

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

TO: Members of the Maryland State Board of Education

FROM: Karen B. Salmon, Ph.D.

DATE: April 23, 2019

SUBJECT: Educator Preparation Program Requirements
Regulations - For Discussion Only

PURPOSE:

The purpose of this item is to provide draft regulatory language to the State Board of Education (SBOE) members for discussion pertaining to program requirements. This regulatory language is aligned to the Maryland State Department of Education's (MSDE) comprehensive plan to increase the rigor and accountability of educator certification and teacher preparation programs in Maryland.

HISTORICAL BACKGROUND:

On January 22, 2019, the SBOE established requirements for educator preparation programs leading to initial Maryland teacher certification and tasked the MSDE with developing regulatory language for review and discussion at the March 26, 2019, SBOE meeting. The proposed language presented at that meeting included requirements for entry, standards and competencies, clinical experiences, and exit. The regulatory language being presented for discussion at the April 23, 2019, meeting includes purpose and scope, definitions, the approval process, review, and renewal, oversight, and revocation.

EXECUTIVE SUMMARY:

The regulatory language provided for discussion establishes the program requirements for educator preparation programs leading to initial Maryland teacher certification.

ACTION:

For discussion only.

Attachment

KBS: sds

01. Purpose and Scope

- A. No individual, public or private educational association, corporation or institution, including any Institution of Higher Education, shall offer an Educator Preparation Program, either Traditional or Alternative for the training of educators to be licensed in this State without first having procured the assent of the Commission.
- B. In order to be approved by the Department, Educator Preparation Providers, both traditional and alternative, that provide training leading to degrees that contribute towards eligibility for educator licensure and certification shall meet Department requirements, State requirements and, where applicable, national standards appropriate to the Educator Preparation Provider and the Education Preparation Provider's individual Programs.
- C. As defined in subsection (b) of Education Article, §6-704, Annotated Code of Maryland, subject to the regulations of the Board, the State Superintendent may accept the accreditation for certification purposes of a program for teacher preparation if:
 - (1) The Commission has granted the institution preparing the educators approval to operate in the state of Maryland; and
 - (2) The accreditation is granted by a recognized national accrediting agency and the institution preparing the educators is in another state; or
 - (3) The Educator Preparation Provider preparing the educators is in Maryland and meets all required sections of this regulation.

02. Definitions

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

B. Terms Defined.

(1) "Accreditation", also referred to as "national accreditation" means teacher education accreditation by an accrediting agency recognized by the Department and the Commission.

(2) "Alternative Program" means a program provided by any individual, public or private educational association, local school system, corporation or institution which includes components that shall include but are not limited to coursework, assessment, clinical experiences and training, and which upon participation and/or completion renders Candidates eligible for licensure in Maryland.

(3) "Annual Cohort" means the set of individuals who matriculate into a Program or exit a Program in the same year. The Department may provide further specific guidance for the application of the definition of Annual Cohort for individual metrics and contexts in the *Educator Preparation Program Guide*.

(4) "Approval" means a Program has been approved by the Department for a period of 5 years from the date of the review.

(5) "Approval with Conditions" means a Program has been approved by the Department for a period of 2 years from the date of the review and will require a focused re-visit to earn Approval. Failure to achieve Approval during the focused re-visit may result in a Program being placed on Probation.

(6) "Areas of Concern" means a Program has not met expected levels of achievement in one or more elements of a standard or competency.

(7) "Candidate" means an individual enrolled in an educator preparation program who is preparing for or serving in a position as an educator in schools that educate students in preschool through grade twelve.

(8) "Clinical Experience" means guided, hands-on, practical applications and demonstrations of a Candidate's professional knowledge and theory through collaborative and facilitated learning in field-based assignments, tasks, activities, and assessments across a variety of settings.

(9) "Clinical Supervisor" means a supervisor of a Candidate who is employed by the Education Preparation Provider, trained or experienced in the field which the individual is supervising, trained to work with and provide feedback to Candidates.

(10) "Commission" means the Maryland Higher Education Commission.

(11) "Department" means the Maryland State Department of Education.

(12) "Denial" means a Program has been terminated.

(13) "Department Approval" means the process by which an Educator Preparation Program or Educator Preparation Provider is recognized by the Department as meeting State standards for the content and operation of such Programs.

(14) "Educator Preparation Program (Program)" means the sequence of courses and experiences required by an Education Preparation Provider for the preparation of Candidates to become educators in a specific area, subject, or category, leading to the conferral of a degree that contributes to eligibility for licensure.

(15) "Educator Preparation Program Guide" means the manual developed by the Department that contains the prescribed forms, procedures, guidance, and information about the reporting process and other relevant information and documents for Educator Preparation Providers.

(16) "Educator Preparation Provider (Provider)" means a regionally accredited college, university, or other post-secondary institution, individual, public or private educational association, local school system, corporation or institution approved to operate in the State of Maryland. Educator Preparation Providers may operate approved educator preparation programs and alternative teacher preparation programs.

(17) "Entrance" means matriculation into a Program.

(18) "Exit" means completion of a Program by a Candidate.

(19) "Focused Re-visit" means the subsequent review by the Department of a Program that holds the status of Approved with Conditions or Probation.

(20) "Institution of Higher Education (IHE)" means an accredited college or university that meets one of the following standards:

(a) It is accredited by an accrediting commission by one of the regional associations of colleges and schools;

(b) It participates in the ICC or an accrediting agency approved in Maryland in accordance with Education Article §11-208; or

(c) Its coursework is accepted by the state in which the institution is located for teacher certification purposes or other post-secondary institution authorized to confer degrees and approved to operate in the State of Maryland.

(21) "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.

(22) "Local School System (LSS)" means a Maryland public school system, a State operated school, or an accredited nonpublic school.

(23) "Maryland Teacher Evaluation" means an evaluation framework administered annually and recommended by the State.

(24) "National Accreditation" means teacher education accreditation by a National accrediting agency approved by the Commission and the Department.

(25) "Probationary Approval" means a Program has been approved by the Department for a period of 1 year from the date of the focused revisit and may require additional revisits. Failure to achieve Approval during the focused re-visit may result in a Program being terminated.

(26) "Professional Development" means a wide variety of specialized training, formal education, or advanced professional learning intended to help administrators, teachers, and other educators improve their professional knowledge, competence, skill, and effectiveness.

(27) "Program" means Maryland Approved Program, either traditional or alternative.

(28) "Satisfactory Progress" means a teacher candidate is on track to satisfy all program requirements within the required timeframe.

(29) "Self-Study Report" means the report resulting from the process that a Provider and its Programs conduct to evaluate themselves against national standards, in a format specified and accepted by the Department. The self-study report discusses the findings of this process and is the primary report prepared by the Provider for site visitors.

(30) "Supervising Teacher" means an educator employed by the local school system or nonpublic school, and collaboratively selected and trained by the employer and the Provider, who oversees the Candidates Clinical Residency and who has:

(a) At a minimum, received an Effective rating on all components of the teacher evaluation provided by the local school system, or who has received the equivalent rating on the teacher evaluation provided by a nonpublic school, equivalent to the Maryland Teacher Educator Evaluation system, in the most recent summative evaluation;

(b) Satisfactorily completed training in mentoring or supervision of clinical interns; and

(c) Meets the regulatory requirements set forth in COMAR 13A.07.01.06.

(31) “Traditional Program” means an educator preparation program offered by an IHE that includes general education and content coursework, professional coursework, clinical experiences, and demonstration of standards and competencies required to prepare educators for teaching students in the classroom environment.

(32) “Year-Long” means the period of time that encompasses the opening of the academic year.

03. Approval Required to Offer Programs

A. The Department shall approve a Program based on compliance with all Provider and Program requirements as detailed in this regulation. In addition:

(1) Individual Program approval is predicated on Provider and/or Program receipt and maintenance of accreditation from a National accreditation organization approved by the Department and the Commission; or

(2) Program approval is based on successful completion of the Department approval process as outlined in this regulation, and as detailed in the *Educator Preparation Program Guide*.

.04 Department Program Approval Process

A. Application for Approval.

(1) The Provider applying for approval to operate a Program shall submit all information that the Department considers necessary in order to ascertain compliance with the requirements of this chapter.

(2) The information shall be submitted in accordance with time-lines established by the Department.

B. A Letter of Approval shall be issued to the Provider to begin operation of a Program(s) when the Department is satisfied that the Provider's proposed Program has met the requirements of this chapter.

C. The approval letter shall include the following specifications:

(1) Name of the Provider;

(2) Location of the Provider;

(3) List of Programs leading to certification as identified in COMAR (insert citation);

(4) Description of degree or degrees awarded upon completion of the Program;

(5) Length of approval.

D. A Provider shall operate its Program in a manner that is consistent with the specifications of the Approval Letter.

E. If a Provider is planning a change in operation that is inconsistent with the specifications recorded on its approval letter, the Provider shall:

(1) Notify the Department in writing at least 6 months before the intended change to the specifications recorded on its approval letter and include a letter from the Commission indicating approval to add a program or degree; and

(2) Furnish information that the Department considers necessary to approve the change planned by the Provider.

F. A Provider may not implement a change in operation of the school under §C of this regulation until the Department has issued an approval letter reflecting the change.

G. A Provider may not seek approval of a change in the specifications recorded on the approval letter under any one or a combination of the following circumstances:

- (1) The Program status is Approval with Conditions, unless the Program provides significant and sufficient evidence to substantiate the need for a change in the specification in order to meet full Program approval, as decided by the Department;
- (2) The Program is on Probation;
- (3) The Program has not filed its annual report with the Department;
- (4) The Department has received and is investigating a written complaint alleging that the EPP's Program(s) is in violation of one or more regulations under this chapter, and whereby the Program provides significant and sufficient evidence to substantiate the need for a change in the specification in order to meet full Program approval, as decided by the Department; or
- (5) The Department is implementing procedures and sanctions as specified in Regulation .07 of this chapter.

H. A Provider shall inform the Department in writing at least 90 calendar days before a Program ceases operating.

I. The approval letter is void if the Provider:

- (1) Ceases operating one of its Programs;
- (2) Is ordered by the Superintendent to cease operating the Program because of noncompliance with this chapter and the Provider does not appeal that order; or
- (3) Is ordered by the Superintendent to cease operating the Program because of noncompliance with this chapter and that decision is upheld through the judicial review process as outlined in Regulation 07 of this chapter.

.05 State Program Approval Process

A. Traditional Programs – must submit an application for new Program approval to the Department in a format and timeline determined by the Department as outlined in the Guide, to include the following documentation:

(1) A description of the Program for which approval is sought and other administrative information, including the plan for implementing Department mandated Program components as defined in Section 4.0 of this regulation;

(2) Providers may seek approval for a new specialization in a currently operating Program area provided the documentation submitted contains sufficient justification to warrant the new specialization, and has been pre-approved by the MHEC.

(3) Providers seeking first-time approval will be subject to annual monitoring and a full review of Program(s) within the first two years of operation.

(4) Documentation that the Program is SPA certified, or documentation of the non-SPA process in Section 5.0 of this regulation;

(a) A needs assessment demonstrating the demand for such Program graduates in the employment market and demand by potential Candidates. Providers may submit to the Department the documentation provided to and approved by the Commission;

(b) The curriculum for the Program, a course sequence chart including syllabi for any new courses;

(c) Descriptions of the expected outcomes of the Programs and of how those outcomes will be assessed;

(d) Identified key assessments in Program; rubrics aligned to approved standards and competencies

(d) Vitae for all faculty delivering instruction in or administering the Program; and

(e) Descriptions of materials, media and resources available for the Program, and how technology is integrated into the curriculum or Program.

(5) The Department will review submitted reports and provide approval of the Program or rejection of the proposal, notifying representatives of the Program and Provider.

(6) New Programs will be approved if the application meets standards based on Departmental review. The Provider is authorized to proceed with the Program identified in the application, and to admit Candidates to the Program.

B. Alternative Programs - Notwithstanding any other provision of this regulation to the contrary, any individual, public or private educational association, local school system, corporation or institution,

which is approved by the Department to operate an Alternative Program shall be deemed to be an approved Educator Preparation Program.

(1) Alternative programs shall provide a period of professional development, prior to the teacher assuming full responsibility of the classroom, including but not limited to pre-employment training, initial coursework, and pre-practicum experiences as outline in the Guide.

(2) Prior to July 1, 2025, Alternative Programs are required to provide a Candidate with a Practicum experience of no less than 100 hours where the Candidate is responsible for the instruction and classroom management of a roster of students for no less than 40 hours.

C. Program Approval Process where no SPA is available - The approval process for proposed Programs for which there is no SPA shall consist of Department review of an application, and may also include an on-site review if deemed necessary by the Department to confirm information in the application.

(1) Receipt of approval described in this section shall contribute to provisional Program approval as described in Section B. of this regulation.

(2) All Programs approved pursuant to this section must also complete all requirements in Section B. to receive Program approval.

(3) At least one year before Program approval is required, Providers seeking approval for proposed Programs for which there is no SPA shall notify the Department of their intent to initiate the review process.

(a) Application - At least six months before the approval is required the Provider shall submit the application for non-SPA Program approval to the Department, as outlined in the Guide.

(b) The application shall include, but not be limited to:

(i) Description of the proposed Program;

(ii) A detailed description and outline of proposed Program content and coursework;

(iii) Alignment with content standards relevant to the proposed Program.

.06 Program Review and Reporting

A. Compliance with Program Requirements

(1) Providers shall provide evidence as to their adherence to Program requirements as outlined in this regulation.

(2) If Providers submit annual reporting to a nationally-recognized accreditation agency, the Department shall be provided with a copy of the report.

(3) Providers shall submit data and reports annually demonstrating each Program's compliance with requirements outlined in Section XX, in a format determined by the Department and outlined in the Guide. These reports shall include but not be limited to documentation of compliance with the following measures:

(a) Entrance requirements as stated in XX;

(b) Clinical experience requirements as stated in XX;

(c) Standards and competencies requirements as stated in XX;

(d) Exit requirements as stated in XX, including Candidate passage rates on content exams and performance assessments, as well as rate of Program completion and attrition data; and

(e) Candidate evaluation requirements as stated in XX, including documentation of evaluation processes and remediation policies as defined by the Program.

(4) Providers shall compile and report data for each graduating cohort and for the most recent five years of Program cohorts on a selection of metrics. Metrics, as outlined in the Guide, may include but not be limited to:

(a) Program completion, including number and demographics of completers, non-completers and demographics.

(b) Placement in Maryland schools by Subject-area, grade-level, and LSS employer, including placement in high-needs schools and subjects.

(c) Performance including pass rates and cut scores on Department approved performance assessments and content-exams, including student growth component, and measures of employer or supervisor satisfaction with job performance.

(d) Performance on the Teacher-Principal Evaluation or other State approved evaluation tool.

(d) Retention of program completers through the first 5 years of employment.

(5) The Department may conduct monitoring or an interim review of an approved Program on an as-needed basis.

(6) Programs that have chosen to be accredited in lieu of State Approval are subject to full review from their accrediting organization at the request of the Department

.07 Renewal, Oversight, and Revocation

A. Review

- (1) The Department will regularly review Program outcomes every five years.
- (2) Programs which meet the requirements and standards on the Department report will be considered approved. Approval shall be valid for five years.
- (3) Programs which fail to meet all the requirements and standards addressed in Section XX above will be approved with conditions or placed on probation.
- (4) Programs may request an extension of the Department's review. Extensions may be granted by the Department based on documentation submitted to justify the extension.

B. Approval with Conditions

- (1) Following the process detailed in Section XX, if the approved Program fails to meet all the standards and competencies, reporting or compliance requirements set forth by this regulation and in the Guide, it shall be approved with conditions.
- (2) If a program has received Approval with Conditions, the Department shall conduct a focused review within 2 years of the original review.
- (3) Programs may continue to accept Candidates for entry while approved with conditions.
- (4) Approval with Conditions shall last two years unless via annual reporting requirements the Program provides significant and sufficient evidence to substantiate meeting full Program approval, as decided by the Department. If a Program provides such evidence, it may be removed from Approval with Conditions after one year and return to its original five-year review cycle.
- (5) While a Program is Approved with Conditions it shall continue to provide all annual reporting.
- (6) The Department will monitor Program progress towards meeting the goals for the Program cited by the Department, including review of required data reports and monitoring visits as deemed necessary.
- (7) If, after the two-year Approved with Conditions cycle, a Program is deemed by the Department to have not made satisfactory progress toward meeting Program standards, reporting and/or compliance requirements as set forth in this regulation and the Guide, the Program shall be placed on Probation.

C. Probation

- (1) Programs that fail to meet the standards and benchmarks, reporting or compliance requirements set forth by this regulation and in the Guide shall be placed on probation.

(2) Programs which are deemed non-compliant with requirements for Program approval as stated in Section XX or who do not comply with data sharing pursuant to Section XX, or who lose national accreditation or SPA approval, by revocation or by expiration, may be placed on Probation status or may face immediate revocation of Department approval.

(3) If a Program has received Probationary approval the department may conduct a full review within one year of the last focused re-visit unless via annual reporting requirements the Program provides significant and sufficient evidence to substantiate meeting full Program approval, as decided by the Department.

(4) Programs may not accept Candidates for entry while on Probation.

(5) While a Program is on probation it must continue to provide all annual reporting.

(6) Within 30 days of the notification of probation to the Program, the Provider must notify each Candidate individually in writing of the probation of Program, and provide documentation of the notification to the Department.

(7) The Department will monitor Program progress towards meeting the goals for the Program cited by the Department throughout the probationary period, including review of required data reports and monitoring visits as deemed necessary. If a Program provides such evidence, it may be removed from Probation and return to its original five-year review cycle.

(8) If, after the one-year probation cycle, a Program is deemed by the Department to have not made satisfactory progress toward meeting Program standards, reporting and/or compliance requirements as set forth in this regulation and the Guide, its approval may be revoked.

(9) Programs that fail to meet the standards for approval after three years on the combination of Approval with Conditions and Probation status may have approval revoked.

D. Revocation

(1) If a Provider fails to meet the standards, reporting or compliance requirements set forth by this regulation, its approval shall be revoked.

(2) If a Program fails to meet the standards, reporting or compliance requirements set forth by this regulation, its approval shall be revoked.

(3) The Department will make the final determination regarding revocation of state approval.

(4) If upon review of a Program the Department decides that it will move to revoke Program approval, the Department will notify the Provider, the Program, and appropriate representatives of the Provider in writing.

(5) Upon provision of such notification, Program approval is considered revoked. The Program may not recruit or accept new Candidates. Candidates enrolled in the Program who have accumulated

enough credits to be on track for graduation within the current academic year may exit. Within 30 days of the notification of revocation to the Program, the Provider must notify each Candidate individually in writing of the revocation of Program approval, and provide documentation of the notification to the Department.

(6) A Provider must wait two years after approval of a Program has been revoked before it can apply to the Department for approval of a Program that is substantially the same as the one revoked.

E. Rejoinder

(1) A Provider or Program subject to a decision of Revocation may file a petition with the Department for review of that decision not later than 30 calendar days after the notice of revocation has been provided.

(2) The petition for review of revocation decision shall include a short statement explaining the rationale for contesting the decision. The petition shall be accompanied by a statement of position and evidence supporting the rationale.

(3) The Department shall review the materials submitted by the Institution including written statements of position, documents, and comments supporting the claims.

(4) The Department, after considering the evidence presented and the arguments made by the petitioner, shall make a decision and inform the petitioner in writing of that decision, within sixty (60) working days of receipt of the materials. The decision of the Department is final.

F. Request a Hearing

(1) A Provider may request a hearing to challenge the revocation if the Provider files a written request with the State Superintendent within 20 calendar days of receipt of the notice.

(2) If a Provider requests a hearing, the Provider and the Department shall have an opportunity for oral argument before the State Superintendent before a final decision is rendered. Oral argument before the State Superintendent shall be limited to 15 minutes per side.

(3) If the State Superintendent reviews an appeal request, or hears oral argument, and finds that a genuine dispute of material fact exists, the State Superintendent shall promptly refer the case to the Office of Administrative Hearings for proceedings in accordance with Section B of this regulation.

(4) Following a hearing, if the State Superintendent finds that the conditions or standards on which the approval letter was based are not met, the State Superintendent may issue an order to the Provider to suspend or cease operating the Program.

(5) If a Provider does not request a hearing and fails to correct the specified deficiencies of the Program within the period set by the State Superintendent, the State Superintendent may issue an order to the Provider to cease operating the Program.

G. Hearing Procedures.

(1) The hearing procedures for appeals referred by the State Superintendent to the Office of Administrative Hearings are in accordance with the Administrative Procedure Act, State Government Article, §§10-201—10-226, Annotated Code of Maryland, and with COMAR 28.02.

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

(3) The administrative law judge shall submit in writing to the State Superintendent a proposed decision containing findings of fact, conclusions of law, and recommendations, and distribute a copy of the written proposed decision to the parties.

(4) A party objecting to the administrative law judge's proposed decision may file exceptions with the State Superintendent within 10 calendar days of receipt of the findings. A party may respond to the exceptions within 10 calendar days of receipt of the exceptions.

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

(6) The State Superintendent shall make the final decision in all cases dealing with the revocation of a Letter of Approval. The final decision shall be in writing and contain findings of fact and conclusions of law.

H. A Provider has the right to judicial review of a State Superintendent determination under this regulation as provided by the Administrative Procedure Act, State Government Article, §10-222, Annotated Code of Maryland.



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

TO: Members of the Maryland State Board of Education
FROM: Karen B. Salmon, Ph.D.
DATE: April 23, 2019
SUBJECT: Suspension and Revocation of an Educator License
Regulations- For Discussion Only

PURPOSE:

The purpose of this item is to provide draft regulatory language to the State Board of Education (SBOE) members for discussion pertaining to teacher certification. This regulatory language is aligned to the Maryland State Department of Education's (MSDE) comprehensive plan to increase the rigor and accountability of educator certification and teacher preparation programs in Maryland.

HISTORICAL BACKGROUND:

On March 26, 2019, the SBOE tasked the MSDE with developing regulatory language concerning the suspension and revocation of a Maryland educator license for review and discussion at the April 23, 2019, SBOE meeting. The regulations presented today include the following:

- Definitions
- Causes
- Reporting Procedures
- Denial
- Hearing Procedures
- Record of Hearings
- Decisions
- Reconsideration of a Decision
- Reinstatement

EXECUTIVE SUMMARY:

The regulatory language provided for discussion identifies the process and procedures associated with the suspension and revocation of a Maryland educator license.

ACTION:

For discussion only.

Attachment

Members of the Maryland State Board of Education

April 23, 2019

2 | Page

COMAR 13A.12.05

.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 certificate is withdrawn permanently.

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

(4) "Voluntarily surrendered" means a certificate holder relinquishes the certificate *while under investigation for a cause that could lead to the suspension or revocation of the certificate, or while a suspension or revocation action is pending against the certificate holder.* [to avoid the formal suspension or revocation process or as part of a settlement made with an employer to avoid the formal suspension or revocation process].

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

.02 Causes.

A. [Except as provided in §B of this regulation,] [a] A certificate and all specific certification 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 certificate may be suspended *or denied* by the State Superintendent of Schools under the following conditions.

(1) Breach of Contract. A certificate may be suspended for not more than 365 days if the 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* [,and contrary to] 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 certificate shall be suspended upon notification by the Department of Human Services, Child Support Enforcement Administration, that the certificate 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 certificate, the State Superintendent shall send written notice to the certificate holder of the proposed suspension and the right to contest the identity of the individual whose certificate shall be suspended.

(ii) An individual may appeal the decision to suspend a certificate 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 certificate was suspended.

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

C. Suspension or Revocation. A certificate shall be suspended, *denied*, or revoked by the State Superintendent of Schools if the certificate 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* [fitness to teach];

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

[(c)](d) A controlled dangerous substance offense *if:*

(i) *the offense occurred on school property or during a school event [as defined in federal or State law, and the sanction for this offense committed in Maryland shall be imposed in accordance with Article 41, §§1-501—1-507, and Criminal Law Article, §5-810, Annotated Code of Maryland]; 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 [in the application for a certificate] *as part of any certification request;*

(b) Files a false report or record, *or makes any false document*, [about a material matter in the application for a certificate] *as part of any certification request;* [or]

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

[(c)] (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 certificate;

(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 certificate provided in this regulation;

(6) Has had a certificate 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 Only. A certificate shall be *denied or* revoked if the certificate 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; [or]

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

(c) Sexual solicitation of a minor;

[(b)] *(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.

.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 certificate holder pursuant to Regulation .02 of this chapter:

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

(a) Certificate 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) Certificate 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 Certification and Program Approval* [Accreditation].

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 certificate or certificates held by the person against whom the charges are being filed; [and]

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

(4) *Confirmation that the employee has exhausted any appeal of employment-related discipline.*

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

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

(1) Send the certificate holder *written notice* [a copy] of the charges; and

(2) Advise the certificate holder of the right to request a hearing within 15[10] calendar days *of the date of the written notice*[following receipt of the charges].

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

F. The certificate holder against whom charges have been filed may request a hearing in writing within [10] 15 calendar days [following receipt of the charges] *of the date of the written notice*.

G. If the certificate holder does not request a hearing in writing on the charges within the [10]15-day period set forth in §D(2) of this regulation, the State Superintendent of Schools shall suspend or revoke the certificate 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 certificate.*

(2) *A certificate 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 certification 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 certificate by another state; or

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

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

(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 certificate.*

(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 certificate.*

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

K. Denial.

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

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

L. Emergency Suspension.

(1) The State Superintendent of Schools may immediately suspend a certificate if an educator has been arrested or indicted for a crime under .02D.

(2) The suspension is temporary pending resolution of the criminal charges.

(3) The certificate holder may request an expedited hearing before the State Superintendent within 15 calendar days of the date of the suspension.

(4) The hearing shall be limited to whether the certificate holder has been arrested or indicted for a crime under .02D.

(5) If a certificate holder pleads guilty or nolo contendere with respect to, receives probation before judgment with respect to, or is convicted of, a crime under .02D, the State Superintendent shall revoke the certificate in accordance with the procedures in .03 of this chapter.

(6) Lifting Emergency Suspension.

(a) If the certificate holder is found not guilty of the underlying criminal charges, a nolle prosequi is entered, or the charges are otherwise dismissed by the Court or placed on a stet docket, the certificate holder may request that the emergency suspension be lifted.

(b) If the certificate expired during the period of suspension, the certificate holder may request that the Department reinstate the certificate.

(c) The certificate holder must meet any reinstatement requirements that are in effect at the time of the request.

.04 Hearing Procedures.

A. If the certificate holder requests a hearing in writing within the 15[10]-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 certificate 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 certificate 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.

[E.] *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.

[F.] *G.* A party objecting to the administrative law judge's proposed decision may file exceptions with the State Superintendent of Schools within [10] 15 calendar days of [receipt of the findings] *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 [10] 15 calendar days of the date of the exceptions* [receipt of the exceptions].

[G.] *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.

.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.

.06 Decisions.

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

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 and revocation decisions as part of the interstate certification data exchange.

.07 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 [after the decision has been rendered] *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 service] *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.* [A grant of the application for reconsideration shall stay the enforcement of the original decision.]

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

.08 Reinstatement.

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

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 certificate 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 certificate was revoked under Regulation .02C of this chapter or voluntarily surrendered may petition the Reinstatement Review Panel for reinstatement of the certificate 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 chairman, 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 [to teach].

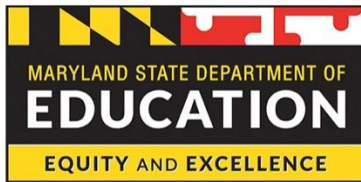
(5) *The Reinstatement Review Panel may place conditions upon a reinstatement, including requiring an individual to complete ethics training.*

[(5)] (6) Upon unanimous vote of the Reinstatement Review Panel and if the individual has met all current certification requirements, *and subject to any conditions placed on the*

reinstatement by the Reinstatement Review Panel, the State Superintendent of Schools shall reinstate the certificate.

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

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



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

TO: Members of the Maryland State Board of Education

FROM: Karen B. Salmon, Ph.D.

DATE: April 23, 2019

SUBJECT: Teacher Licensure
Regulations- For Discussion Only

PURPOSE:

The purpose of this item is to provide draft regulatory language to the State Board of Education (SBOE) members for discussion pertaining to teacher certification. This regulatory language is aligned to the Maryland State Department of Education's (MSDE) comprehensive plan to increase the rigor and accountability of educator certification and teacher preparation programs in Maryland.

HISTORICAL BACKGROUND:

Beginning in January, 2019, the SBOE has identified pathways leading to initial Maryland teacher certification and types of Maryland licenses, and tasked the MSDE with developing regulatory language for review and discussion at the April 23, 2019, SBOE meeting. The regulations presented today include the following:

- Assignment
- Types of licenses
- Pathways to initial teacher licensure
- Additional teaching endorsements
- Renewal of a teacher license
- Individual Professional Development Plans
- Professional Development Points

EXECUTIVE SUMMARY:

The regulatory language provided for discussion identifies teacher licensure requirements, to include initial licensure, types of licenses, and renewal of the teacher license.

ACTION:

For discussion only.

Attachment

KBS: sds

COMAR 13A.12.02.XX

Licenses and Pathways for Teachers

A. Types of Teacher Licenses

(1) Conditional

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

(b) A local school system shall request a Conditional License only if a local school system 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 during the most recent two years of the candidate's post-secondary education.

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

(2) 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 XX (renewal teacher) as a result of failure to meet the renewal requirements of a professional license.

(3) 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 §xxxxx.

(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.

(4) Professional

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

(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.

(5) Adjunct Teacher

(a) The Maryland State Department of Education may issue an adjunct certificate 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 certification 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 certificate is nontransferable between local school systems.

(d) A local school system may not employ an individual who holds an adjunct certificate as a full-time employee of the local school system.

(e) An applicant for an adjunct certificate 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 certificate shall be provided with the following, by the employing local school system:

(i) A professionally certificated mentor;

(ii) Side-by-side coaching or co-teaching with a professionally certificated 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 certificate 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.

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 MSDE 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 (insert regulatory citation);
- (iv) Documentation of seminars, courses, and experiences relevant to the Professional Standards and Maryland competencies for Teachers in (insert regulatory citation), as identified by the State Board of Education and Professional Standards and Teacher Education Board;
- (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, 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 conclusive for the Department.

COMAR 13A.12.02.XX

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 XX 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 XXX (PDP reg) based on an Individual Professional Development Plan as set forth in XX (IPDP reg) that is designed to improve teaching and student learning and that is approved, if required, by the educator's supervisor.

C. Application Process. 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 under XX of this chapter.

- (a) 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.
- (b) 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. Hardship Waiver or Modification. Upon a showing of extreme hardship, the Superintendent may waive or modify the requirement of completion of the requisite number of PDPs as set forth in COMAR XX. A showing of extreme hardship may include serious illness or other catastrophic circumstances that are beyond the control of the educator. No modification or waiver will be granted without satisfactory evidence that the educator has made a good faith effort to obtain the required number of PDPs but that extreme hardship has prevented the educator from doing so.

E. Senior Teacher Waiver. Renewal requirements for any professionally certificated 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 office of the legal authority having jurisdiction over the employee.

COMAR 13A.12.02.XX

Individual Professional Development Plans

A. Individual Professional Development Plans.

(1) An IPDP 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 IPDP must include a minimum of 90 PDPs as set forth in XX to renew the educator's Primary License, under COMAR 13A.12.01.XX (TYPES GEN), and an additional 15 PDPs for each license in addition to the Primary 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 IPDP.

B. Approval of an Individual Professional Development Plan. 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 IPDP from their supervisors.

(1) Approval for proposed IPDPs shall be from the educator's direct supervisor or an appropriate designee.

(2) Educators must obtain initial approval of their IPDP within six months of issuance of the license to be renewed.

(3) A supervisor shall review the existing IPDP of any educator new to the district or school within three months of the educator's beginning employment in the new position. 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 PDPs that were earned consistently with an approved plan shall be deemed approved in applying for license renewal.

(4) Prior to applying to renew an Initial Professional or Professional license, educators shall obtain a signature from a current supervisor. 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 IPDP. The educator remains responsible for the final accounting of Professional Development Points applied towards license renewal. An educator whose supervisor refuses to sign an IPDP may follow the review procedures set forth in §D(5) of this regulation.

(5) Approval of an IPDP shall not be unreasonably withheld. 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.

(d) In the event that a plan is rejected at the highest available level of local review, a teacher may then seek additional review from the Department.

COMAR 13A.12.02.XX

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.

- (1) Teachers who hold a license in the area of the Blind/Visually Impaired must present a minimum of 15 PDPs in braille maintenance.
- (2) Educators who hold multiple Initial Professional and Professional licenses are required to submit an additional 15 PDPs for each license (specialist and/or administrator), to include any specific requirements associated with that license, which may be found under COMAR XX and XX.

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

(6) Publication of a book or article. 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. An article shall be published in a recognized professional journal. Books shall be published for purchase. For each book published, the educator will be awarded 75 PDPs. For each article published, the educator will be awarded 10 PDPs.

(7) Mentorship. 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. Assistance may involve role modeling, direct instruction, demonstration, observation with feedback, developing of plans, and consultation to promote instructional excellence and increased student achievement. 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. For each mentorship, the educator will be awarded 30 PDPs.

(8) Micro-credentials. Micro-credentials are a digital form of certification indicating demonstrated competency/mastery in a specific skill or set of skills. 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. 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. For each micro-credential earned, the educator will be awarded 10 PDPs.

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

COMAR 13A.12.02.XX

Additional Teaching Endorsements.

A. An individual who holds a teaching license may add an additional teaching endorsement to the license 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; or
- (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;
 - (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;
 - (c) For social studies 7-12, obtain 30 credits distributed across the areas of history, economics, geography, and political science, with at least 6 credits in each content area. The remaining credits 6 credits may be in content-related areas;
 - (d) 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; or
- (3) Meet the requirements for initial licensure under XX (LICENSES PATHWAYS REG).

B. Exceptions. To receive an endorsement in Deaf and Hard of Hearing and Blind/Visually Impaired, an educator must meet the requirements for initial licensure under XX.

C. Certain areas of licensure require that the educator hold an existing teacher license.

- (1) Mathematics Instructional Leader Grades PreK-6. To add an endorsement as Mathematics Instructional Leader, grades PreK—6, an applicant shall:
 - (a) Hold a valid, professional certificate;
 - (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 an endorsement as Mathematics Instructional Leader, grades 4—9, an applicant shall:

(a) Hold a valid, professional certificate with certification 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 an endorsement as Instructional Leader: STEM, grades PreK—6, an applicant shall:

(a) Hold a valid, professional certificate with certification 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) Severely and Profoundly Disabled. To add an endorsement in Severely and Profoundly Disabled, an educator shall meet the following requirements:

(a) Special Education Certification. The applicant shall meet the requirements for certification 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 the severely and profoundly disabled or 2 years of successful teaching experience in the area of severely and profoundly disabled.

COMAR 13A.12.02.XX

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 certificate 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 endorsement prior to the next school year.

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

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.