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MEMORANDUM

TO: Chief Officer of the Legal Authority/Designee
FROM: Joann Ericson ^{JE} Chief, Certification Branch
DATE: October 4, 2011
RE: Certification Requests

On May 16, 2011, Sarah Spross, Chief, Nonpublic School Approval Branch, and I reinforced that teachers teaching special education with the exception of Art, Music, Physical Education, and Health, must be certified in special education at the appropriate age/grade level. As was stated in Dr. Baglin and Dr. Smeallie's June 22, 2007 memo:

“Nonpublic schools approved by the Maryland State Department of Education to provide special education and related services are obliged to hire and retain qualified personnel as required by COMAR. COMAR 13A.12.01.03B.(3) states: Nonpublic School Personnel. A teacher, specialist, administrator, and supervisor employed in an early childhood, elementary, and secondary school program in nonpublic schools approved by the State Board of Education under COMAR 13A.09.10 shall hold an appropriate certificate as provided under COMAR 13A.12.02, 13A.12.03, and 13A.12.04. COMAR 13A.05.02.12A.(2) and (4) states: An in-State nonpublic school offering special education and related services may have the program approved if the nonpublic school: (2) Meets the requirements of COMAR 13A.09.10.18A-C; and (4) Employs teachers who meet the highest standard of the Department and the requirements of 34CFR§300.18.”

Therefore, effective July 1, 2011, all new hires must be certified in generic special education unless solely teaching art, music, physical education and/or health.

Individuals who are currently on a conditional certificate with a certification area other than the appropriate generic special education area may continue until the initial professional certificate is issued. It is recommended that these individuals seek an endorsement in generic special education at the earliest possible date so as to comply with the aforementioned regulation and federal legislation.

Thank you for your attention to this matter.

C: Marcella Franczkowski
Jodi King
Jean Satterfield
Sarah Spross