



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

TO: Members of the State Board of Education
FROM: Karen B. Salmon, Ph.D.
DATE: June 20, 2018
SUBJECT: COMAR 13A.12.03.04
Pupil Personnel Worker
ADOPTION

PURPOSE:

The purpose of this item is to request adoption of the proposed amendments to Code of Maryland Regulations (COMAR) 13A.12.03.04 *Pupil Personnel Worker* (Attachment I). Amendments were proposed to clarify regulatory language and align it with current Maryland State Department of Education (MSDE) policy.

REGULATION PROMULGATION PROCESS:

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

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

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

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

HISTORICAL BACKGROUND:

Currently, COMAR 13A.12.03.04 *Pupil Personnel Worker* requires that an applicant have three years of satisfactory teaching experience or, at the recommendation of a local superintendent of schools, two years of related experience may be substituted for two years of teaching experience. The applicant must also have a master's degree in pupil personnel or a related field such as education, counseling, or social work. This requirement became effective on January 1, 1989.

Candidates seeking certification as a pupil personnel worker are often certified in specialist areas and do not have teaching experience. This has led to an overwhelming number of waiver requests from local school systems requesting that experience in one of the specialist areas (e.g., school counseling, social work) be accepted in lieu of all three years of teaching experience rather than the two years currently allowed by regulation. Understanding the barrier presented by the current regulation, the MSDE has routinely approved such requests. Changing the regulations to allow for the use of related experience at the discretion of the local superintendent of schools, would align the regulations with current practice and eliminate the need for a waiver of the regulations.

On December 7, 2017, the PSTEB granted permission to publish the proposed regulations and on January 30, 2018, the SBOE also granted permission to publish the amendments. On April 27, 2018, the proposed regulations were published in the Maryland Register (Attachment I). Comments were to be received by May 29, 2018. The MSDE did not receive any public comments.

PROPOSED AMENDMENTS:

The proposed amendment allows pupil personnel candidates the ability to use their experience as a specialist (e.g., school counseling, social worker) in lieu of teaching experience.

SUMMARY:

Code of Maryland Regulations 13A.12.03.04 requires revision to clarify regulatory language and align it with current MSDE practice.

ACTION:

Request adoption of amendments to COMAR 13A.12.03.04 *Pupil Personnel Worker*.

D. A local school system shall 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:

- (1) Hold a bachelor's or higher degree from an IHE;
(2) Hold an industry license, when applicable for the profession; and
(3) 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:

- (1) A professionally certificated mentor;
(2) Side-by-side coaching or co-teaching with a professionally certificated teacher;
(3) 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
(4) Evaluations of teacher 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.

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Subtitle 12 CERTIFICATION

13A.12.03 Specialists

Authority: Education Article, §§2-205, 2-303(g), 6-103, and 6-701—6-706, Annotated Code of Maryland

Notice of Proposed Action
[18-111-P]

The Maryland State Board of Education proposes to amend Regulation .04 under COMAR 13A.12.03 Specialists. This action was considered at the January 30, 2018, meeting of the State Board of Education and the December 7, 2017, meeting of the Professional Standards and Teacher Education Board.

Statement of Purpose

The purpose of this action is to clarify language and permit any number of years of specialist experience to be substituted for teaching experience for pupil personnel workers.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Sarah Spross, M.Ed., Assistant State Superintendent, Division of Educator Effectiveness, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, Maryland 21201, or call 410-767-0385 (TTY 410-333-6442), or email to sarah.spross@maryland.gov, or fax to 410-333-8963. Comments will be accepted through May 29, 2018. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the State Board of Education during a public meeting to be held on June 19, 2018, 9 a.m., at 200 West Baltimore Street, Baltimore, Maryland 21201.

.04 Pupil Personnel Worker.

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

- A.—B. (text unchanged)
C. 3 years of satisfactory teaching experience, or, at the recommendation of a local superintendent of schools, [2 years of] related experience may be substituted for [2 years of] teaching experience; and
D. (text unchanged)

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Title 15
DEPARTMENT OF
AGRICULTURE

Subtitle 14 BOARD OF VETERINARY
MEDICAL EXAMINERS

15.14.01 Standards of Practice and Code of
Ethics for the Practice of Veterinary Medicine
in the State

Authority: Agriculture Article, §§2-103, 2-304, and 2-310, Annotated Code of Maryland

Notice of Proposed Action
[18-114-P]

The Secretary of Agriculture proposes to amend Regulation .12-1 under COMAR 15.14.01 Standards of Practice and Code of Ethics for the Practice of Veterinary Medicine in the State.

Statement of Purpose

The purpose of this action is to require a veterinarian to examine a patient at least once a year before renewing prescription medications for chronic conditions.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. Requiring veterinarians to monitor the medications they prescribe to chronically ill animals to ensure it is appropriate will lead to improved prescribing protocol that will better safeguard both animal and human health. The economic impact to veterinarians is unknown, but may result in more frequent visits by clients. The economic impact to the pet owner is unknown as the cost of an extra visit varies among veterinarians and regions of the state. There is no economic impact to citizens and residents who do not own pets with chronic conditions.

II. Types of Economic
Impact.

Table with 2 columns: Revenue (R+/R-), Expenditure (E+/E-), and Magnitude

A. On issuing agency: (R-) Unknown