



Maryland State Board of Education
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Public Comment

MSDE State Board Chair Hartings and members of the Maryland State Board of Education, thank you for the opportunity to offer public comment regarding the Board's consideration of publishing new regulations in the Maryland Code of Regulations (COMAR), specifically the *13A.07.06 Programs for Professionally Certificated Personnel*. Currently, I serve as the Senior Vice Chancellor for Academic and Student Affairs at the University System of Maryland. Historically, the University System of Maryland's nine institutions with traditional teacher preparation programs provide the highest number of in-state prepared new teachers.

USM shares the state board's interest in ensuring that our Maryland teacher preparation programs are of the highest quality and responsive to state and local school system needs. However, the proposed regulations are too prescriptive and, in some cases, are not based on or are contradictory to evidence-based best practices. We have serious reservations about the proposed regulations and the process through which these regulations were developed. Therefore, we urge you not to approve these regulations for publication.

Here are examples of a few of the areas of the proposed regulations that trouble us.

.08 State Program Approval Requirements

C. Standards and Competencies.

(2) Programs preparing candidates for elementary education shall provide a minimum of twelve semester hours in each of the following: English language arts, social studies, math, and science.

This regulation will add an additional 3 credits of course work in both social studies and science, which leads to a minimum 126 credit degree. At USM institutions, our faculty have developed areas of emphasis within our elementary education programs (in TESOL, special education, and STEM) to be more responsive to work force needs expressed by district partners. If these regulations are adopted, we likely would have to amend current locally-specific, needs-based program designs to meet the new credit requirements stipulated in the proposed regulations. In other words, the proposed regulations will add credits to the teacher candidates' curriculum that may preclude our institutions from offering specialized Areas of Emphasis, developed in response to district partners' requests/needs, i.e., TESOL, Special Ed, STEM, etc.

(3) Programs preparing candidates for early childhood education, elementary education, special education, and English for Speakers of Other Languages shall include research-based literacy instruction to include:

- 1. (a) Phonological and phonemic awareness including emergent literacy;*
- 2. (b) Vocabulary and fluency;*
- 3. (c) Phonics and decoding;*
- 4. (d) Written expression, spelling and grammar;*
- 5. (e) Comprehension of literary and informational text; and*
- 6. (f) Assessment and instructional decision making*

This proposed regulation provision with the detailed list of specific content elements is not appropriate for regulations and will unduly limit teacher preparation programs' ability to be innovative and responsive to local needs as they design and implement their programs. There are important questions that should be answered about these provisions and the implications:

- How do we know these are research and evidence-based best practices?
- If our knowledge changes or best practices emerge, will programs be required to teach outdated information or strategies?

G. Credit Requirements.

(1) A program leading to a bachelor's degree shall be a 4-year program and award 120 credits.

This requirement in regulation would require an exception for virtually every program in the state and present MSDE with unnecessary time and resources to review and grant exceptions for the hundreds of programs in the state. We estimate that no secondary programs will be able to be completed in the 120 credits mentioned in the regulation. Currently, all secondary majors exceed the 120 credit because of the expectation for these teacher candidates to complete a major within the academic discipline. In addition, the number of required credits will increase further given other the proposed regulations (e.g., additional clinical requirements – 5 semesters of clinical experiences). Furthermore, specialized early childhood and elementary programs that lead to dual certification in special education, which have been developed in response to requests from our district partners, would require exceptions to the credit limit.

D. Clinical Experiences.

The proposed regulatory provision assumes that every teacher candidate starts undergraduate study as a freshman already decided to be a teacher. This assumption may work for programs like early childhood, but most secondary teacher candidates come into programs after they change or add majors. As a result of this reality, candidates would be shut out of the early "phases" of required pre-service clinical practice. In addition, the effects of the provision also mean that it will take secondary school teacher candidates longer to complete programs.

Some Maryland institutions have adopted the research-proven UTEACH model for recruiting and preparing new teachers in STEM disciplines. The four phases of clinical experiences provision will eliminate these effective programs because the current

UTEACH. In addition, the full-year internship does not account for the reality that teacher candidates usually complete the content components of their majors in the final year of study. It is not feasible for these content courses to be offered on-site in the P12 setting. Finally, the full-year internship has a host of logistical considerations that need to be addressed – e.g., P12 calendar doesn't conform to university schedules, including when campus housing is available, when degree clearances occur, etc.

.09 Clinical Experience Placements

F. Action Research.

Our institutions would love to have opportunities for teacher candidates to conduct Action Research as part of their preservice experiences; however, local schools and school systems will not allow candidates to conduct action research under current practice because of state laws related to 'research' and the approval process in schools. In addition, the language of this provision is inconsistent with local school system policies, rules, and practices. Use of the term, "research," leads to the need for reviews/approvals through district offices of accountability. This provision is a great example where insights from the higher education community can assist MSDE with developing terminology and strategies that might be used to achieve our shared interest across the state.

.11 State Program Renewal, Oversight, and Revocation

A. Review.

(1) The Department shall review Programs every five years.

The program review process is an important mechanism for ensuring the rigor and quality of teacher preparation programs. Our major concerns around this provision is that review process will become more about compliance and less about continuous improvement and quality assurances. In addition, moving the review from seven to five years will unduly strain MSDE's already stressed capacity to conduct rigorous reviews. With our larger USM institutions, the bulk of the review was handled by the national accreditation team, and there was some assurance we had qualified people conducting those reviews because we could draw from a national pool.

The following important questions need answering before you move forward with this provision in the regulation:

- Who will be part of the review teams?
- How can we ensure the quality/appropriate background of reviewers?
- How will national standards be reviewed if no Specialized Professional Association (SPA) review occurs?
- Is this a viable provision that's logistically feasible?

.12 Teacher Preparation Competencies: General Competencies

.13 Teacher Preparation Competencies: Literacy Competencies

.14 Teacher Preparation Competencies: Math Competencies

USM has major concerns with the lists of specifications included in these provisions. The prescriptive lists should not be in regulation. Rather, MSDE should use these lists for guidance purposes in collaborative planning and design with higher education to consider research-proven, evidence-based best practices. In essence, regulatory lists like the ones included here potentially stifle innovation because of the need for programs to include the breadth of coverage mandated by the listed competencies.

Opportunity for Collaboration

For decades, Maryland has been recognized as a national model of effective P-12 and higher education partnership and collaboration. For instance, the Maryland higher education community was instrumental in supporting and collaborating with MSDE during the development of the Maryland College and Career Ready Standards. In fact, the Maryland higher education community is currently collaborating with the Maryland State Department of Education and local school systems to train and prepare teachers at every high school in the state and provide quality computer science courses/ education through the Maryland Center for Computing Education at USM. This past Friday, June 21, I received correspondence from the MSDE State Superintendent about her intentions of establishing a collaborative Advisory Board that will help MSDE develop guidelines and policies that affect Maryland teacher preparation. We enthusiastically accept this invitation and suggest that the MSDE State Board charges this new Advisory Board with conducting an indepth review of these proposed regulations and presenting regulations to you once they have been sufficiently vetted by the appropriate, relevant stakeholders. The benefits of this collaborative approach include saving you all from the pain of internal contradictions, which are inherent in the proposed regulations, and providing the best evidence-based support for approaches to preparing Maryland's educators and administrators.

Recommendation

We urge the MSDE State Board to delay publishing these regulations to allow the newly-formed MSDE Advisory Board to convene, conduct a detailed review of the proposed regulations, and provide you with substantive input that can be used to guide the preparation of next generation of Maryland teachers.

Public Comment for the Maryland State Board of Education**Tina Bjarekull, President****June 25, 2019**

Thank you for the opportunity to provide public comment on the regulations you will be asked to approve for publication later today, specifically COMAR 13A.07.06 (Programs for Professionally Certificated Personnel). On behalf of the 11 members of the Maryland Independent College and University Association (MICUA) that offer educator preparation programs, I testify to share serious concerns with these regulations as currently written. The proposed regulations were not available for public review until they were posted on the State Board website late last week. These regulations have major implications for our efforts to recruit, retain, and graduate teacher candidates. Furthermore, the regulations will significantly impact the operations of local education agencies (LEAs) and will require substantial new financial commitments both for our institutions and for our LEA partners.

While we have only had four days to examine these draft regulations and have not had time to solicit broad feedback from our members, we are prepared to share preliminary concerns. As drafted, the regulations are inconsistent with existing laws, regulations, and practices; establish stagnant rules with limited flexibility to respond to advancements and market demands; and raise barriers that will deter students from pursuing the teaching profession. We ask that you take these concerns into consideration before you decide to initiate the regulatory process.

Listed below are comments related to specific sections of the proposed regulations:

Standards and Competencies

National standards cited in section .02 (A) (B) and the State standards and competencies included in sections .12 through .15 will change over time with the advancement of knowledge and research about how students learn. For these reasons, it is both impractical and inappropriate to incorporate stagnant references into State regulation.

Further, we are concerned about the State specific standards and competencies proposed in sections .12 through .15. These standards and competencies span general teaching, literacy, math, and cultural responsiveness. Where did they originate? Are they research and evidence based? Where have they been vetted? In particular, we found some of the cultural competencies in .15 (B) to be offensive. In (15) for example, the challenges associated with “little prior schooling” and homelessness are not specific to students who are new immigrants or non-native

speakers. In (17), “skin color” is listed as a factor upon which teacher candidates should be able to identify cultural differences among students. Both (15) and (17) lack cultural sensitivity, are counter to the values and ethics of our colleges and universities and the teaching profession, and have no place in the Code of Maryland Regulations.

Definitions

.03 (3) and (25) provide definitions for “Traditional” and “Alternative” programs. The definition of a “Traditional Program” includes this statement: “demonstration of standards and competencies required to prepare educators for teaching students in the classroom environment.” This statement is missing from the definition of an “Alternative Program.” Alternative Programs should be held to this same standard.

.03 (25) specifies the inclusion of “general education” coursework as a requirement for a “Traditional Program,” along with other curricular requirements including content coursework, professional coursework, and clinical experiences. The specific degree requirements for Maryland institutions are in COMAR 13B.02.02.16 and 13B.06.01.03. General education requirements apply specifically to undergraduate programs that lead to the conferral of an associate’s or bachelor’s degree; general education is not a curricular requirement for graduate-level degrees. Many of the State’s programs leading to certification are master’s degree programs, including the Master of Arts in Teaching. The requirement for “general education” coursework is not appropriate for these programs.

Program Approval Process

.06 B requires MSDE to issue a letter of approval to the provider if certain requirements are met. The regulations do not establish a timeline for the Department to act. Absent this requirement, institutions cannot plan or respond to market demand or the needs of their LEA partners. Further, .06 C (4) requires the Department’s approval letter to include a “description of degree or degrees awarded upon completion of the program.” Alternative programs do not issue degrees. The Department’s approval letters for alternative programs should stipulate students will not receive degrees upon completion of the program.

.06 G refers to an “annual report,” which is not defined in this section. We assume the Department is referring to the annual report described in Section .10. The regulations should clarify this point.

.06 H refers to a “written request.” It is not clear what written request MSDE is referring to in this section. Earlier the regulations refer to an application and a notification, but this section of the regulations does not refer to a “written request.”

.07 A (1) requires new programs to be “pre-approved” by MHEC prior to seeking approval from MSDE. MHEC does not issue “pre-approvals” for program proposals submitted by colleges and universities. For public institutions, MHEC may issue an approval, an approval with conditions, or a non-approval. For private nonprofit and for-profit institutions, it may issue a recommendation for implementation, a recommendation for implementation with conditions, or a recommendation against implementation. Further, MHEC does not “pre-approve” programs

offered by alternative providers, nor does it have any regulatory oversight for these organizations.

.07 A (3) requires the Department to approve or reject a proposal for a new program but establishes no timeline or process. Should the Department's decision be made in writing? Is there an appeals process?

.07 C (3) and (4) are very confusing as worded. These sections require an institution to submit an application at least six months before the approval is requested. It also requires the provider to notify the Department of its intent to initiate the process for which there are no national content standards at least six months before program approval is requested. It is our understanding an application is a request to offer a program. It is not possible to provide information to the Department six months before an application is submitted. Does the Department mean it wants an application at least six months prior to the date the institution intends to implement the program?

.08 A (2) (b) requires teacher candidates enrolled in alternative programs to demonstrate evidence of meeting one of the three criteria in paragraph (b) – (i) a conferred bachelor's degree or higher with a major related to the program licensure area; (ii) a conferred bachelor's degree or higher with a minimum of 30 semester hours of credit related to the licensure area; or (iii) evidence of a qualifying score on an approved content assessment, as established by the State Superintendent of Schools and as approved by the SBOE. This would mean that a teacher candidate prepared by an alternative program would NOT be required hold a bachelor's degree or higher prior to teaching in a Maryland public school. We believe this standard is too low.

Practicum Experience

.08 (D) specifies the new clinical experience requirements. These include a pre-clinical experience, a first clinical experience, a second clinical experience, and a year-long practicum experience. These new requirements assume that students enter a teacher preparation program during their first year of college, which very often is not the case, particularly for secondary candidates. Further, many students enter teacher preparation programs as Associate of Arts in Teaching (AAT) graduates from Maryland community colleges. It is impractical for these transfer students to juggle four practicum experiences in their final two years of college while completing content and methods coursework.

As we have shared with the Kirwan Commission, Maryland's teacher preparation programs have serious concerns about the year-long practicum requirement aligned with the K-12 school year. The existing 100-day student teaching internship is a struggle for many teacher candidates, both financially and academically. Many students must work to pay for college. It is not possible to work during the internships due to the intense demands of the practicum experience. Furthermore, students must balance this experience with their academic commitments. The expansion of this requirement will pose barriers to completion and real hardships for students in areas including housing, financial aid eligibility, and delayed graduation, given that the K-12 school year extends beyond the higher education school year.

The proposed regulations establish a 100-day practicum experience for candidates pursuing an alternative program. Given the disparity in the practicum requirements, many students will pursue alternative teacher certification programs, which require shorter time commitments and lower opportunity costs.

Credit Limits

.08 (G) limits a bachelor's degree program to 120 credits, with the ability to expand by 12 credit hours or an additional semester if permission is granted by both MSDE and MHEC. First, many teacher preparation programs in the State already exceed 120 credit hours, and the additional content coursework prescribed by these regulations will add credits to existing programs. Second, several of the MICUA member institutions, and some public institutions, operate on a four-credit course system. The 120-credit hour requirement is the baseline for a three-credit course system (5 courses/15 credits per semester for 8 semesters). For institutions operating under a four-credit course system, the baseline for a bachelor's degree is 128 credit hours (4 courses/16 credits per semester for 8 semesters). Essentially, the majority of the State's approved educator preparation programs will be out of compliance the moment these regulations go into effect, and MSDE and MHEC will be asked to review hundreds of requests for exceptions.

The State has the authority to limit credit hours for degrees at public two-year and four-year institutions. It has never adopted credit hour limitations for private, nonprofit institutions, and it is inappropriate for MSDE and MHEC to impose such limitations on a private institution. It is appropriate for the State to establish minimum standards, but the MICUA member institutions must retain the authority to establish higher standards when deemed appropriate. These proposed regulations are even more restrictive than what is currently in law for the public institutions, which are permitted to exceed the credit hour limits in a variety of circumstances, including licensing and accreditation requirements.

Mandates for LEA Partners

These proposed regulations establish several new requirements and commitments for our LEA partners. We are unsure of the extent to which the LEAs have been engaged in developing these requirements. We are concerned about the capacity of our PDS partners to accommodate the year-long internship requirement and the increased mentoring workload. It is already difficult to secure sufficient placements for our teacher candidates. The regulations will intensify this challenge by requiring that supervising teachers have a 50% teaching and 50% mentoring workload. This assumes a "teacher leadership track" in the school system that does not currently exist. Further, the regulations commit higher education institutions to train these supervising teachers and provide ongoing professional development. Unless the State or LEAs provide funding to release teacher time and to educate a cadre of "supervising teachers," we will not be able to secure supervising teachers to comply with these proposed regulations.

.09 (F) requires all teacher candidates to conduct action research during their practicum experiences. Several LEAs do not currently permit teacher candidates to use classroom and student data for action research projects due to privacy concerns, Institutional Review Board

(IRB) requirements, and governing board protocols prohibiting the release of data to third parties for research purposes. This requirement cannot be implemented without every LEA in the State agreeing to put policies in place that permit timely access to data to institutions of higher education for the purpose of conducting action research. Maryland's institutions of higher education do not have the authority to require Maryland's LEAs to release the data necessary to comply with these proposed regulations.

Reporting Requirements

.10 – The annual compliance reporting requirements are overly bureaucratic and time-consuming. Maryland's institutions of higher education do not have access to several of the metrics identified, nor does MDSE currently share any of the data the Department collects in these areas. For example, Maryland's higher education institutions have no authority to collect data points such as candidate placement in Maryland public schools by subject area and grade level, performance on teacher-principal evaluations, and retention through five years of employment, and it is doubtful the LEAs and local unions would grant IHEs access to this data.

Closing Remarks

At the request of the higher education community, the Superintendent of Schools is establishing an Advisory Board for educator preparation programs. I am encouraged by this development. On Friday, MICUA received an invitation to nominate two representatives. The letter stated this group would help develop policies and guidelines to implement these regulations. It is far more important for Maryland's stakeholders to provide input and advice before regulations are published, circulated, and adopted. We urge the Board to delay publishing these regulations to allow the Advisory Board to convene, review these regulations in detail, and provide input.

We understand your approval for permission to publish today would be the first of many steps in the promulgation of regulations. We are also aware that there is a public comment process during the circulation period in the Maryland Register. However, Maryland's teacher preparation programs are key stakeholders and valuable partners in the preparation of high-quality teacher candidates. In the past, the Department has consulted with key stakeholders before publishing regulations in the Maryland Register. We urge the Department to continue this practice. Our collective efforts will produce a better product and result in a less expensive and more effective outcome.