Department. The evaluation is final.

Renewal of a Teacher License

A. General

- (1) An applicant who receives a license is responsible for initiating the renewal of the license.
- (2) Renewal requirements must be received prior to the expiration date of the license in order to be considered continuous.
- (3) Failure to Meet Requirements. Failure to meet the requirements of this section results in loss of the license. A local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 may request a Temporary Professional License pursuant to §.02A(2) of this chapter for an employee who fails to meet the renewal requirements of the Initial Professional or Professional License.

B. Professional Development Requirements. The Initial Professional and Professional License may be renewed for successive five year terms upon the successful completion of the requisite number of Professional Development Points (PDPs) as set forth in §.05 of this chapter based on an Individual Professional Development Plan as set forth in §.04 of this chapter that is designed to improve teaching and student learning and that is approved, if required, by the educator's supervisor.

C. Application Process.

- (1) An educator may renew their Initial Professional or Professional License by submitting the Individual Professional Development Plan, renewal application, fee, and verification of completion of all renewal requirements of this chapter.
- (2) Persons employed by a Maryland local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10, shall submit documentation directly to the employer.
- (3) Persons who are not employed by a Maryland local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 shall submit documentation directly to the Department.

D. Senior Educator Waiver. Renewal requirements for any professionally licensed employee of a local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10, may be waived if:

- (1) The professionally certificated employee is:
 - (a) 55 years old or older; or
 - (b) Employed in public or approved nonpublic school service for at least 25 years.
- (2) The request is recommended by the county superintendent, executive director, or chief officer of the legal authority having jurisdiction over the employee.

Individual Professional Development Plans

A. Individual Professional Development Plans.

- (1) An Individual Professional Development Plan must be in place for each of the five years of validity for each Initial Professional and Professional license issued to an educator.
- (2) An Individual Professional Development Plans must include a minimum of 90 Professional Development Points as set forth in §.05 of this chapter, to renew the educator's License.
- (3) Educators who are not employed with a local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 are responsible for developing their own Individual Professional Development Plan.

B. Approval of an Individual Professional Development Plan.

- (1) Educators working in a Maryland local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 must obtain approval of their proposed Individual Professional Development Plan from their supervisors.
- (2) Approval for proposed Individual Professional Development Plans shall be from the educator's direct supervisor, or an appropriate designee.
- (3) Educators must obtain initial approval of their Individual Professional Development Plan within six months of issuance of the license to be renewed.
- (4) Supervisor Review
 - (a) A supervisor shall review the existing Individual Professional Development Plan of any educator new to the district or school within three months of the educator's beginning employment in the new position.
 - (b) A supervisor may require an educator to amend the plan or may withdraw approval for a plan that had been previously approved, provided, however, that any Professional Development Points that were earned consistently with an approved plan shall be deemed approved in applying for license renewal.
- (5) Signatures.
 - (a) Prior to applying to renew an Initial Professional or Professional license, educators shall obtain a signature from a current supervisor.
 - (b) A supervisor's signature will indicate that the supervisor has reviewed the log of professional development activities maintained by the educator to ensure that the reported activities are consistent with the approved Individual Professional Development Plan.

(c) The educator remains responsible for the final accounting of Professional Development Points applied towards license renewal.

(d) An educator whose supervisor refuses to sign an Individual Professional Development Plan may follow the review procedures set forth in §B(7) of this regulation.

(6) Approval of an Individual Professional Development Plan shall not be unreasonably withheld by a supervisor.

(7) In the event that a plan is rejected by a supervisor, an educator may seek review of the denial from:

(a) The superintendent of schools, or designee, if employed with a local school system;

(b) The Chief Officer of the Legal Authority, or designee, if employed with a nonpublic school approved under COMAR 13A.09.10; or

(c) The Executive Director, or comparable position, if employed with a State-operated school.

Professional Development Points.

A. Professional Development Point (PDP). A unit of measurement of professional development activities.

- (1) One clock hour is equivalent to one PDP.
- (2) One semester hour is equivalent to 15 PDPs.
- (3) One Department approved Continuing Professional Development credit is equivalent to 15 PDPs.
- (4) One continuing education unit is equivalent to ten PDPs.

B. Educators applying to renew an Initial Professional or Professional License are required to complete a minimum of 90 Professional Development Points (PDPs) to include:

- (1) Content related to an area on the educator's license;
- (2) Pedagogy;
- (3) English as a Second Language, Sheltered English, or Bilingual Education;
- (4) Strategies for teaching students with disabilities or diverse learning styles; and
- (5) Culturally Responsive Teaching or diversity in education.

C. Additional requirements. Teachers who hold a license in the area of the Blind/Visually Impaired must present a minimum of 15 PDPs in braille maintenance.

D. Professional Development Points may be accrued by the completion of one of more of the following:

- (1) College credit earned or taught at a regionally accredited institution of higher education.
- (2) Continuing Professional Development (CPD) credits, earned or taught, approved by the Department.
- (3) Continuing Education Units (CEUs) from an accredited International Association for Continuing Education and Training provider or approved by another Maryland State agency for purposes of licensure.
- (4) Professional conference. A professional conference is a workshop, institute, or seminar of four or more hours that contributes to ongoing, sustained, and high-quality professional development.
- (5) Curriculum development.
 - (a) Curriculum development is a group activity in which the license holder contributes to the improvement of the curriculum of a school, a school division, or an educational institution.
 - (b) This includes the alignment of curriculum frameworks, instructional materials, and assessments to provide a system with clear expectations of what is to be taught and learned.
 - (c) For each curriculum developed, the educator will be awarded 30 PDPs.

(6) Publication of a book or article.

- (a) The book or article shall contribute to the education profession or to the body of knowledge of the license holder's teaching area or instructional position.
- (b) An article shall be published in a recognized professional journal.
- (c) Books shall be published for purchase.
- (d) For each book published, the educator will be awarded 75 PDPs. For each article published, the educator will be awarded 10 PDPs.

(7) Mentorship.

- (a) Mentoring is the process by which an experienced professional who has received mentorship training provides assistance to one or more persons for the purpose of improving their performance.
- (b) Assistance may involve role modeling, direct instruction, demonstration, observation with feedback, developing of plans, and consultation to promote instructional excellence and increased student achievement.
- (c) Mentoring may include the supervision of a field experience of a pre-service student teacher or an intern in an approved teacher preparation program, as well as mentoring as part of the induction process for a beginning teacher.

(8) Micro-credentials.

- (a) Micro-credentials are a digital form of certification indicating demonstrated competency/mastery in a specific skill or set of skills.
- (b) Educators identify a competency they want to develop, submit evidence that they have mastered the competency, and receive a digital badge once the evidence is approved.
- (c) Micro-credentials can be earned by non-profit and for profit entities approved by the local school system, State-operated school, nonpublic school, or the Department.
- (d) For each micro-credential earned, the educator will be awarded 10 PDPs.

(9) Professional development activity.

- (a) Professional development activities approved by the Department, Maryland Local School System, State Agency, Maryland approved nonpublic school, or another state department of education, will be accepted. Each activity must be a minimum of one contact hour.
- (b) Each activity must be a minimum of one contact hour.

Teaching Endorsements.

A. An individual who meets the qualification for initial licensure under §.02B of this chapter may add an additional teaching endorsement by meeting one of the following requirements:

- (1) Submit a qualifying score, as established by the State Superintendent of Schools, on the content-specific test(s) approved by the State Board of Education.
- (2) Obtain 30 content credits as follows:
 - (a) For elementary or early childhood education, obtain 30 credits distributed across the four content areas of English, social studies, math, and science, with at least 6 credits in each content area. The remaining credits 6 credits may be in content-related areas; or
 - (b) For secondary, middle school, prekindergarten – 12 education, obtain 30 credits at least 15 of which are in the area for which the new certification is sought and 15 of which are in content-related areas; or
 - (c) For special education, obtains 30 credits of which at least 15 credits are in the age-appropriate area of special education and 15 are in related areas.
 - (d) Content coursework means course work completed in academic disciplines as differentiated from pedagogical course work.
- (3) Meet the requirements for initial licensure under §.02B of this chapter.

B. Exceptions.

- (1) To receive an endorsement in Elementary Education, Early Childhood Education, English for Speakers of Other Languages, and Generic Special Education, an educator shall qualify under §A of this regulation and submit a passing score on a reading instruction test, approved by the State Board of Education.
- (2) To receive an endorsement in Deaf and Hard of Hearing or Blind/Visually Impaired, an educator shall meet the requirements for initial licensure under §.02B of this chapter.

C. Certain areas of licensure require that the educator hold an existing teacher license and shall only be added as an endorsement, as follows:

- (1) Mathematics Instructional Leader Grades PreK-6. To add Mathematics Instructional Leader, grades PreK—6, an applicant shall:
 - (a) Hold a valid, professional license;
 - (b) Complete a minimum of 18 semester hours of post-baccalaureate credit, or Department-approved Continuing Professional Development credits, which include the following areas:

(i) Content knowledge for teaching mathematics, including numbers and operations, algebra and functions, geometry and measurement, and data analysis and probability;

(ii) Pedagogical knowledge for teaching mathematics, including learners and learning, teaching, curriculum, and assessment;

(iii) Leadership knowledge and skills; and

(iv) At least 3 semester hours or the equivalent in a supervised practicum or school-based internship in which the applicant works with a range of students in grades PreK—6 and adult learners in a variety of professional development settings; and

(c) Present verification of 27 months of satisfactory teaching experience including mathematics.

(2) Mathematics Instructional Leader Grades 4-9. To add Mathematics Instructional Leader, grades 4—9, an applicant shall:

(a) Hold a valid, professional license in Middle School Mathematics;

(b) Complete a minimum of 21 semester hours of post-baccalaureate credit, or Department-approved Continuing Professional Development credits, which include the following areas:

(i) Content knowledge for teaching mathematics, including number and operations, algebra and functions, geometry and measurement, data analysis and probability, calculus, and discrete mathematics;

(ii) Pedagogical knowledge for teaching mathematics, including learners and learning, teaching, curriculum, and assessment;

(iii) Leadership knowledge and skills; and

(iv) At least 3 semester hours or the equivalent in a supervised practicum or school-based internship in which the candidate works with a range of students in grades 4—9 and adult learners in a variety of professional development settings; and

(c) Present verification of 27 months of satisfactory teaching experience including mathematics.

(3) Instructional Leader: STEM Grades PreK-6. To add Instructional Leader: STEM, grades PreK—6, an applicant shall:

(a) Hold a valid, professional license in early childhood education or elementary education;

(b) Complete a minimum of 12 semester hours of post-baccalaureate credit or Department-approved Continuing Professional Development credits, to include the following:

(i) 12 semester hours in STEM education which integrates a balance of authentic problem-based and project-based learning;

(ii) Essential skills including questioning, spatial reasoning, communication, critical thinking, and problem solving;

(iii) Engineering design process;

(iv) Application of scientific practices and content;

(v) Application of mathematical practices and content;

(vi) Technology literacy; and

(vii) Collaborative learning.

(c) Complete 3 semester hours or the equivalent in leadership knowledge and skills in providing professional learning in a school/district setting;

(d) Complete at least 3 semester hours or the equivalent in a supervised practicum or school-based internship in which the applicant works with a range of students in grades PreK—6 and adult learners in a variety of professional development settings; and

(e) Present verification of 27 months of satisfactory teaching experience.

(4) Severe and Profound Disabilities. To add a Severe and Profound Disabilities endorsement, an educator shall meet the following requirements:

(a) Special Education Licensure. The applicant shall meet the requirements for licensure in generic special education at any age/grade level;

(b) Content and Professional Education Courses. The applicant shall have:

(i) Three semester hours in human growth and development emphasizing knowledge of the developmental characteristics (physical, biological, cognitive—learning, and social/emotional) of the severely and profoundly disabled as part of or in addition to the requirement in Regulation .20B(2) of this chapter;

(ii) 6 semester hours in assessment, diagnosis, and prescriptive techniques emphasizing specialized knowledge, interpretation and application of appropriate assessment, diagnostic and prescriptive methods to evaluate and develop programs geared toward the individualized needs of the severely and profoundly disabled;

(iii) 6 semester hours in curriculum and instructional methods emphasizing specialized strategies, techniques, materials, and adaptations appropriate to the instruction of the severely and profoundly disabled; and

(iv) 6 semester hours in practicum with students with severe and profound disabilities or 2 years of successful teaching experience with students with severe and profound disabilities.

(5) Work-Based Learning Coordinator Grades 7-12. To add Work-Based Learning Coordinator, an educator shall meet the following requirements:

(a) Hold a professional license in a secondary teaching area or PreK-12 teaching area;

(b) Complete 6 semester hours of content course work taken at regionally accredited institution of higher education through CPDs with a minimum of 3 semester hours in each of the following content areas:

(i) Organizing, coordinating, and marketing of work-based learning programs; and

(ii) Instructional management and curriculum development for work-based learning programs; and

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

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

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

(iii) Participating in a supervised and approved teacher externship experience of at least 150 hours, to include all aspects of the industry in accordance with the local school system guidelines for work-based learning coordinator externships at a work site approved by the local school system; or

(iv) Complete 3 semester hours of content course work in contemporary workplace practices taken at a regionally accredited institution of higher education through CPDs that includes site visits to business and industry settings and exposure to all aspects of the industry.

(d) All work experience under §C(5)(c)(i) of this regulation shall have occurred within the last 10 years. Verification of occupational experience shall be submitted in the form of a notarized letter by former employers, listing specific job titles, duties performed, dates of employment, and hours worked.

(e) All work experience under §C(5)(c)(ii) of this regulation shall have occurred within the last 10 years. Verification of occupational experience shall be submitted by former employers in the form of a notarized letter, listing specific job titles, duties performed, dates of employment, and hours worked. Verification of self-employment shall be verified by license or by submitting tax forms.

Assignment

A. License Required for Major Assignment. Each teacher employed in Maryland local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 shall hold a professional license in the teacher's area of major assignment.

B. Assignment to More Than Two Classes Outside Area of Licensure.

(1) A teacher should not be assigned to teach more than two classes outside the teacher's area of licensure.

(2) If a school finds it necessary to assign a teacher to teach more than two classes outside the teacher's area of licensure, the teacher shall obtain the license prior to the next school year.

(3) Class means a period allocated for lessons during a school day.

C. Exception. A teacher shall not be assigned to provide special education services to students with disabilities per an Individualized Education Program unless they hold the appropriate special education license.

D. Monitoring. The State Department of Education shall monitor the assignment practices of local school systems, State-operated schools, and nonpublic schools approved under COMAR 13A.09.10 on a periodic basis.

Title 13A State Board of Education

Subtitle 12 EDUCATOR LICENSURE

Chapter 03 Professional and Technical Education and Specialized Areas for Fine Arts

COMAR 13A.12.03.01

Purpose.

A. Professional and Technical Education and Specialized Areas for Fine Arts teachers shall meet the requirements for a professional license under §.02 of this chapter.

B. A Professional and Technical Education or Specialized Areas for Fine Arts license shall only be used for instruction in a specialized program or at a specialized school.

C. An initial Professional and Technical Education or Specialized Areas for Fine Arts license shall be requested by a local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10.

D. An individual licensed in Professional and Technical Education or Specialized Areas for Fine Arts who is no longer employed with a local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 may request the renewal of that license directly from the Department.

COMAR 13A.12.03.02

Licenses and Pathways for Professional and Technical Education and Specialized Areas for Fine Arts

A. Types of Professional and Technical Education and Specialized Areas for Fine Arts Licenses.

(1) Temporary Professional

(a) The Temporary Professional License is valid for 2 years and may not be renewed.

(b) A local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 may request a Temporary Professional License for an applicant who has completed an out of state teacher preparation program or holds a valid out of state professional license but has not submitted passing scores on Maryland teacher licensure tests.

(c) An educator may be issued a Temporary Professional License under COMAR 13A.12.03.03A(3) as a result of failure to meet the renewal requirements of a professional license.

(2) Initial Professional

(a) The Initial Professional License is valid for 5 years and may be renewed should the license holder meet the renewal requirements under §.03 of this chapter.

(b) An applicant who is employed in a local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 and has met the requirements of one of the pathways to licensure under §C of this regulation is eligible for an Initial Professional License.

(3) Professional

(a) The Professional License is valid for 5 years and may be renewed should the license holder meet the renewal requirements under §.03 of this chapter.

(b) An applicant who is employed in a local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 and has met one of the pathways to licensure under §C of this regulation may be eligible for a Professional License if they submit the following requirements:

(i) Completion of a Maryland induction program under COMAR 13A.07.01; and

(ii) Verification of 3 years of effective teaching performance.

(4) Conditional

(a) The Conditional License is valid for 5 years and may not be renewed.

(b) A local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 may request a Conditional License if:

(i) The school is unable to fill a position with a person who qualifies for a license under §A(2)-(4) of this regulation;

(ii) The person presents verification of 3 years of occupational experience in the career area to be taught as defined in §C(5)(a) of this regulation.

(c) An applicant who is issued a Conditional License must pursue a pathway to professional licensure under §C of this regulation.

(5) Adjunct Teacher

(a) The Maryland State Department of Education may issue an adjunct license upon the request of a local school system superintendent or an education director of a nonpublic school approved under COMAR 13A.09.10.

(b) The request for adjunct license must include:

(i) The name and credentials of the individual;

(ii) The course name and content to be taught; and

(iii) An explanation as to why the position cannot be filled by a qualified certificate holder.

(c) The adjunct license is nontransferable between local school systems.

(d) A local school system or nonpublic school may not employ an individual who holds an adjunct license as a full-time employee.

(e) An applicant for an adjunct license shall:

(i) Hold a high school diploma or its equivalent;

(ii) Hold an industry license, when applicable for the profession; and

(iii) Have 5 years of satisfactory occupational experience in the field to be taught.

(f) An individual who is issued an adjunct license shall be provided with the following, by the employing local school system or nonpublic school:

(i) A professionally licensed mentor;

(ii) Side-by-side coaching or co-teaching with a professionally licensed teacher;

(iii) A minimum of 45 hours of professional development, with 30 hours delivered prior to entry to the classroom and the remainder to be delivered throughout the school year; and

(iv) Evaluations of the individual's teaching effectiveness.

(g) The adjunct license issued in accordance with this regulation is valid for a 1-year period and may be renewed upon the request of the local school system or nonpublic school.

B. In addition to holding an educator license, the applicant shall be governed by current licensure, certification, or registration regulations administered by professional organizations or legally constituted authorities in the State, in the career area to be taught, if applicable.

C. Pathways to Professional and Technical Education/ Specialized Areas for Fine Arts Licensure.

(1) Maryland Approved Program. Candidates who complete a Maryland approved educator preparation program as set forth in COMAR 13A.07.06 shall meet the following requirements:

- (a) Bachelor's degree or higher;
- (b) Completion of an approved program as set forth in COMAR 13A.07.06; and
- (c) Passing score(s) as established by the State Superintendent of Schools on the teacher licensure test(s) approved by the State Board of Education.

(2) Out-of-State Preparation Program. Candidates who complete a state-approved educator preparation program leading to licensure in that state shall meet the following requirements:

- (a) Bachelor's degree or higher;
- (b) Complete a preparation program, to include a clinical internship, approved to lead to professional and technical education licensure in another state, in the license area being sought; and
- (c) Passing score(s) as established by the State Superintendent of Schools on the teacher licensure test(s) approved by the State Board of Education.

(3) Out-of-State License. Candidates who hold a license/certificate from another state or foreign country shall meet the following requirements:

- (a) Valid, professional license/certificate from another state or foreign country in the license area being sought; and
- (b) Passing score(s) as established by the State Superintendent of Schools on the teacher licensure test(s) approved by the State Board of Education or verification of 3 years of effective teaching experience, verified by the employer, in the license area being sought.

(4) National Board Certificate (Professional and Technical Education only). Candidates who hold a National Board Certificate shall meet the following requirements:

- (a) National Board Certificate issued from the National Board for Professional Teaching Standards in the area of Career and Technical Education; and

(b) Valid or expired professional license/certificate from another state or foreign country in the license area being sought.

(5) Occupational Experience. Candidates with occupational experience in a Professional and Technical area or Specialized Area of Fine Arts shall meet the following requirements:

(a) Occupational experience.

(i) Verification of 3 years of occupational experience in the area to be taught that may include satisfactory post-secondary teaching experience in the area to be taught; and/or satisfactory occupational employment.

(ii) The applicant may substitute a Department-accepted, current industry recognized credential for 1 year of the occupational experience requirement.

(iii) The applicant may substitute a bachelor's or associate's degree in the area to be taught for 1 year of the occupational experience requirement.

(b) Completion of 12 credits of professional education coursework from an IHE or through Department-approved Continuing Professional Development credits to include the following topics:

(i) Planning, delivering, and assessing instruction;

(ii) Classroom management;

(iii) Differentiating Instruction to accommodate students with special needs; and

(iv) Teaching literacy in the content area.

(c) Passing score(s) as established by the State Superintendent of Schools on the teacher licensure test(s) approved by the State Board of Education.

D. Special Provision. Credits from institutions in other countries shall be evaluated for comparability of degree and course work by an independent agency authorized to analyze foreign credentials and designated by the Department. The evaluation is conclusive for the Department.

E. Exception. An individual applying for licensure in a Professional and Technical or Specialized Area of Fine Arts is exempt from submitting evidence of qualifying scores, as established by the State Superintendent of Schools, on the basic skills teacher certification tests approved by the State Board of Education.

F. Additional Professional and Technical Education/ Specialized Areas for Fine Arts Licenses.

(1) An individual who holds a Professional and Technical Education/ Specialized Areas for Fine Arts license may add an additional Professional and Technical Education/ Specialized Areas for Fine Arts license by meeting one of the following requirements:

(a) Present a valid, Department-recognized industry credential in the area to be taught; or

(b) Meet the requirements for initial licensure under §.02 of this chapter.

(2) An additional Professional and Technical Education/ Specialized Areas for Fine Arts license area shall be requested by a local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10.

Renewal of a Professional and Technical Education/ Specialized Areas for Fine Arts License.

A. General

- (1) An applicant who receives a license is responsible for initiating the renewal of the license.
- (2) Renewal requirements must be received prior to the expiration date of the license in order to be considered continuous.
- (3) Failure to Meet Requirements. Failure to meet the requirements of this section results in loss of the license. A local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 may request a Temporary Professional License pursuant to §02A(2) of this chapter for an employee who fails to meet the renewal requirements of the Initial Professional or Professional License.

B. Professional Development Requirements. The Initial Professional and Professional License may be renewed for successive five year terms upon the successful completion of the requisite number of Professional Development Points (PDPs), as set forth in §.05 of this chapter, based on an Individual Professional Development Plan, as set forth in §.04 of this chapter, that is designed to improve teaching and student learning and that is approved, if required, by the educator's supervisor.

C. Application Process.

- (1) An educator may renew their Initial Professional or Professional License by submitting the Individual Professional Development Plan, renewal application, fee, and verification of completion of all renewal requirements of this chapter.
- (2) Persons employed by a Maryland local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10, shall submit documentation directly to the employer.
- (3) Persons who are not employed by a Maryland local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 shall submit documentation directly to the Department.

D. Senior Educator Waiver. Renewal requirements for any professionally licensed employee of a local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10, may be waived if:

- (1) The professionally licensed employee is:
 - (a) 55 years old or older; or
 - (b) Employed in public or approved nonpublic school service for at least 25 years.
- (2) The request is recommended by the county superintendent, executive director, or chief officer of the legal authority having jurisdiction over the employee.

Individual Professional Development Plans- Professional and Technical Education/ Specialized Areas for Fine Arts

A. Individual Professional Development Plans.

- (1) An Individual Professional Development Plan must be in place for each of the five years of validity for each Initial Professional and Professional license issued to an educator.
- (2) An Individual Professional Development Plan must include a minimum of 90 Professional Development Points, as set forth in §.05 of this chapter, to renew the educator's license.
- (3) Educators who are not employed with a local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 are responsible for developing their own Individual Professional Development Plan.

B. Approval of an Individual Professional Development Plan.

- (1) Educators working in a Maryland local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 must obtain approval of their proposed Individual Professional Development Plan from their supervisors.
- (2) Approval for proposed Individual Professional Development Plans shall be from the educator's direct supervisor, or an appropriate designee.
- (3) Educators must obtain initial approval of their Individual Professional Development Plan within six months of issuance of the license to be renewed.
- (4) Supervisor Review
 - (a) A supervisor shall review the existing Individual Professional Development Plan of any educator new to the district or school within three months of the educator's beginning employment in the new position.
 - (b) A supervisor may require an educator to amend the plan or may withdraw approval for a plan that had been previously approved, provided, however, that any Professional Development Points that were earned consistently with an approved plan shall be deemed approved in applying for license renewal.
- (5) Signatures.
 - (a) Prior to applying to renew an Initial Professional or Professional license, educators shall obtain a signature from a current supervisor.
 - (b) A supervisor's signature will indicate that the supervisor has reviewed the log of professional development activities maintained by the educator to ensure that the reported activities are consistent with the approved Individual Professional Development Plan.
 - (c) The educator remains responsible for the final accounting of Professional Development Points applied towards license renewal.

(d) An educator whose supervisor refuses to sign an Individual Professional Development Plan may follow the review procedures set forth in §B(7) of this regulation.

(6) Approval of an Individual Professional Development Plan shall not be unreasonably withheld by a supervisor.

(7) In the event that a plan is rejected by a supervisor, an educator may seek review of the denial from:

(a) The superintendent of schools, or designee, if employed with a local school system;

(b) The Chief Officer of the Legal Authority, or designee, if employed with a nonpublic school approved under COMAR 13A.09.10; or

(c) The Executive Director, or comparable position, if employed with a State-operated school.

Professional Development Points- Professional and Technical Education/ Specialized Areas for Fine Arts

A. Professional Development Point (PDP). A unit of measurement of professional development activities.

- (1) One clock hour is equivalent to one PDP.
- (2) One semester hour is equivalent to 15 PDPs.
- (3) One Department approved Continuing Professional Development credit is equivalent to 15 PDPs.
- (4) One continuing education unit is equivalent to ten PDPs.

B. Educators applying to renew an Initial Professional or Professional License are required to complete a minimum of 90 Professional Development Points (PDPs) to include:

- (1) Content related to an area on the educator's license;
- (2) Pedagogy;
- (3) English as a Second Language, Sheltered English, or Bilingual Education;
- (4) Strategies for teaching students with disabilities or diverse learning styles; and
- (5) Culturally Responsive Teaching or diversity in education.

C. Special Requirement. A teacher who holds a license in the area of the Blind/Visually Impaired must present a minimum of 15 PDPs in braille maintenance.

D. Professional Development Points may be accrued by the completion of one or more of the following:

- (1) College credit earned or taught at a regionally accredited institution of higher education.
- (2) Continuing Professional Development (CPD) credits, earned or taught, approved by the Department.
- (3) Continuing Education Units (CEUs) from an accredited International Association for Continuing Education and Training provider or approved by another Maryland State agency for purposes of licensure.
- (4) Professional conference. A professional conference is a workshop, institute, or seminar of four or more hours that contributes to ongoing, sustained, and high-quality professional development.
- (5) Curriculum development.
 - (a) Curriculum development is a group activity in which the license holder contributes to the improvement of the curriculum of a school, a school division, or an educational institution.
 - (b) This includes the alignment of curriculum frameworks, instructional materials, and assessments to provide a system with clear expectations of what is to be taught and learned.

(c) For each curriculum developed, the educator will be awarded 30 PDPs.

(6) Publication of a book or article.

(a) The book or article shall contribute to the education profession or to the body of knowledge of the license holder's teaching area or instructional position.

(b) An article shall be published in a recognized professional journal.

(c) Books shall be published for purchase.

(d) For each book published, the educator will be awarded 75 PDPs. For each article published, the educator will be awarded 10 PDPs.

(7) Mentorship.

(a) Mentoring is the process by which an experienced professional who has received mentorship training provides assistance to one or more persons for the purpose of improving their performance.

(b) Assistance may involve role modeling, direct instruction, demonstration, observation with feedback, developing of plans, and consultation to promote instructional excellence and increased student achievement.

(c) Mentoring may include the supervision of a field experience of a pre-service student teacher or an intern in an approved teacher preparation program, as well as mentoring as part of the induction process for a beginning teacher.

(8) Micro-credentials.

(a) Micro-credentials are a digital form of certification indicating demonstrated competency/mastery in a specific skill or set of skills.

(b) Educators identify a competency they want to develop, submit evidence that they have mastered the competency, and receive a digital badge once the evidence is approved.

(c) Micro-credentials can be earned by non-profit and for profit entities approved by the local school system, State-operated school, nonpublic school, or the Department.

(d) For each micro-credential earned, the educator will be awarded 10 PDPs.

(9) Professional development activity.

(a) Professional development activities approved by the Department, Maryland Local School System, State Agency, Maryland approved nonpublic school, or another state department of education, will be accepted. Each activity must be a minimum of one contact hour.

(b) Each activity must be a minimum of one contact hour.

(10) Occupational Experience.

(1) Occupational experience related to the career area being taught may be used to earn PDPs.

- (2) For every 10 hours worked, the educator may earn 1 PDP.
- (3) Occupational experience is limited to 15 PDPs.

Title 13A State Board of Education
Subtitle 12 EDUCATOR LICENSURE
Chapter 04 Specialists

COMAR 13A.12.04.01

Purpose.

Specialists employed in an early childhood, elementary, PreK—12 or secondary school program shall hold an appropriate license under COMAR 13A.12.04 or a license in certain areas as otherwise provided in State law.

Licenses for Specialists.

A. Types of Specialist Licenses

(1) Initial Professional

(a) The Initial Professional License is valid for 5 years and may be renewed should the license holder meet the renewal requirements under §13 of this chapter.

(b) An applicant who has met the requirements of one of the pathways to licensure under §.03-.12 of this chapter is eligible for an Initial Professional License.

(2) Professional

(a) The Professional License is valid for 5 years and may be renewed should the license holder meet the renewal requirements under §.13 of this chapter.

(b) An applicant who has met the requirements of one of the pathways to licensure under §.03-.12 of this chapter may be eligible for a Professional License if they submit the following requirements:

(i) Verification of 3 years of effective performance as a specialist; and

(ii) Completion of a Maryland induction program, if applicable.

B. Credits from institutions in other countries shall be evaluated for comparability of degree and course work by an independent agency authorized to analyze foreign credentials and designated by the Department. The evaluation is conclusive for the Department.

School Counselor

A. School Counselor. To qualify for a license, a candidate must meet the requirements of one of the following pathways:

- (1) Maryland Approved Program. Candidates who possess a master's degree and complete a program approved under COMAR 13A.07.06 leading to licensure as a school counselor.
- (2) National Board of Certified Counselors (NBCC). Candidates who possess a master's degree in school counseling or school guidance and counseling, a valid National Board of Certified Counselors certificate, and two years of effective performance as a teacher or school counselor in a school setting.
- (3) National Board for Professional Teaching Standards (NBPTS). Candidates who possess a master's degree in school counseling or school guidance and counseling and present a valid National Board Certificate in the area of School Counseling.
- (4) Out of State Program. Candidates who possess a master's degree in school counseling or school guidance and counseling from an out of state approved program and 2 years of effective performance as a teacher or school counselor or 500 clock hours in a supervised practicum in school counseling.
- (5) Council for Accreditation of Counseling and Related Educational Programs (CACREP). Candidates who possess a master's degree in school counseling or school guidance and counseling from a program approved by the Council for Accreditation of Counseling and Related Educational Programs.
- (6) Experienced Professional. Candidates who possess a master's degree and a valid, professional certificate from another state and verification of at least 27 months of effective performance as a school counselor.

Library Media Specialist.

A. Definitions.

(1) "Library media specialist" means an individual who has developed knowledge, understanding of, and competency in the broad range of library media services, with particular emphasis on those competencies related to the development and administration of a comprehensive school library media program.

(2) "Library media" means a variety of communication and information formats and their accompanying technologies appropriate to learning and instruction.

B. Pathways to licensure. To qualify for a Professional Specialist License, a candidate must meet the requirements of one of the following pathways:

(1) Maryland Approved Program. Candidates who possess a master's degree and complete a program approved under COMAR 13A.07.06 leading to licensure as a library media specialist.

(2) Out of State Preparation Program. Candidates who possess a master's degree and complete an approved program leading to licensure as a library media specialist in another state.

(3) Experienced Professional. Candidates who possess a master's degree, hold a valid professional library media license from another state or country, and submit verification of 3 years of full time effective experience as a library media specialist.

(4) National Board Certification. Candidates who possess a master's degree and a National Board Certificate in the area of Library Media.

(5) Master's Equivalent.

(a) The applicant shall have a bachelor's or higher degree from an IHE to include a program of 36 semester hours of post-baccalaureate credit with 15 semester hours completed at one institution and a minimum of 24 semester hours of graduate credit in the content coursework listed in §B(5)(a) of this regulation.

(b) Content course work shall include:

(i) Administration of library media programs, including an understanding of State and national library media standards and technology standards;

(ii) Materials for children in all formats, including concepts related to the teaching and learning of reading;

(iii) Materials for young adults in all formats, including concepts related to the teaching and learning of reading;

(iv) Selection, evaluation, and use of materials in all formats to meet student curriculum and instructional needs;

(v) Access and delivery of information, including reference and bibliographic systems in all formats;

(vi) Organization of knowledge, including cataloging and classification, and information retrieval in all formats;

(vii) Principles of communication, including dissemination and use of information in all formats; and

(viii) The design, creation, and implementation of library media in all formats for instructional use.

(c) Professional education coursework shall include:

(i) History and philosophy of education

(ii) Student developmental levels, learning theory, and strategies for identifying student information and learning needs;

(iii) Theory, principles, and methods of instructional design and delivery; and

(iv) Inclusion of special needs student populations.

(d) The professional education course work listed in §B(5)(b) of this regulation may be met by course credits earned in addition to, or as part of, the undergraduate degree program. The total number of post-baccalaureate credits needed for licensure shall not be reduced for course requirements that are met in the applicant's bachelor's degree program. Additional post-baccalaureate or graduate courses may be substituted.

(e) An applicant shall satisfactorily complete a school library media practicum, 1 year of full-time teaching experience, or 1 year of full-time school library media-related experience.

Pupil Personnel Worker

The requirements for licensure as a pupil personnel worker are that the applicant shall have:

A. A master's degree from the IHE in pupil personnel or a related field, such as:

- (1) Counseling or guidance services, or both,
- (2) Early childhood, elementary, or secondary education,
- (3) Human growth and development,
- (4) Sociology, social work, or psychology,
- (5) Special education,
- (6) Administration and supervision;

B. In addition to or as part of §A of this regulation, 21 semester hours of graduate credit or State-approved CPDs, to include school law and at least six of the following seven areas:

- (1) Counseling methods,
- (2) Early childhood or adolescent psychology, or both,
- (3) Multicultural issues,
- (4) Family systems/dynamics,
- (5) Delivery of pupil personnel services and programs,
- (6) Abnormal psychology or juvenile delinquency, or both,
- (7) Educational assessment interpretation.

C. Three years of effective teaching experience, or, at the recommendation of a local superintendent of schools, related experience may be substituted for teaching experience; and

D. Three semester hours of credit or State-approved CPDs in inclusion of special needs student populations.

Reading Specialist.

The requirements for certification as a reading specialist are that the applicant shall:

- A. Meet the requirements for licensure in early childhood education, elementary education, or a secondary education area;
- B. Submit verification of 3 years of effective teaching or clinical experience; and
- C. Meet the requirements of one of the following pathways:
 - (a) Maryland Approved Program. Candidates who possess a master's degree and complete a program approved under COMAR 13A.07.06 leading to licensure as a reading specialist.
 - (b) Out of State Preparation Program. Candidates who possess a master's degree and complete an approved program leading to licensure as a reading specialist in another state.
 - (c) Professional Coursework. Candidates who possess a master's degree or equivalent of 33 post-baccalaureate graduate credits from an IHE in reading and related areas to include:
 - (1) 15 semester hours of reading course work with at least one course in each of the following areas:
 - (a) Foundation or survey course,
 - (b) Diagnosis and correction of reading difficulties,
 - (c) Clinical or laboratory practicum,
 - (d) Assessment or evaluation, or both;
 - (2) Additional coursework selected from at least four of the following areas:
 - (a) Emergent literacy,
 - (b) Literacy Leadership,
 - (c) English Learners,
 - (d) Content area literacy,
 - (e) Writing,
 - (f) Effective use of technology in the literacy classroom,
 - (g) Early Childhood, Elementary, or Adolescent literacy,

(h) Literacy research,

(i) Linguistics,

(j) Special education.

13A.12.04.07

.06 Reading Teacher.

The requirements for licensure as a reading teacher are that the applicant shall:

- A. Meet the requirements for licensure in early childhood education, elementary education, or a secondary education area;
- B. Have 12 semester hours of post-baccalaureate graduate credit from an IHE in reading, including a foundation or survey course and a course in diagnosis and correction of reading difficulties; and
- C. Have 2 years of successful teaching experience.

Psychometrist

A. Definition. "Psychometrist" means an individual who works directly under the professional supervision of a school psychologist or supervisor of school psychological services. The purpose of this position is limited to providing assistance to the school psychologist by administering psychological tests and other related psychometric tasks.

B. Education. An applicant for licensure as a psychometrist shall have the following:

- (1) A master's degree from an IHE in psychology or education; and
- (2) 45 semester hours of graduate and undergraduate course work from an IHE which shall include the following areas:
 - (a) Tests and measurements,
 - (b) Individual intelligence testing of children,
 - (c) Individual educational assessment of children, reading assessment, curriculum-based assessment,
 - (d) Assessment of personality (including social, emotional, and behavioral assessment of children),
 - (e) Practicum in psychological testing of children,
 - (f) Developmental psychology child and adolescent psychology,
 - (g) Statistics/research methods, research design,
 - (h) Personality theory,
 - (i) Learning process/theory,
 - (j) Abnormal psychology, psychopathology,
 - (k) Educational psychology,
 - (l) Curriculum and instruction,
 - (m) Intervention techniques, consultation, counseling,
 - (n) Social bases of behavior, social psychology, multicultural psychology, and
 - (o) Physiological and neurological bases of behavior.

(3) Coursework required in §B(2)(a), (h)-(l), and (n) may be taken at the undergraduate level.

C. Experience. The experience requirements for licensure as a psychometrist shall comply with the following:

(1) Option I.

(a) 500 clock hours of field experience in school psychology which is approved by and under the direction of an institution of higher education that has an approved program in psychology.

(b) The field experience shall include experience in regular and special education programs and shall emphasize assessment.

(c) The field supervision shall be under an individual licensed as a school psychologist.

(2) Option II.

(a) 2 years of successful experience of at least 600 clock hours per year providing psychometric services to children in an educational setting under the supervision of an individual licensed as a school psychologist.

(b) The supervision requirement may be waived if an applicant has previously provided these services as a licensed psychologist.

School Psychologist.

A. Definition. "School psychologist" means an individual who is licensed to provide psychological services to children in a public or State-approved nonpublic school setting and supervises interns and psychometrists.

B. Education. An applicant for licensure as a school psychologist shall meet one of the following:

(1) Option I:

(a) Submit a master's or higher degree in school psychology from a Maryland-approved program; and

(b) Qualifying scores on the Maryland-approved test for school psychologist.

(2) Option II:

(a) Submit a master's or higher degree and complete an out-of-state-approved program in school psychology, culminating a minimum of a 1,200-hour internship in school psychology; and

(b) Submit qualifying scores on the Maryland - approved test for school psychologist.

(3) Option III: Submit a valid Nationally Certified School Psychologist certificate issued by the National School Psychology Certification Board.

(4) Option IV:

(a) Submit a master's or higher degree from an IHE; and

(b) Submit a valid professional license in school psychology from another state and verification of at least 27 months of effective performance as a school psychologist during the past 7 years on the basis of which application is being made for a comparable Maryland license.

COMAR 13A.12.04.10

Therapists (Occupational Therapists, Physical Therapists, Speech-Language Pathologists, or Audiologists).

An occupational therapist, physical therapist, speech-language pathologist, or audiologist holding a valid license issued by the State Board of Occupational Therapy Practice, the State Board of Physical Therapy Examiners, or the State Board of Audiologists, Hearing Aid Dispensers, and Speech-Language Pathologists, in accordance with the relevant provisions of the Health Occupations Article, Annotated Code of Maryland, shall be considered professionally licensed and does not require an additional educator license.

COMAR 13A.12.04.11

School Social Worker.

To obtain educator licensure as a school social worker, the applicant shall be licensed by the Maryland State Board of Social Work Examiners as a:

- A. Masters Social Worker;
- B. Certified Social Worker; or
- C. Certified Social Worker — Clinical.

Gifted and Talented Education Specialist.

To be licensed as a Gifted and Talented Education Specialist, an applicant shall:

A. Earn a master's degree from one of the following:

(1) A Department-approved master's program that leads to licensure in Gifted and Talented Education;

(2) An out-of-State approved master's program that leads to Gifted and Talented licensure; or

(3) An IHE and:

(a) Complete 15 semester hours of graduate course work in Gifted and Talented Education from an IHE, which includes a balance of content in the following competencies:

(i) Understanding the foundations of gifted education, including historical perspectives, key philosophies and theories, social, cultural, and economic influences, key issues, and trends;

(ii) Understanding the unique cognitive and affective characteristics of gifted and talented students, including the learning differences of gifted and talented students with disabilities and those from diverse backgrounds;

(iii) Understanding processes and procedures for the identification of gifted and talented students, including the use of equitable approaches for identifying gifted and talented students from diverse backgrounds and those with disabilities;

(iv) Understanding evidence-based instructional strategies for differentiating instruction for gifted and talented students, including strategies that enhance acquisition of knowledge and skills in specific domains, critical and creative thinking, problem solving, and metacognition;

(v) Understanding theories and models for developing and implementing curriculum, instruction, and assessments for gifted and talented students; and

(vi) Understanding how to create learning environments that foster the social and emotional well-being of gifted and talented students, including the development of self-awareness, coping skills, positive peer relationships, and leadership; and

(b) Complete at least 3 semester hours in a clinical/laboratory internship; and

B. Present verification of 27 months of effective teaching experience or clinical experience.

Renewal of a Specialist License

A. General

- (1) An applicant who receives a license is responsible for initiating the renewal of the license.
- (2) Renewal requirements must be received prior to the expiration date of the license in order to be considered continuous.
- (3) Failure to Meet Requirements. Failure to meet the requirements of this section results in loss of the license.

B. Professional Development Requirements. The Initial Professional and Professional License may be renewed for successive five year terms upon the successful completion of the requisite number of Professional Development Points (PDPs) as set forth in §.15 of this chapter based on an Individual Professional Development Plan as set forth in §.14 of this chapter that is designed to improve student learning and that is approved, if required, by the educator's supervisor.

C. Application Process.

- (1) An educator may renew their Initial Professional or Professional License by submitting the Individual Professional Development Plan, renewal application, fee, and verification of completion of all renewal requirements of this chapter.
- (2) Persons employed by a Maryland local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10, shall submit documentation directly to the employer.
- (3) Persons who are not employed by a Maryland local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 shall submit documentation directly to the Department.

D. Senior Educator Waiver. Renewal requirements for any professionally licensed employee of a local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10, may be waived if:

- (1) The professionally licensed employee is:
 - (a) 55 years old or older; or
 - (b) Employed in public or approved nonpublic school service for at least 25 years.
- (2) The request is recommended by the county superintendent, executive director, or chief office of the legal authority having jurisdiction over the employee.

E. Renewal Requirements that May Not Be Waived. School counselors are required to present one semester hour of coursework from an Institution of Higher Education, one Department-approved continuing professional development credit; or an equivalent number of continuing education units that address the following:

- (1) Depression;
- (2) Trauma;
- (3) Violence;
- (4) Youth Suicide;
- (5) Substance Abuse; and
- (6) The identification of professional resources and best practices for distributing resources to parents or guardians to help students in crisis.

Individual Professional Development Plans

A. Individual Professional Development Plans.

- (1) An Individual Professional Development Plan must be in place for each of the five years of validity for each Initial Professional and Professional license issued to an educator.
- (2) An Individual Professional Development Plans must include a minimum of 90 Professional Development Points, as set forth in §.15 of this chapter, to renew the educator's License.
- (3) Educators who are not employed with a local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 are responsible for developing their own Individual Professional Development Plan.

B. Approval of an Individual Professional Development Plan.

- (1) Educators working in a Maryland local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 must obtain approval of their proposed Individual Professional Development Plan from their supervisors.
- (2) Approval for proposed Individual Professional Development Plans shall be from the educator's direct supervisor, or an appropriate designee.
- (3) Educators must obtain initial approval of their Individual Professional Development Plan within six months of issuance of the license to be renewed.
- (4) Supervisor Review
 - (a) A supervisor shall review the existing Individual Professional Development Plan of any educator new to the district or school within three months of the educator's beginning employment in the new position.
 - (b) A supervisor may require an educator to amend the plan or may withdraw approval for a plan that had been previously approved, provided, however, that any Professional Development Points that were earned consistently with an approved plan shall be deemed approved in applying for license renewal.
- (5) Signatures.
 - (a) Prior to applying to renew an Initial Professional or Professional license, educators shall obtain a signature from a current supervisor.
 - (b) A supervisor's signature will indicate that the supervisor has reviewed the log of professional development activities maintained by the educator to ensure that the reported activities are consistent with the approved Individual Professional Development Plan.
 - (c) The educator remains responsible for the final accounting of Professional Development Points applied towards license renewal.

(d) An educator whose supervisor refuses to sign an Individual Professional Development Plan may follow the review procedures set forth in §B(7) of this regulation.

(6) Approval of an Individual Professional Development Plan shall not be unreasonably withheld by a supervisor.

(7) In the event that a plan is rejected by a supervisor, an educator may seek review of the denial from:

(a) The superintendent of schools, or designee, if employed with a local school system;

(b) The Chief Officer of the Legal Authority, or designee, if employed with a nonpublic school approved under COMAR 13A.09.10; or

(c) The Executive Director, or comparable position, if employed with a State-operated school.

Professional Development Points.

A. Professional Development Point (PDP). A unit of measurement of professional development activities.

- (1) One clock hour is equivalent to one PDP.
- (2) One semester hour is equivalent to 15 PDPs.
- (3) One Department approved Continuing Professional Development credit is equivalent to 15 PDPs.
- (4) One continuing education unit is equivalent to ten PDPs.

B. Specialists applying to renew a Professional License are required to complete a minimum of 90 Professional Development Points (PDPs) to include:

- (1) Content related to an area on the educator's license;
- (2) Students with disabilities; and
- (3) Culturally Responsive Teaching or diversity in education.

C. Additional requirements. An educator who is licensed as a School Counselor must present one semester hour of coursework from an Institution of Higher Education, one Department-approved continuing professional development credit; or an equivalent number of continuing education units that address the following:

- (1) Depression;
- (2) Trauma;
- (3) Violence;
- (4) Youth Suicide;
- (5) Substance Abuse; and
- (6) The identification of professional resources and best practices for distributing resources to parents or guardians to help students in crisis.

D. Professional Development Points may be accrued by the completion of one of more of the following:

- (1) College credit earned or taught at a regionally accredited institution of higher education.
- (2) Continuing Professional Development (CPD) credits, earned or taught, approved by the Department.
- (3) Continuing Education Units (CEUs) from an accredited International Association for Continuing Education and Training provider or approved by another Maryland State agency for purposes of licensure.

(4) Professional conference. A professional conference is a workshop, institute, or seminar of four or more hours that contributes to ongoing, sustained, and high-quality professional development.

(5) Curriculum development.

(a) Curriculum development is a group activity in which the license holder contributes to the improvement of the curriculum of a school, a school division, or an educational institution.

(b) This includes the alignment of curriculum frameworks, instructional materials, and assessments to provide a system with clear expectations of what is to be taught and learned.

(c) For each curriculum developed, the educator will be awarded 30 PDPs.

(6) Publication of a book or article.

(a) The book or article shall contribute to the education profession or to the body of knowledge of the license holder's teaching area or instructional position.

(b) An article shall be published in a recognized professional journal.

(c) Books shall be published for purchase.

(d) For each book published, the educator will be awarded 75 PDPs. For each article published, the educator will be awarded 10 PDPs.

(7) Mentorship.

(a) Mentoring is the process by which an experienced professional who has received mentorship training provides assistance to one or more persons for the purpose of improving their performance.

(b) Assistance may involve role modeling, direct instruction, demonstration, observation with feedback, developing of plans, and consultation to promote instructional excellence and increased student achievement.

(c) Mentoring may include the supervision of a field experience of a pre-service student teacher or an intern in an approved teacher preparation program, as well as mentoring as part of the induction process for a beginning teacher.

(8) Micro-credentials.

(a) Micro-credentials are a digital form of certification indicating demonstrated competency/mastery in a specific skill or set of skills.

(b) Educators identify a competency they want to develop, submit evidence that they have mastered the competency, and receive a digital badge once the evidence is approved.

(c) Micro-credentials can be earned by non-profit and for profit entities approved by the local school system, State-operated school, nonpublic school, or the Department.

(d) For each micro-credential earned, the educator will be awarded 10 PDPs.

(9) Professional development activity.

(a) Professional development activities approved by the Department, Maryland Local School System, State Agency, Maryland approved nonpublic school, or another state department of education, will be accepted. Each activity must be a minimum of one contact hour.

(b) Each activity must be a minimum of one contact hour.

Title 13A State Board of Education
Subtitle 12 EDUCATOR LICENSURE
Chapter 05 Administrators and Supervisors

13A.12.05.01

Purpose.

Administrators and supervisors who have direct contact with students, who have responsibility for curriculum development, or who have responsibility for supervision of instruction shall meet the requirements for a professional license under COMAR 13A.12.05, as applicable.

Licenses for Administrators and Supervisors.

A. Types of Administrator/Supervisor Licenses

(1) Initial Professional

(a) The Initial Professional License is valid for 5 years and may be renewed should the license holder meet the renewal requirements under §.15 of this chapter.

(b) An applicant who has met the requirements of one of the pathways to licensure under §.03-.12 of this chapter is eligible for an Initial Professional License.

(2) Professional

(a) The Professional License is valid for 5 years and may be renewed should the license holder meet the renewal requirements under §.15 of this chapter.

(b) An applicant who has met the requirements of one of the pathways to licensure under §.03-.12 of this chapter may be eligible for a Professional License if they submit the following requirements:

(i) Verification of 3 years of effective administrative or supervisory performance;
and

(ii) Completion of a Maryland induction program, if applicable.

B. Credits from institutions in other countries shall be evaluated for comparability of degree and course work by an independent agency authorized to analyze foreign credentials and designated by the Department. The evaluation is conclusive for the Department.

13A.12.05.03

Supportive Services Personnel.

A. Purpose. The State Superintendent of Schools may license as Supportive Services Personnel a qualified employee of a local school system who is assigned to administrative or supervisory responsibilities not otherwise covered in these regulations, and who has responsibilities comparable to those assigned to persons who hold specific supervisory licenses.

B. Education. An applicant for licensure as Supportive Services Personnel shall have a bachelor's degree or higher appropriate to the area of responsibility from an IHE.

C. This license is issued at the request of a local school, State-operated school, or nonpublic school approved under COMAR 13A.09.10.

Superintendents.

A. Superintendent I.

(1) This license qualifies an individual to be assigned as a county deputy superintendent, assistant superintendent or associate superintendent through either Traditional or Reciprocal Licensure.

(2) An applicant for Traditional Licensure shall meet the education and experience requirements.

(3) Education Requirements for Traditional Licensure. The applicant shall have:

(a) A master's degree from an IHE; and

(b) Completed one of the following:

(i) An MSDE-approved program which leads to licensure as a superintendent;

(ii) A program offered by an IHE leading to licensure as a superintendent in the state in which the institution is located; or

(iii) 45 semester hours of graduate course work, including a minimum of 15 semester hours in education administration taken at an IHE. Graduate course work earned under §A(3)(a) of this regulation may be applied toward the 45 required semester hours.

(4) Experience Requirements for Traditional Licensure. The applicant shall have:

(a) 27 months of effective teaching performance or effective performance as a licensed specialist as defined in COMAR 13A.12.03 in a PreK—12 setting; and

(b) 24 months of effective administrative or supervisory experience in a PreK—12 setting.

(5) Requirements for Reciprocal Licensure. A deputy, associate, or assistant superintendent who enters Maryland from another state may obtain a Superintendent I license if that individual:

(a) Holds a valid professional state license in a like or comparable area; and

(b) Presents verification of at least 36 months of effective performance as a deputy, associate, or assistant superintendent during the past 7 years.

B. Superintendent II.

(1) This certificate qualifies an individual to be a county superintendent through either Traditional or Reciprocal Licensure.

(2) An applicant for Traditional Licensure shall meet the education and experience requirements.

(3) Education Requirements for Traditional Licensure. The applicant shall have:

(a) A master's degree from an IHE; and

(b) Have completed one of the following:

(i) An MSDE-approved program which leads to licensure as a superintendent to include course work covering public school administration, supervision, and methods of teaching;

(ii) A program offered by an IHE leading to licensure as a superintendent in the state in which the institution is located to include course work covering public school administration, supervision, and methods of teaching; or

(iii) 60 semester hours of graduate course work, including a minimum of 24 semester hours in education administration taken at an IHE, to include public school administration, supervision, and methods of teaching. Graduate course work earned under §B(3)(a) of this regulation may be applied toward the 60 required semester hours.

(4) Experience Requirements for Traditional Licensure. The applicant shall have:

(a) 27 months of effective teaching performance or effective performance as a licensed specialist as defined in COMAR 13A.12.03 in a PreK—12 setting; and

(b) 24 months of effective administrative or supervisory experience in a PreK—12 setting.

(5) Requirements for Reciprocal Licensure. A superintendent who enters Maryland from another state may obtain a Superintendent II license if that individual:

(a) Holds a valid professional state license in a like or comparable area;

(b) Presents verification of at least 36 months of effective performance as a superintendent during the past 7 years; and

(c) Presents verification of 2 years of graduate work at an IHE to include course work covering public school administration, supervision, and methods of teaching.

13A.12.05.05

Supervisors of Instruction, Assistant Principals, and Principals.

A. Application of Regulation.

(1) This regulation applies to obtaining licensure as an Administrator I or Administrator II.

(2) If a principal transfers to become a principal in a special education school, the principal shall hold a Supervisor of Special Education license as set forth in §.10 of this chapter.

B. Administrator I.

(1) This license qualifies an individual to be assigned as a supervisor of instruction or assistant principal.

(2) The applicant shall have:

(a) A master's degree from an IHE;

(b) 27 months of effective teaching performance or effective performance as a certified specialist as defined in COMAR 13A.12.04; and

(3) Completed one of the following:

(a) A Department-approved program which leads to licensure as a supervisor of instruction, assistant principal, or principal;

(b) An approved out-of-state program which leads to licensure as a supervisor of instruction, assistant principal, or principal and includes a supervised clinical practicum; or

(c) 18 semester hours of graduate course work taken at an IHE at the post-baccalaureate level to include a balance of content in the following categories:

(i) Curriculum, instruction, and assessment;

(ii) Development, observation, and evaluation of staff;

(iii) Legal issues and ethical decision-making;

(iv) School leadership, management and administration; and

(v) Practicum, internship, or a collaboratively designed and supervised experience by the local school system and IHE to include Department approved instructional leadership outcomes with verification of this experience submitted by the applicant.

C. Administrator II.

(1) This license qualifies an individual to be assigned as a school principal.

(2) The applicant, before initial appointment as principal, shall:

(a) Complete the requirements for Administrator I; and

(b) Present evidence of a qualifying score as established by the State Board on a Department-approved principal licensure assessment.

(3) A principal who enters Maryland from another state may obtain an Administrator II license if that principal held a valid professional state license and verification of at least 27 months of effective performance as a principal.

D. Special Provision. An Initial Professional license or Professional license shall be considered valid for service as principal of an elementary school of not more than six teachers if the principal teaches at least 50 percent of the school day.

13A.12.05.06

Library Media Administrator.

A. Definition. "Library media administrator" means a person designated by the local superintendent of schools as having responsibility for the:

(1) Administration and supervision of the library media program, including the supervision of the library media program in the individual schools; and

(2) Development of policies, programs, budgets, and procedures for the library media services of the school system and its schools.

B. Education and Experience. To be licensed as library media administrator, the applicant shall:

(1) Meet the requirements for licensure as a library media specialist;

(2) Have a master's degree from an IHE;

(3) Have 3 years of effective library media program experience, but, at the recommendation of the local school superintendent, 2 years of related effective experience may be substituted for 2 years of library media program experience; and

(4) Complete one of the options listed under Regulation .05 of this chapter that would lead to certification as Administrator I.

13A.12.05.07

Supervisor of School Counseling.

The requirements for certification as a supervisor of school counseling are that the applicant shall:

- A. Meet the requirements for licensure as a school counselor;
- B. Have 3 years of effective performance as a school counselor; and
- C. Have 12 semester hours of graduate credit from an IHE in any of the following areas with at least 6 semester hours in school supervision or school administration:
 - (1) Management,
 - (2) School supervision,
 - (3) School administration,
 - (4) Program development,
 - (5) Program evaluation.

13A.12.05.08

Supervisor of School Psychological Services.

The requirements for licensure as a supervisor of school psychological services are that the applicant shall:

- A. Meet the requirements for licensure as a school psychologist under COMAR 13A.12.03.07;
- B. Have a doctoral degree:
 - (1) From a state or regionally accredited school psychology program, a national educator preparation accreditation organization, National Association of School Psychologists, or American Psychological Association accredited school psychology program; or
 - (2) In psychology or education or human development.
- C. As part of or in addition to §B. of this regulation, have 9 semester hours of graduate credits including 3 semester hours in school law and 6 semester hours in supervision, management, or administration of schools; and
- D. Have 3 years experience as a school psychologist under COMAR 13A.12.04.09.

13A.12.05.09

Supervisor of Pupil Personnel.

The requirements for licensure as a supervisor of pupil personnel are that the applicant shall:

- A. Meet the requirements for licensure as a pupil personnel worker;
- B. Have a master's degree from an IHE;
- C. As part of or in addition to §B of this regulation, have a graduate course in the area of administration and supervision; and
- D. Have 3 years of successful teaching experience. At the recommendation of the local superintendent of schools, related experience may be substituted for teaching experience.

13A.12.05.10

Supervisor of Special Education.

A. Principal Public Separate School. The requirements for certification as a principal in a public separate school are that the applicant shall:

- (1) Meet the requirements for licensure in special education; and
- (2) Meet the requirements for licensure as an Administrator II.

B. Supervisor of Special Education (Sole Assignment). The requirements for licensure as a supervisor of special education are that the applicant shall:

- (1) Meet the requirements for licensure in special education; and
- (2) Meet the requirements for licensure as an Administrator I.

C. Special Provision. Supervisors with multiple area assignments shall meet the requirements set forth in Regulation .05 of this chapter.

13A.12.05.11

Supervisor of Speech Pathologists and Audiologists.

The requirements for a license as a supervisor of speech pathology and audiology are that the applicant shall:

A. Meet the requirements for certification or licensure as otherwise provided in Health Occupations Article, §2-301, Annotated Code of Maryland, as a speech pathologist or audiologist;

B. Have a master's degree from an institution with an approved program at the time of graduation with at least one course in administrative and supervisory techniques and one course in the development of school curriculum; and

C. Have 4 years full-time paid experience or its equivalent as a speech and hearing clinician, 2 years of which shall have been in a school setting.

13A.12.05.12

Supervisor of Teachers of Deaf and Hard of Hearing.

The requirements for licensure as a supervisor of teachers of the deaf and hard of hearing are that the applicant shall:

- A. Meet the requirements for licensure as a teacher of the deaf and hard of hearing;
- B. Have a master's degree from an IHE with at least one course in administrative and supervisory techniques and one course in curriculum development; and
- C. Have experience that includes:
 - (1) Three years of successful teaching experience with the deaf and hard of hearing, or
 - (2) Four years paid experience or its equivalent in a school setting with 2 years successful teaching experience with the deaf and hard of hearing.

Renewal of an Administrator/Supervisor License

A. General

- (1) An applicant who receives a license is responsible for initiating the renewal of the license.
- (2) Renewal requirements must be received prior to the expiration date of the license in order to be considered continuous.
- (3) Failure to Meet Requirements. Failure to meet the requirements of this section results in loss of the license.

B. Professional Development Requirements. The Initial Professional and Professional License may be renewed for successive five year terms upon the successful completion of the requisite number of Professional Development Points (PDPs) as set forth in §.15 of this chapter based on an Individual Professional Development Plan as set forth in §.14 of this chapter that is designed to improve student learning and that is approved, if required, by the educator's supervisor.

C. Application Process.

- (1) An educator may renew their Initial Professional or Professional License by submitting the Individual Professional Development Plan, renewal application, fee, and verification of completion of all renewal requirements of this chapter.
- (2) Persons employed by a Maryland local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10, shall submit documentation directly to the employer.
- (3) Persons who are not employed by a Maryland local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 shall submit documentation directly to the Department.

D. Senior Educator Waiver. Renewal requirements for any professionally licensed employee of a local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10, may be waived if:

- (1) The professionally licensed employee is:
 - (a) 55 years old or older; or
 - (b) Employed in public or approved nonpublic school service for at least 25 years.
- (2) The request is recommended by the county superintendent, executive director, or chief office of the legal authority having jurisdiction over the employee.

Individual Professional Development Plans

A. Individual Professional Development Plans.

- (1) An Individual Professional Development Plan must be in place for each of the five years of validity for each Initial Professional and Professional license issued to an educator.
- (2) An Individual Professional Development Plans must include a minimum of 90 Professional Development Points, as set forth in §.15 of this chapter, to renew the educator's License.
- (3) Educators who are not employed with a local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 are responsible for developing their own Individual Professional Development Plan.

B. Approval of an Individual Professional Development Plan.

- (1) Educators working in a Maryland local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 must obtain approval of their proposed Individual Professional Development Plan from their supervisors.
- (2) Approval for proposed Individual Professional Development Plans shall be from the educator's direct supervisor, or an appropriate designee.
- (3) Educators must obtain initial approval of their Individual Professional Development Plan within six months of issuance of the license to be renewed.
- (4) Supervisor Review
 - (a) A supervisor shall review the existing Individual Professional Development Plan of any educator new to the district or school within three months of the educator's beginning employment in the new position.
 - (b) A supervisor may require an educator to amend the plan or may withdraw approval for a plan that had been previously approved, provided, however, that any Professional Development Points that were earned consistently with an approved plan shall be deemed approved in applying for license renewal.
- (5) Signatures.
 - (a) Prior to applying to renew an Initial Professional or Professional license, educators shall obtain a signature from a current supervisor.
 - (b) A supervisor's signature will indicate that the supervisor has reviewed the log of professional development activities maintained by the educator to ensure that the reported activities are consistent with the approved Individual Professional Development Plan.
 - (c) The educator remains responsible for the final accounting of Professional Development Points applied towards license renewal.
 - (d) An educator whose supervisor refuses to sign an Individual Professional Development Plan may follow the review procedures set forth in §B(7) of this regulation.

(6) Approval of an Individual Professional Development Plan shall not be unreasonably withheld by a supervisor.

(7) In the event that a plan is rejected by a supervisor, an educator may seek review of the denial from:

- (a) The superintendent of schools, or designee, if employed with a local school system;
- (b) The Chief Officer of the Legal Authority, or designee, if employed with a nonpublic school approved under COMAR 13A.09.10; or
- (c) The Executive Director, or comparable position, if employed with a State-operated school.

13A.12.05.15

Professional Development Points.

A. Professional Development Point (PDP). A unit of measurement of professional development activities.

- (1) One clock hour is equivalent to one PDP.
- (2) One semester hour is equivalent to 15 PDPs.
- (3) One Department approved Continuing Professional Development credit is equivalent to 15 PDPs.
- (4) One continuing education unit is equivalent to ten PDPs.

B. Administrators/Supervisors applying to renew a Professional License are required to complete a minimum of 90 Professional Development Points (PDPs) to include:

- (1) Administration and supervision;
- (2) Students with disabilities;
- (3) Culturally Responsive Teaching or diversity in education; and
- (4) If employed in a local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 and assigned in an administrator or supervisor position, thirty of the PDPs submitted must be earned through the completion of a Department-approved evaluator training.

C. Professional Development Points may be accrued by the completion of one of more of the following:

- (1) College credit earned or taught at a regionally accredited institution of higher education.
- (2) Continuing Professional Development (CPD) credits, earned or taught, approved by the Department.
- (3) Continuing Education Units (CEUs) from an accredited International Association for Continuing Education and Training provider or approved by another Maryland State agency for purposes of licensure.
- (4) Professional conference. A professional conference is a workshop, institute, or seminar of four or more hours that contributes to ongoing, sustained, and high-quality professional development.
- (5) Curriculum development.
 - (a) Curriculum development is a group activity in which the license holder contributes to the improvement of the curriculum of a school, a school division, or an educational institution.
 - (b) This includes the alignment of curriculum frameworks, instructional materials, and assessments to provide a system with clear expectations of what is to be taught and learned.
 - (c) For each curriculum developed, the educator will be awarded 30 PDPs.
- (6) Publication of a book or article.

- (a) The book or article shall contribute to the education profession or to the body of knowledge of the license holder's teaching area or instructional position.
- (b) An article shall be published in a recognized professional journal.
- (c) Books shall be published for purchase.
- (d) For each book published, the educator will be awarded 75 PDPs. For each article published, the educator will be awarded 10 PDPs.

(7) Mentorship.

- (a) Mentoring is the process by which an experienced professional who has received mentorship training provides assistance to one or more persons for the purpose of improving their performance.
- (b) Assistance may involve role modeling, direct instruction, demonstration, observation with feedback, developing of plans, and consultation to promote instructional excellence and increased student achievement.
- (c) Mentoring may include the supervision of a field experience of a pre-service student teacher or an intern in an approved teacher preparation program, as well as mentoring as part of the induction process for a beginning teacher.

(8) Micro-credentials.

- (a) Micro-credentials are a digital form of certification indicating demonstrated competency/mastery in a specific skill or set of skills.
- (b) Educators identify a competency they want to develop, submit evidence that they have mastered the competency, and receive a digital badge once the evidence is approved.
- (c) Micro-credentials can be earned by non-profit and for profit entities approved by the local school system, State-operated school, nonpublic school, or the Department.
- (d) For each micro-credential earned, the educator will be awarded 10 PDPs.

(9) Professional development activity.

- (a) Professional development activities approved by the Department, Maryland Local School System, State Agency, Maryland approved nonpublic school, or another state department of education, will be accepted. Each activity must be a minimum of one contact hour.
- (b) Each activity must be a minimum of one contact hour.

Title 13A STATE BOARD OF EDUCATION

Subtitle 12 EDUCATOR LICENSURE

Chapter 06 Disciplinary Actions and Denials

Authority: Education Article, §§2-205, 2-303(g), and 6-701—6-705; Family Law Article, §10-119.3; Annotated Code of Maryland

COMAR 13A.12.06.01

Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Charge" means the written cause upon which a proposed suspension or revocation is based.

(2) "Revocation" means that the right to hold a license is withdrawn permanently.

(3) "Suspension" means that the right to hold a license is withdrawn for a specified period of time.

(4) "Voluntarily surrendered" means a license holder relinquishes the license while under investigation for a cause that could lead to the suspension or revocation of the license, or while a suspension or revocation action is pending against the license holder, and is equivalent to a revocation.

(5) "Denial" means that an individual shall not be issued a license because the individual has committed one or more causes that could lead to the suspension or revocation of a license.

COMAR 13A.12.06.02

Causes for Disciplinary Action or Denial.

A. A license and all specific license areas issued under this subtitle shall be suspended, denied, or revoked by the State Superintendent of Schools for the causes set forth in this regulation.

B. Suspension Only. A license may be suspended by the State Superintendent of Schools under the following conditions.

(1) Breach of Contract. A license may be suspended for not more than 365 days if the license [certificate] holder leaves the employment of a local school system after July 15 in the absence of an emergency and without the consent of the local board of education in violation of the provisions of the Regular State Teacher's Contract set forth in COMAR 13A.07.02.01B. In case of emergency, the local board may not unreasonably withhold its consent.

(2) Failure to Pay Child Support. A license shall be suspended upon notification by the Department of Human Services, Child Support Enforcement Administration, that the license holder's failure to pay child support meets the criteria for suspension of a professional license pursuant to Family Law Article, §10-119.3, Annotated Code of Maryland.

(i) Prior to suspending the license, the State Superintendent shall send written notice to the license holder of the proposed suspension and the right to contest the identity of the individual whose license shall be suspended.

(ii) An individual may appeal the decision to suspend a license based on failure to pay child support in accordance with State Government Article, Title 10, Subtitle 2, Annotated Code of Maryland. At the appeal hearing, the issue shall be limited to whether the Department of Human Services, Child Support Enforcement Administration, has mistaken the identity of the individual whose license was suspended.

(iii) The State Superintendent shall immediately reinstate any license suspended for failure to pay child support if notified by the Department of Human Services, Child Support Enforcement Administration, that the license should be reinstated and the individual otherwise qualifies for the license.

C. Suspension, Revocation, or Denial. A license shall be suspended, denied, or revoked by the State Superintendent of Schools if the license holder:

(1) Pleads guilty or nolo contendere with respect to, receives probation before judgment with respect to, or is convicted of, a crime involving:

(a) Contributing to the delinquency of a minor;

(b) Moral turpitude if the offense bears directly on the individual's fitness for employment in education;

(c) Sexual offense in the third or fourth degree; or

(d) A controlled dangerous substance offense if:

(i) the offense occurred on school property or during a school event; or

(ii) the individual has been convicted and the clerk of the court has certified and reported the controlled dangerous substance conviction to the Department based on a finding by the court that a relationship exists between the conviction and the license.

(2) Willfully and knowingly:

(a) Makes a material misrepresentation or concealment as part of any licensure request;

(b) Files a false report or record, or makes any false document, as part of any licensure request;

(c) Presents a false certificate or misrepresents one's licensure status to the Department or an employer; or

(d) Commits a violation of the test security and data reporting policy and procedures set forth in COMAR 13A.03.04;

(3) Fraudulently or deceptively obtains a license;

(4) Knowingly fails to report suspected child abuse in violation of Family Law Article, §5-701, Annotated Code of Maryland;

(5) Is dismissed or resigns after notice of allegation of misconduct involving a student in any school system or any minor, or allegation of misconduct involving any cause for suspension or revocation of a license provided in this regulation;

(6) Has had a license suspended, revoked, denied, or voluntarily surrendered in another state for a cause which would be grounds for suspension or revocation under this regulation.

D. Revocation or Denial [Only]. A license shall be revoked or denied if the license holder:

(1) Pleads guilty or nolo contendere with respect to, receives probation before judgment with respect to, or is convicted of, a crime involving:

(a) Child abuse or neglect as defined in Criminal Law Article, §§3-601—3-603, Annotated Code of Maryland, or a comparable crime in another state;

(b) Possession, distribution, receipt, or production of child pornography;

(c) Sexual solicitation of a minor;

(d) A crime of violence as defined in Criminal Law Article, §14-101, Annotated Code of Maryland, or a comparable crime in another state; or

(2) Is dismissed or resigns after notice of allegations of sexual child abuse.

COMAR 13A.12.06.03

Reporting Procedures.

A. Except as provided in Regulation .02B(2) of this chapter, the following individuals shall notify the State Superintendent of Schools in writing of charges against a license holder pursuant to Regulation .02 of this chapter:

(1) The local superintendent of schools or a state agency employer if the:

(a) License holder was employed by the local school system or state agency employer at the time the conduct occurred, or

(b) Conduct is reported to the local school system in a criminal background investigation required under Family Law Article, §§5-560—5-568, Annotated Code of Maryland;

(2) The administrator of a nonpublic school if the:

(a) License holder was employed by the nonpublic school at the time the conduct occurred, or

(b) Conduct is reported to the nonpublic school in a criminal background investigation required under Family Law Article, §§5-560—5-568, Annotated Code of Maryland; or

(3) The Assistant State Superintendent of Educator Licensure and Program Approval.

B. The written report shall include all of the following:

(1) Name and current or last known address, e-mail, and phone number of the person against whom the charges are being filed;

(2) Type of license or licenses held by the person against whom the charges are being filed;

(3) Specific grounds as set forth in Regulation .02 of this chapter and the specifications that support the grounds for either suspension or revocation;

(4) Confirmation that the employee has foregone an appeal or exhausted appeal rights if any employment-related discipline was issued; and

(5) A recommendation on the type of disciplinary action that should be issued.

C. The State Superintendent of Schools shall suspend or revoke a license pursuant to written notification by a local superintendent of schools, an administrator of a nonpublic school, or the Assistant Superintendent of Educator Licensure and Program Approval, of the charges against the license holder.

D. Before suspending or revoking a license, the State Superintendent of Schools shall:

(1) Send the license holder written notice of the charges; and

(2) Advise the license holder of the right to request a hearing within 15 calendar days of the date of the written notice.

E. The State Superintendent of Schools shall e-mail and mail one copy of the written notice and the procedures applicable to the suspension or revocation of a license by certified mail to the current or last known address of the license holder.

F. The license holder against whom charges have been filed may request a hearing in writing within 15 calendar days of the date of the written notice.

G. If the license holder does not request a hearing in writing on the charges within the 15-day period set forth in §D(2) of this regulation, the State Superintendent of Schools shall suspend or revoke the license holder's certificate.

H. Voluntary Surrender.

(1) An educator who is under investigation or facing charges for a cause listed in §.02B-D may voluntarily surrender his or her license.

(2) A license that is voluntarily surrendered shall be treated as a revocation by the Department and may not be reinstated, except as described in .08.

I. Placing An Alert On An Educator's Record.

(1) The Department may place an alert on a licensure record upon the request of a local school system, non-public school, state agency, or on its own accord, if an educator:

(a) Has had action taken on a license by another state; or

(b) Is facing the suspension or revocation of a license after being informed of charges by the State Superintendent of Schools.

(2) An alert does not affect the validity of an educator's license.

(3) The local school system, non-public school, or state agency shall immediately inform the Department if grounds no longer exist to suspend, deny, or revoke an educator's license.

(4) The Department shall immediately remove the alert from an educator's record if it becomes aware that grounds no longer exist to deny, suspend or revoke an educator's license.

J. Action On An Expired License. The Department may take action against an educator's license even if the license has expired as long as the basis for the action occurred while the license was active.

K. Denial.

(1) The Department shall deny a license to an individual who has committed a cause listed under .02B-D of this regulation, but does not currently hold a license.

(2) An individual who has been denied a license may appeal the decision through the process outlined in .03-.07 of this chapter.

COMAR 13A.12.06.04

Hearing Procedures.

A. If the license holder requests a hearing in writing within the 15-day period, the State Superintendent of Schools shall promptly refer the case to the Office of Administrative Hearings.

B. If the written charges were filed against the license holder by the local superintendent of schools or an administrator of a nonpublic school under Regulation .03 of this chapter, a representative from the local school system or nonpublic school shall present the case before the Office of Administrative Hearings.

C. Hearing procedures shall be in accordance with the Administrative Procedure Act, State Government Article, §10-201 et seq., Annotated Code of Maryland, and with COMAR 28.02.

D. The administrative law judge shall determine if the charges against the license holder are supported by a preponderance of the evidence.

E. The parties may agree to forgo a hearing in favor of a joint recommendation to the State Superintendent of Schools on the resolution of the case. The joint recommendation is not binding and the State Superintendent of Schools may accept or reject the recommendation.

F. The administrative law judge shall submit in writing to the State Superintendent of Schools proposed findings of fact, proposed conclusions of law, and recommendations. The written proposed decisions shall be distributed to the parties.

G. A party objecting to the administrative law judge's proposed decision may file exceptions with the State Superintendent of Schools within 15 calendar days of the date of the decision. A copy of the exceptions shall be provided to the opposing party. An opposing party may respond to the exceptions within 15 calendar days of the date of the exceptions.

H. If exceptions are filed, all parties shall have an opportunity for oral argument before the State Superintendent of Schools before a final decision is rendered. Oral argument before the State Superintendent of Schools shall be limited to 15 minutes per side.

COMAR 13A.12.06.05

Record of Hearings.

A. The Office of Administrative Hearings shall prepare an official case record as provided in COMAR 28.02.01.23.

B. The proceedings before the administrative law judge shall be recorded by the Office of Administrative Hearings. A transcript of the proceedings, or part of the proceedings, shall be paid by the party requesting the transcript, and costs of an expedited transcript shall be paid by the party requesting the expedited transcript.

COMAR 13A.12.06.06

Decisions.

A. The State Superintendent of Schools shall make the final decision in all contested cases dealing with the revocation, suspension, or denial of a license.

B. The final decision of the State Superintendent of Schools shall be in writing and contain findings of fact and conclusions of law.

C. A copy of the decision shall be promptly delivered or mailed to each party as well as the party's attorney of record.

D. The State Superintendent of Schools shall notify all other states of suspension, revocation, and denial decisions as part of the interstate certification data exchange.

Reconsideration of a Decision.

A. A party aggrieved by the decision may file a written request for reconsideration with the State Superintendent of Schools within 30 calendar days of the date of the decision.

B. The party requesting reconsideration shall serve copies of the request on all other parties.

C. A response to a request for reconsideration shall be filed within 15 calendar days of the date of the request for reconsideration.

D. Action on the application for reconsideration shall lie in the discretion of the State Superintendent of Schools, except that a decision may not be disturbed unless there is sufficient indication in the application that new facts material to the issues have been discovered or have occurred after the decision.

E. The State Superintendent of Schools may refuse to consider facts that the party could have produced at the hearing.

F. The original decision is not stayed pending the outcome of the request for reconsideration. The State Superintendent of Schools may stay the enforcement of the original decision at his or her discretion.

G. The State Superintendent of Schools may remand the case to the administrative law judge.

Reinstatement.

A. A professional license which has been suspended under this chapter is automatically reinstated at the end of the suspension period, if the license did not expire during the period of suspension. If the license expired during the period of suspension, the holder of the former license may reapply but shall meet the licensure requirements that are in effect at the time of the application for the new license.

B. If a decision of suspension, revocation, or voluntary surrender is based on Regulation .02C(1) or D(1) of this chapter and if the plea, probation before judgment, or conviction is overturned, or expunged, and there is no subsequent proceeding leading to a plea, probation before judgment, or conviction, the individual whose license is suspended, revoked, or voluntarily surrendered may file a written request for reinstatement, including documentation of the final status of the judicial proceeding.

C. Reinstatement Review Panel.

(1) An individual whose license was revoked under Regulation .02C of this chapter or voluntarily surrendered may petition the Reinstatement Review Panel for reinstatement of the license not sooner than 10 years from the date of revocation.

(2) The Reinstatement Review Panel shall consist of one member of the Maryland State Board of Education appointed by its president, one member of the Professional Standards and Teacher Education Board appointed by its chairperson, and the State Superintendent of Schools or designee.

(3) The individual seeking reinstatement shall submit to the Reinstatement Review Panel a written petition showing credible evidence, by affidavit or otherwise, of the factors set out in §C(4) of this regulation, and may request an opportunity to appear in person before the Panel.

(4) The Reinstatement Review Panel shall consider all of the following facts in evaluating a petition for reinstatement:

- (a) The nature and circumstances of the individual's original misconduct;
- (b) The individual's subsequent conduct and reformation;
- (c) The individual's present character; and
- (d) The individual's present qualifications and competence.

(5) The Reinstatement Review Panel may place conditions upon a reinstatement, including requiring an individual to complete ethics training.

(6) Upon unanimous vote of the Reinstatement Review Panel and if the individual has met all current licensure requirements, and subject to any conditions placed on the reinstatement by the Reinstatement Review Panel, the State Superintendent of Schools shall reinstate the license.

(7) Upon the Reinstatement Review Panel's request, MSDE staff may advise the panel regarding the licensure regulations.

D. A license revoked or voluntarily surrendered while an educator is under investigation or facing charges under Regulation .02D of this chapter may not be reinstated.

Title 13A STATE BOARD OF EDUCATION

Subtitle 12 EDUCATOR LICENSURE

Chapter 07 Professional Standards and Teacher Education Board

Authority: Education Article, §6-706 and §6-707, Annotated Code of Maryland

13A.12.07.01

.01 Promulgation of Regulations.

A. The State Board of Education and the Professional Standards and Teacher Education Board (PSTEB) shall develop for consideration regulations for:

- (1) The licensure of teachers and other professional personnel; and
- (2) Requirements for preparation of teachers and other education personnel.

B. Regulations that are initiated by either the State Board or the PSTEB and submitted for review to the non-initiating Board shall be acted upon within 60 days by the non-initiating Board.

.02 Review Board — Scope.

The procedures in Regulations .02—.08 of this chapter govern all appeals from rulings of the licensure staff taken to the Review Board of the PSTEB. The appeals do not constitute contested cases under the Administrative Procedure Act, State Government Article, Title 10, Subtitle 2, Annotated Code of Maryland.

.03 Review Board — Method of Appeal.

A. An appeal to the Review Board shall be taken by filing a written request for appeal within 30 days from the date the appellant receives notice of the ruling of the licensure staff.

B. The written request for appeal shall be addressed to the chairperson of the Review Board, with a copy to the Assistant State Superintendent for Educator Licensure and Program Approval.

C. The written request for appeal shall specify whether the appeal is to be on the record pursuant to Regulation .03 of this chapter or in person pursuant to Regulation .04 of this chapter. It shall include a statement of the appellant's objections to the ruling of the licensure staff and the reasons supporting each objection.

D. Upon receipt of a copy of the request, the Assistant State Superintendent for Educator Certification and Program Approval shall:

- (1) Cause the entire file concerning the ruling to be transmitted to the Review Board.
- (2) Acknowledge receipt of the request in writing to the appellant;
- (3) Send a copy of this chapter to the appellant; and
- (4) Schedule the appeal promptly before the Review Board, allowing reasonable advance notice to all parties.

.04 Review Board — Appeal on the Record.

A. At the appellant's option, the Review Board may make findings and submit recommendations to the PSTEB based solely on the written record.

B. The appellant may provide additional relevant documents to the Review Board, and shall submit a written statement explaining the appellant's position. Additions to the file shall be submitted at least 15 days before the scheduled appeal.

C. Licensure staff may submit a written response to the appellant's statement and provide any additional relevant documents to the Review Board at least 10 days before the scheduled appeal.

D. The appellant may submit a written reply to staff's response at least 5 days before the scheduled appeal.

.05 Review Board — Appeal in Person.

- A. At the written request of the appellant, the Review Board shall allow oral argument on the appeal.
- B. Oral presentations at the hearing shall be limited to 15 minutes for a representative of the licensure staff, followed by 15 minutes for the appellant.
- C. The Review Board may ask questions of either party. Other oral presentation or testimony is not permitted.
- D. Both parties may present a written summary of their oral presentation.

.06 Review Board — Findings and Recommendations.

A. The Review Board shall deliberate the appeal in closed session and, by majority of the quorum present, make findings and recommendations to the PSTEB.

B. The Review Board's findings and recommendations shall be submitted by the chairperson in a written report to the PSTEB. This report shall include:

- (1) Issues in question;
- (2) Findings of fact;
- (3) Conclusions of law; and
- (4) Recommendations and reasons for them.

C. The written findings and recommendations shall be submitted to the PSTEB. A copy shall be mailed to the appellant.

.07 Review Board — Exceptions.

A. The appellant may file written exceptions to the Review Board's findings and recommendations by submitting these exceptions to the chairperson of the PSTEB within 15 days from the date of the Review Board's report.

B. The licensure staff may file a written response to the exceptions within 10 days of the date the exceptions are filed.

.08 Review Board — Final Determination.

- A. The PSTEB shall make the final determination in each appeal from rulings of the licensure staff.
- B. Before making a final determination, each member of the PSTEB shall be provided with:
 - (1) A copy of the ruling of the licensure staff which is the subject of the appeal;
 - (2) The written request for appeal;
 - (3) The written report of the Review Board;
 - (4) Any documents in the file cited in the report; and
 - (5) Any written exceptions and response to exceptions.
- C. The entire appeal file shall be made available to the PSTEB members upon request.
- D. The PSTEB shall, by majority vote of the quorum present, accept or reject the recommendation of the Review Board. The decision of the PSTEB is final.
- E. The chairperson of the PSTEB shall notify the appellant in writing of the final determination, including the rationale for it.