

- (i) Verification of 3 years of effective performance as a specialist; and
- (ii) Completion of a Maryland induction program, if applicable.

(3) *Advanced Professional.*

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

(b) *An applicant who has met the requirements of one of the pathways to licensure under this chapter may be eligible for an Advanced Professional License if they meet the requirements for the Professional License under §A(2) of this regulation and submit one of the following:*

- (i) *A master's or higher degree;*
- (ii) *At least [36]30 semester hours of post baccalaureate credit; or*
- (iii) *A National Board Certificate issued by the National Board for Professional Teaching Standards.*

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

.03 School Counselor.

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

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

(2) *National Board of Certified Counselors (NBCC). Candidates who possess a master's degree in school counseling or school guidance and counseling, a valid National Board of Certified Counselors certificate, and two years of effective performance as a teacher or school counselor in a school setting.*

(3) *National Board for Professional Teaching Standards (NBPTS). Candidates who possess a master's degree in school counseling or school guidance and counseling and present a valid National Board Certificate in the area of School Counseling.*

(4) *Out of State Program. Candidates who possess a master's degree in school counseling or school guidance and counseling from an out of state approved program and 2 years of effective performance as a teacher or school counselor or 500 clock hours in a supervised practicum in school counseling.*

(5) *Council for Accreditation of Counseling and Related Educational Programs (CACREP). Candidates who possess a master's degree in school counseling or school guidance and counseling from a program approved by the Council for Accreditation of Counseling and Related Educational Programs.*

(6) *Experienced Professional. Candidates who possess a master's degree and a valid, professional certificate from another state and verification of at least 27 months of effective performance as a school counselor.*

.04 Library Media Specialist.

A. Definitions.

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

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

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

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

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

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

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

(5) *Master's Equivalent.*

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

(b) *Content course work shall include:*

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

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

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

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

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

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

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

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

(c) *Professional education coursework shall include:*

(i) *History and philosophy of education*

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

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

(iv) *Inclusion of special needs student populations.*

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

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

.05 Pupil Personnel Worker.

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

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

(1) *Counseling or guidance services, or both;*

(2) *Early childhood, elementary, or secondary education;*

(3) *Human growth and development;*

(4) *Sociology, social work, or psychology;*

(5) *Special education; or*

(6) *Administration and supervision.*

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

(1) *Counseling methods;*

(2) *Early childhood or adolescent psychology, or both;*

(3) *Multicultural issues;*

(4) *Family systems/dynamics;*

(5) *Delivery of pupil personnel services and programs;*

(6) *Abnormal psychology or juvenile delinquency, or both; or*

(7) *Educational assessment interpretation.*

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

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

.06 Reading Specialist.

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

A. *Meet the requirements for licensure in early childhood education, elementary education, or a secondary education area;*

B. Submit verification of 3 years of effective teaching or clinical experience; and

C. Meet the requirements of one of the following pathways:

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

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

(3) Professional Coursework. Candidates who possess a master's degree or equivalent of 33 post-baccalaureate graduate credits from an IHE in reading and related areas to include:

(a) 15 semester hours of reading course work with at least one course in each of the following areas:

- (i) Foundation or survey course;*
- (ii) Diagnosis and correction of reading difficulties;*
- (iii) Clinical or laboratory practicum;*
- (iv) Assessment or evaluation, or both;*

(b) Additional coursework selected from at least four of the following areas:

- (i) Emergent literacy;*
- (ii) Literacy Leadership;*
- (iii) English Learners;*
- (iv) Content area literacy;*
- (v) Writing;*
- (vi) Effective use of technology in the literacy classroom;*
- (vii) Early Childhood, Elementary, or Adolescent literacy;*
- (viii) Literacy research;*
- (ix) Linguistics; and*
- (x) Special education.*

.07 Reading Teacher.

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

A. Meet the requirements for licensure in early childhood education, elementary education, or a secondary education area;

B. Have 12 semester hours of post-baccalaureate graduate credit from an IHE in reading, including a foundation or survey course and a course in diagnosis and correction of reading difficulties; and

C. Have 2 years of successful teaching experience.

.08 Psychometrist.

A. Definition.

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

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

(1) A master's degree from an IHE in psychology or education; and

(2) 45 semester hours of graduate and undergraduate course work from an IHE which shall include the following areas:

- (a) Tests and measurements;*
- (b) Individual intelligence testing of children;*
- (c) Individual educational assessment of children, reading assessment, curriculum-based assessment;*
- (d) Assessment of personality (including social, emotional, and behavioral assessment of children);*
- (e) Practicum in psychological testing of children;*
- (f) Developmental psychology child and adolescent psychology;*
- (g) Statistics/research methods, research design;*
- (h) Personality theory;*
- (i) Learning process/theory;*
- (j) Abnormal psychology, psychopathology;*
- (k) Educational psychology;*
- (l) Curriculum and instruction;*
- (m) Intervention techniques, consultation, counseling;*
- (n) Social bases of behavior, social psychology, multicultural psychology; and*

(o) *Physiological and neurological bases of behavior.*
(3) *Coursework required in §B(2)(a), (h)—(l), and (n) of this regulation may be taken at the undergraduate level.*

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

(1) *Option I.*

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

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

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

(2) *Option II.*

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

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

.09 School Psychologist.

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

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

(1) *Option I:*

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

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

(2) *Option II:*

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

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

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

(4) *Option IV:*

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

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

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

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

.11 School Social Worker.

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

A. *Masters Social Worker;*

B. *Certified Social Worker; or*

C. *Certified Social Worker — Clinical.*

.12 Gifted and Talented Education Specialist.

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

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

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

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

(3) *An IHE and:*

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

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

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

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

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

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

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

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

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

.13 Renewal of a Specialist License.

A. General.

(1) An applicant who receives a license is responsible for initiating the renewal of the license.

(2) Renewal requirements must be received prior to the expiration date of the license in order to be considered continuous.

(3) Failure to Meet Requirements. Failure to meet the requirements of this section results in loss of the license.

B. Professional Development Requirements. The Initial Professional, Professional, and Advanced 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 Regulation .15 of this chapter based on an individual professional development plan as set forth in Regulation .14 of this chapter that is designed to improve student learning and that is approved, if required, by the educator's supervisor.

C. Application Process.

(1) An educator may renew their Initial Professional, Professional, and Advanced Professional License by submitting the individual professional development plan, renewal application, fee, and verification of completion of all renewal requirements of this chapter.

(2) Persons employed by a Maryland local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10, shall submit documentation directly to the employer.

(3) Persons who are not employed by a Maryland local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 shall submit documentation directly to the Department.

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

(1) The professionally licensed employee is:

(a) 55 years old or older; or

(b) Employed in public or approved nonpublic school service for at least 25 years.

(2) The request is recommended by the county superintendent, executive director, or chief office of the legal authority having jurisdiction over the employee.

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

(1) Depression;

(2) Trauma;

(3) Violence;

(4) Youth Suicide;

(5) Substance Abuse; and

(6) *The identification of professional resources and best practices for distributing resources to parents or guardians to help students in crisis.*

.14 Individual Professional Development Plans.

A. Individual Professional Development Plans.

(1) *An individual professional development plan must be in place for each of the five years of validity for each Initial Professional, Professional, and Advanced Professional license issued to an educator.*

(2) *An individual professional development plans shall include a minimum of 90 professional development points, as set forth in Regulation .15 of this chapter, to renew the educator's License.*

(3) *Educators who are not employed with a local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 are responsible for developing their own individual professional development plan.*

B. Approval of an Individual Professional Development Plan.

(1) *Educators working in a Maryland local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 must obtain approval of their proposed individual professional development plan from their supervisors.*

(2) *Approval for proposed individual professional development plans shall be from the educator's supervisor, or an appropriate designee.*

(3) *Educators must obtain initial approval of their individual professional development plan within six months of issuance of the license to be renewed.*

(4) Supervisor Review.

(a) *A supervisor shall review the existing individual professional development plan of any educator new to the district or school within three months of the educator's beginning employment in the new position.*

(b) *A supervisor may require an educator to amend the plan or may withdraw approval for a plan that had been previously approved, provided, however, that any professional development points that were earned consistently with an approved plan shall be deemed approved in applying for license renewal.*

(5) Signatures.

(a) *Prior to applying to renew an Initial Professional, Professional, or Advanced Professional license, educators shall obtain a signature from a current supervisor.*

(b) *A supervisor's signature will indicate that the supervisor has reviewed the log of professional development activities maintained by the educator to ensure that the reported activities are consistent with the approved individual professional development plan.*

(c) *The educator remains responsible for the final accounting of professional development points applied towards license renewal.*

(d) *An educator whose supervisor refuses to sign an Individual professional development plan may follow the review procedures set forth in §B(7) of this regulation.*

(6) *Approval of an individual professional development plan shall not be unreasonably withheld by a supervisor.*

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

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

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

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

.15 Professional Development Points.

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

(1) *One clock hour is equivalent to one PDP.*

(2) *One semester hour is equivalent to 15 PDPs.*

(3) *One Department approved continuing professional development credit is equivalent to 15 PDPs.*

(4) *One continuing education unit is equivalent to ten PDPs.*

B. Specialists applying to renew a Professional or Advanced Professional License are required to complete a minimum of 90 PDPs to include:

(1) *Content related to an area on the educator's license;*

(2) *Students with disabilities; and*

(3) *Culturally Responsive Teaching or diversity in education.*

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

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

D. Professional development points may be accrued by the completion of one of more of the following:

- (1) College credit earned or taught at an accredited institution of higher education.*
- (2) Continuing professional development (CPD) credits, earned or taught, approved by the Department.*
- (3) Continuing education units (CEUs) from an accredited International Association for Continuing Education and Training provider or approved by another Maryland State agency for purposes of licensure.*
- (4) Professional conference. A professional conference is a workshop, institute, or seminar of four or more hours that contributes to ongoing, sustained, and high-quality professional development.*
- (5) Curriculum development.*

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

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

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

(6) Publication of a book or article.

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

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

(c) Books shall be published for purchase.

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

(7) Mentorship.

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

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

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

(8) Micro-credentials.

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

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

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

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

(9) Professional development activity.

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

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

E. An educator who earns a National Board Certificate from the National Board of Professional Teaching Standards may present that certificate at the time of the subsequent renewal of their Maryland Educator License as a substitute for §B of this regulation

Chapter 05 Administrators and Supervisors

Authority: Education Article, §§2-205, 2-303(g), 6-701—6-708, and 8-3A-03, 8-701--8-708 Annotated Code of Maryland

.01 Purpose.

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

.02 Licenses for Administrators and Supervisors.

A. Types of Administrator/Supervisor Licenses.

(1) Initial Professional.

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

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

(2) Professional.

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

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

- (i) Verification of 3 years of effective administrative or supervisory performance; and
- (ii) Completion of a Maryland induction program, if applicable.

(3) Advanced Professional.

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

(b) An applicant who has met the requirements of one of the pathways to licensure under this chapter may be eligible for an Advanced Professional License if they meet the requirements for the Professional License under §A(2) of this regulation and submit one of the following:

- (i) A master's or higher degree;
- (ii) At least [36]30 semester hours of post baccalaureate credit; or
- (iii) A National Board Certificate issued by the National Board for Professional Teaching Standards.

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

.03 Supportive Services Personnel.

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

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

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

.04 Superintendents.

A. Superintendent I.

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

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

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

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

(b) Completed one of the following:

- (i) A Department-approved program which leads to licensure as a superintendent;

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

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

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

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

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

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

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

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

B. Superintendent II.

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

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

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

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

(b) Have completed one of the following:

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

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

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

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

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

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

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

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

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

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

.05 Supervisors of Instruction, Assistant Principals, and Principals.

A. Application of Regulation.

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

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

B. Administrator I.

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

(2) The applicant shall have:

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

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

(3) Completed one of the following:

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

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

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

(i) *Curriculum, instruction, and assessment;*

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

(iii) *Legal issues and ethical decision-making;*

(iv) *School leadership, management and administration; and*

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

C. Administrator II.

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

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

(a) *Complete the requirements for Administrator I; and*

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

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

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

.06 Library Media Administrator.

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

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

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

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

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

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

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

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

.07 Supervisor of School Counseling.

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

A. *Meet the requirements for licensure as a school counselor;*

B. *Have 3 years of effective performance as a school counselor; and*

C. *Have 12 semester hours of graduate credit from an IHE in any of the following areas with at least 6 semester hours in school supervision or school administration:*

(1) *Management,*

(2) *School supervision,*

(3) *School administration,*

(4) *Program development,*

(5) *Program evaluation.*

.08 Supervisor of School Psychological Services.

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

A. *Meet the requirements for licensure as a school psychologist under COMAR 13A.12.03.07;*

B. *Have a doctoral degree:*

(1) From a state or accredited school psychology program, a national educator preparation accreditation organization, National Association of School Psychologists, or American Psychological Association accredited school psychology program; or

(2) In psychology or education or human development.

C. As part of or in addition to §B of this regulation, have 9 semester hours of graduate credits including 3 semester hours in school law and 6 semester hours in supervision, management, or administration of schools; and

D. Have 3 years experience as a school psychologist under COMAR 13A.12.04.09.

.09 Supervisor of Pupil Personnel.

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

A. Meet the requirements for licensure as a pupil personnel worker;

B. Have a master's degree from an IHE;

C. As part of or in addition to §B of this regulation, have a graduate course in the area of administration and supervision; and

D. Have 3 years of successful teaching experience. At the recommendation of the local superintendent of schools, related experience may be substituted for teaching experience.

.10 Supervisor of Special Education.

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

(1) Meet the requirements for licensure in special education; and

(2) Meet the requirements for licensure as an Administrator II.

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

(1) Meet the requirements for licensure in special education; and

(2) Meet the requirements for licensure as an Administrator I.

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

.11 Supervisor of Speech Pathologists and Audiologists.

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

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

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

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

.12 Supervisor of Teachers of Deaf and Hard of Hearing.

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

A. Meet the requirements for licensure as a teacher of the deaf and hard of hearing;

B. Have a master's degree from an IHE with at least one course in administrative and supervisory techniques and one course in curriculum development; and

C. Have experience that includes:

(1) Three years of successful teaching experience with the deaf and hard of hearing, or

(2) Four years paid experience or its equivalent in a school setting with 2 years successful teaching experience with the deaf and hard of hearing.

.13 Renewal of an Administrator/Supervisor License.

A. General.

(1) An applicant who receives a license is responsible for initiating the renewal of the license.

(2) Renewal requirements must be received prior to the expiration date of the license in order to be considered continuous.

(3) Failure to Meet Requirements. Failure to meet the requirements of this section results in loss of the license.

B. Professional Development Requirements. The Initial Professional, Professional, and Advanced 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 Regulation .15 of this chapter based on an individual professional development plan as set forth in Regulation .14 of this chapter that is designed to improve student learning and that is approved, if required, by the educator's supervisor.

C. Application Process.

(1) An educator may renew their Initial Professional, Professional, or Advanced Professional License by submitting the individual professional development plan, renewal application, fee, and verification of completion of all renewal requirements of this chapter.

(2) Persons employed by a Maryland local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10, shall submit documentation directly to the employer.

(3) Persons who are not employed by a Maryland local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 shall submit documentation directly to the Department.

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

(1) The professionally licensed employee is:

(a) 55 years old or older; or

(b) Employed in public or approved nonpublic school service for at least 25 years.

(2) The request is recommended by the county superintendent, executive director, or chief office of the legal authority having jurisdiction over the employee.

.14 Individual Professional Development Plans.

A. Individual Professional Development Plans.

(1) An individual professional development plan must be in place for each of the five years of validity for each Initial Professional, Professional, and Advanced Professional license issued to an educator.

(2) An individual professional development plans shall include a minimum of 90 professional development points, as set forth in Regulation .15 of this chapter, to renew the educator's license.

(3) Educators who are not employed with a local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 are responsible for developing their own individual professional development plan.

B. Approval of an Individual professional development plan.

(1) Educators working in a Maryland local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 must obtain approval of their proposed individual professional development plan from their supervisors.

(2) Approval for proposed individual professional development plans shall be from the educator's supervisor, or an appropriate designee.

(3) Educators must obtain initial approval of their individual professional development plan within six months of issuance of the license to be renewed.

(4) Supervisor Review.

(a) A supervisor shall review the existing individual professional development plan of any educator new to the district or school within three months of the educator's beginning employment in the new position.

(b) A supervisor may require an educator to amend the plan or may withdraw approval for a plan that had been previously approved, provided, however, that any professional development points that were earned consistently with an approved plan shall be deemed approved in applying for license renewal.

(5) Signatures.

(a) Prior to applying to renew an Initial Professional or Professional license, educators shall obtain a signature from a current supervisor.

(b) A supervisor's signature will indicate that the supervisor has reviewed the log of professional development activities maintained by the educator to ensure that the reported activities are consistent with the approved individual professional development plan.

(c) The educator remains responsible for the final accounting of professional development points applied towards license renewal.

(d) An educator whose supervisor refuses to sign an individual professional development plan may follow the review procedures set forth in §B(7) of this regulation.

(6) Approval of an individual professional development plan shall not be unreasonably withheld by a supervisor.

- (7) In the event that a plan is rejected by a supervisor, an educator may seek review of the denial from:
- (a) The superintendent of schools, or designee, if employed with a local school system;
 - (b) The Chief Officer of the Legal Authority, or designee, if employed with a nonpublic school approved under COMAR 13A.09.10; or
 - (c) The Executive Director, or comparable position, if employed with a State-operated school.

.15 Professional Development Points.

- A. Professional Development Point (PDP). A unit of measurement of professional development activities.
- (1) One clock hour is equivalent to one PDP.
 - (2) One semester hour is equivalent to 15 PDPs.
 - (3) One Department approved continuing professional development credit is equivalent to 15 PDPs.
 - (4) One continuing education unit is equivalent to ten PDPs.
- B. Administrators/Supervisors applying to renew a Professional or Advanced Professional License are required to complete a minimum of 90 PDPs to include:
- (1) Administration and supervision;
 - (2) Students with disabilities;
 - (3) Culturally Responsive Teaching or diversity in education; and
 - (4) If employed in a local school system, State-operated school, or nonpublic school approved under COMAR 13A.09.10 and assigned in an administrator or supervisor position, PDPs submitted must include the completion of a Department-approved evaluator training.
- C. Professional development points may be accrued by the completion of one of more of the following:
- (1) College credit earned or taught at an accredited institution of higher education.
 - (2) Continuing professional development (CPD) credits, earned or taught, approved by the Department.
 - (3) Continuing education units (CEUs) from an accredited International Association for Continuing Education and Training provider or approved by another Maryland State agency for purposes of licensure.
 - (4) Professional conference. A professional conference is a workshop, institute, or seminar of four or more hours that contributes to ongoing, sustained, and high-quality professional development.
 - (5) Curriculum development.
 - (a) Curriculum development is a group activity in which the license holder contributes to the improvement of the curriculum of a school, a school division, or an educational institution.
 - (b) This includes the alignment of curriculum frameworks, instructional materials, and assessments to provide a system with clear expectations of what is to be taught and learned.
 - (c) For each curriculum developed, the educator will be awarded up to 30 PDPs.
 - (6) Publication of a book or article.
 - (a) The book or article shall contribute to the education profession or to the body of knowledge of the license holder's teaching area or instructional position.
 - (b) An article shall be published in a recognized professional journal.
 - (c) Books shall be published for purchase.
 - (d) For each book published, the educator will be awarded up to 75 PDPs. For each article published, the educator will be awarded up to 10 PDPs.
 - (7) Mentorship.
 - (a) Mentoring is the process by which an experienced professional who has received mentorship training provides assistance to one or more persons for the purpose of improving their performance.
 - (b) Assistance may involve role modeling, direct instruction, demonstration, observation with feedback, developing of plans, and consultation to promote instructional excellence and increased student achievement.
 - (c) Mentoring may include the supervision of a field experience of a pre-service student teacher or an intern in an approved teacher preparation program, as well as mentoring as part of the induction process for a beginning teacher.
 - (8) Micro-credentials.
 - (a) Micro-credentials are a digital form of certification indicating demonstrated competency/mastery in a specific skill or set of skills.
 - (b) Educators identify a competency they want to develop, submit evidence that they have mastered the competency, and receive a digital badge once the evidence is approved.
 - (c) Micro-credentials can be earned by non-profit and for profit entities approved by the local school system, State-operated school, nonpublic school, or the Department.
 - (d) For each micro-credential earned, the educator will be awarded up to 10 PDPs.

(9) Professional development activity.

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

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

E. An educator who earns a National Board Certificate from the National Board of Professional Teaching Standards may present that certificate at the time of the subsequent renewal of their Maryland Educator License as a substitute for §B(1)-(3) of this regulation

Chapter 06 Disciplinary Actions and Denials

Authority: Education Article, §§2-205, 2-303(g), and 6-701—6-708; Family Law Article, §10-119.3; Annotated Code of Maryland

.01 Definitions.

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

B. Terms Defined.

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

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

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

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

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

.02 Causes for Disciplinary Action or Denial.

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

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

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

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

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

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

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

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

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

(a) Contributing to the delinquency of a minor;

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

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

(d) A controlled dangerous substance offense if:

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

(ii) *The individual has been convicted and the clerk of the court has certified and reported the controlled dangerous substance conviction to the Department consistent with Criminal Law Article §5–810, Annotated Code of Maryland, based on a finding by the court that a relationship exists between the conviction and the license.*

(2) *Willfully and knowingly:*

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

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

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

(d) *Commits a violation of the test security and data reporting policy and procedures set forth in COMAR*

13A.03.04;

(3) *Fraudulently or deceptively obtains a license;*

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

(5) *Is dismissed or resigns after notice of allegation of misconduct involving a student in any school system or any minor;*

(6) *Is dismissed or resigns after notice of allegation of misconduct involving any cause for denial, suspension or revocation of a license provided in this regulation;*

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

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

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

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

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

(c) *Sexual solicitation of a minor;*

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

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

.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 an applicant, license holder, or both pursuant to Regulation .02 of this chapter:

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

(a) *Individual is currently employed or 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) *Individual is currently employed or was employed by the nonpublic school at the time the conduct occurred, or*

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

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

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

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

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

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

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

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

(a) *The parties may agree to a joint recommendation to the State Superintendent of Schools on the resolution of the case;*

(b) *The joint recommendation is not binding; and*

(c) The State Superintendent of Schools may accept or reject the recommendation.

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

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

(1) Send the applicant, license holder, or both written notice of the charges; and

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

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

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

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

H. Voluntary Surrender.

(1) An educator who is under investigation or facing charges for a cause listed in Regulations .02C and D of this chapter may voluntarily surrender his or her license.

(2) A license that is voluntarily surrendered shall be treated as a revocation by the Department and may not be reinstated, except as described in Regulation .09 of this chapter.

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

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

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

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

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

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

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

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

K. Denial.

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

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

(3) An individual under investigation for a cause under .02 of this chapter shall remain ineligible for a license pending the result of the investigation.

(4) An individual whose failure to pay child support meets the criteria for denial of a professional license pursuant to Family Law Article, §10-119.3, Annotated Code of Maryland, following written notification to the State Superintendent of Schools by the Department of Human Services, Child Support Enforcement Administration, is ineligible for a license.

(a) Prior to denial of a license, the State Superintendent shall send written notice to the individual, including the right to contest the identity of the individual whose license shall be denied.

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

(c) The State Superintendent shall immediately withdraw the denial of an application for a license if notified by the Department of Human Services, Child Support Enforcement Administration, that the individual is eligible for a professional license and the individual otherwise qualifies for a license.

.04 Hearing Procedures.

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

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

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

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

E. The 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. A party objecting to the administrative law judge's proposed decision may file exceptions with the State Superintendent of Schools within 15 calendar days of the date of the decision.

(1) A copy of the exceptions shall be provided to the opposing party;

(2) An opposing party may respond to the exceptions within 15 calendar days of the date of the exceptions;

(3) All parties shall have an opportunity for oral argument before the State Superintendent of Schools before a final decision is rendered; and

(4) 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 contested cases dealing with the revocation, suspension, or denial of a license.

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

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

.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 of the date of the decision.

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

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

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

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

F. The State Superintendent of Schools may stay the enforcement of the original decision at his or her discretion, upon a finding of good cause.

G. The State Superintendent of Schools may, at his or her discretion, abrogate, change, or modify the original decision, or remand the case to the administrative law judge.

.08 Educator Identification Clearinghouse

A. The Educator Identification Clearinghouse is maintained by the National Association of State Directors of Teacher Education and Certification to provide a mechanism for licensing agencies to exchange names of educators whose licenses have been denied, revoked, suspended, or surrendered.

B. The State Superintendent of Schools shall notify the Educator Identification Clearinghouse of all surrender, suspension, revocation, and denial decisions as part of the interstate certification data exchange.

C. Only final actions that are matters of public record will be provided to the Clearinghouse.

D. The existence of a record in the Educator Identification Clearinghouse alone is not grounds for a reciprocal action.

.09 Reinstatement.

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

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

C. Reinstatement Review Panel.

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

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

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

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

(a) The nature and circumstances of the individual's original misconduct;

(b) The individual's subsequent conduct and reformation;

(c) The individual's present character; and

(d) The individual's present qualifications and competence.

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

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

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

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

Chapter 07 Professional Standards and Teacher Education Board

Authority: Education Article, §6-701 and §6-704, Annotated Code of Maryland

.01 Promulgation of Regulations.

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

(1) The licensure of teachers and other professional personnel; and

(2) Requirements for preparation of teachers and other education personnel.

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

.02 Review Board — Scope.

The procedures in Regulations .03—.08 of this chapter govern all appeals from rulings of the licensure staff taken to the Review Board of the PSTEB. The appeals do not constitute contested cases under the Administrative Procedure Act, State Government Article, Title 10, Subtitle 2, Annotated Code of Maryland.

.03 Review Board — Method of Appeal.

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

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

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

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

(1) Cause the entire file concerning the ruling to be transmitted to the Review Board.

(2) Acknowledge receipt of the request in writing to the appellant;

(3) Send a copy of this chapter to the appellant; and

(4) Schedule the appeal promptly before the Review Board, allowing reasonable advance notice to all parties.

.04 Review Board — Appeal on the Record.

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

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

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

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

.05 Review Board — Appeal in Person.

A. At the written request of the appellant, the Review Board shall allow oral argument on the appeal.

B. Oral presentations at the hearing shall be limited to 15 minutes for a representative of the licensure staff, followed by 15 minutes for the appellant.

C. The Review Board may ask questions of either party. Other oral presentation or testimony is not permitted.

D. Both parties may present a written summary of their oral presentation.

.06 Review Board — Findings and Recommendations.

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

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

(1) Issues in question;

(2) Findings of fact;

(3) Conclusions of law; and

(4) Recommendations and reasons for them.

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

.07 Review Board — Exceptions.

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

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

.08 Review Board — Final Determination.

A. The PSTEB shall make the final determination in each appeal from rulings of the licensure staff.

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