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**TO:** Members of the State Board of Education

**FROM:** Karen B. Salmon, Ph.D.

**DATE:** January 30, 2018

**RE:** COMAR 13A.12.01.04  
*Options for Obtaining Initial Maryland Certification*  
**AMEND- PERMISSION TO PUBLISH**

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**PURPOSE:**

The purpose of this item is to request permission to publish amendments to Code of Maryland Regulations (COMAR) 13A.12.01.04 *Options for Obtaining Initial Maryland Certification* (Attachment I). Amendments are being proposed to provide both a direct pathway for initial certification for those individuals who have achieved National Board Certification as well as those content experts seeking an adjunct teacher certificate.

**REGULATION PROMULGATION PROCESS:**

Under Maryland law, a state agency, such as the State Board of Education (SBOE), may propose a new regulation whenever the circumstances arise to do so. The SBOE shares joint authority with the Professional Standards and Teacher Education Board (PSTEB) to develop regulations governing teacher certification and preparation. When the SBOE initiates a regulatory change concerning certification, the PSTEB must review the proposed regulation. If a majority of the PSTEB members approve of the regulation, the regulation promulgation process continues. If a majority of the PSTEB members disapprove of the proposed regulation, the regulation will not move forward unless approved by a super-majority of the SBOE (three-fourths of its members).

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

## **HISTORICAL BACKGROUND:**

### National Board Certification

During the 2015 Maryland legislative session, Senate Bill 493 Teacher Induction Retention and Advancement Act (TIRA) was passed. The TIRA emphasized the importance of National Board Certification and its impact on student learning. The certification subcommittee of the TIRA workgroup was charged with exploring ways to incorporate National Board Certification into Maryland's educator certification structure.

The committee examined eligibility requirements associated with becoming Nationally Board Certified and found that in order to participate in the program, a candidate must possess a bachelor's degree from an accredited institution, have completed three years of successful teaching, and hold a valid state teaching license. In Maryland, an individual who presents a bachelor's degree, three years of successful teaching experience in the past seven years, and a valid out-of-state teaching certificate, qualifies for Maryland certification. The committee felt strongly that developing a direct pathway to initial certification for those who achieve National Board Certification made sense.

### Adjunct Teacher

During the 2016 Maryland legislative session, Anne Arundel County sponsored House Bill 617, Adjunct Instructor Program, allowing the Anne Arundel County Board of Education (AABOE) to issue an adjunct certificate to an individual who is employed to teach part time in an area identified by AABOE as requiring a content expert. This bill did not pass; however, many Local Education Agencies (LEAs) expressed interest in the idea of an adjunct certificate. Given the recently proposed legislation, the certification subcommittee of the TIRA was charged with exploring the concept of an adjunct certificate.

The committee found that several states have developed an adjunct certification to allow content experts the opportunity to share their expertise in the classroom. For example:

- South Carolina currently offers an adjunct certificate to individuals who hold a bachelor's degree and either have a major in, or pass the Praxis subject assessment in a South Carolina certificate area, as well as provides verification of five years of occupational experience in the content field of the certification area; and
- Georgia offers an adjunct certificate in all trades and industry fields, as well as healthcare sciences, to individuals with an associate's degree and two years of occupational experience who hold an applicable industry license. Additionally, Georgia allows an individual with a bachelor's degree in any major, and two years of applicable occupational experience, to qualify for an adjunct certificate in one of several identified shortage areas.

The TIRA workgroup recognized that Maryland LEAs are not currently able to offer specialty and professional technical programs in critical staffing shortage areas. Current certification regulations do not allow an LEA the flexibility to place individuals with highly specialized content expertise, who are interested in teaching on a part time basis, in the classroom as a teacher of record unless they are issued a conditional certificate. Conditional certificates are designed for an individual who is working toward professional certification as a full time teacher of record. The committee agreed that an adjunct certificate should be developed, but be limited in scope and designed to meet the needs of the LEA in which the individual is employed.

Based on the recommendation of the TIRA workgroup, the MSDE is proposing new regulatory language to create a new certificate called the adjunct certificate.

**PROPOSED AMENDMENTS:**

Code of Maryland Regulation 13A.12.01.04E establishes the pathway for the issuance of an initial certificate to those individuals who have achieved National Board Certification.

Code of Maryland Regulation 13A.12.01.04J establishes the pathway for the issuance of an adjunct teacher certificate. Eligibility requirements are outlined in proposed regulation COMAR 13A.12.01.08-1, *Adjunct Certificate*.

**SUMMARY:**

Proposed amendments to COMAR 13A.12.01.04 *Options for Obtaining Initial Maryland Certification* provide a direct pathway for initial certification for those individuals who have achieved National Board Certification as well as those content experts seeking an adjunct teacher certificate.

**ACTION:**

Request permission to publish amendments to Code of Maryland Regulations (COMAR) 13A.12.01.04 *Options for Obtaining Initial Maryland Certification*.

Attachment (1)

## 13A.12.01 Certification – General Provision

### .04 Options for Obtaining Initial Maryland Certification.

A. An applicant shall fulfill initial certification standards by completing one of the approved options in §§B—G of this regulation or a local school system may request a conditional certificate for an applicant who does not meet the requirements for a professional certificate, if the requirements under Regulation .08 of this chapter are satisfied.

B. Maryland Approved Programs. The applicant shall complete a program approved by the State Superintendent of Schools under COMAR 13A.07.06. Graduates of these programs, after completing all application procedures, shall receive certification without analysis of transcripts by the Department or its designee.

C. Approved Out-of-State Teacher Education Programs. The applicant shall complete a program offered by an IHE leading to teacher certification in the state in which the institution is located, for which a comparable Maryland certificate is issued.

D. Approved Out-of-State Specialist or Administrator Programs. The applicant shall complete a graduate program offered by an IHE under COMAR 13A.12.03 and COMAR 13A.12.04 leading to specialist, administrator, or supervisor certification in the state in which the institution is located for which a comparable Maryland certificate is offered, if the requisite experience is submitted.

*E. National Board Certification. The applicant shall earn National Board Certification from the National Board for Professional Teaching Standards, for which a comparable Maryland certificate is issued.*

[E]F. Approved Professional Experience.

(1) The applicant shall:

(a) Present a valid professional state certificate and verification of at least 27 months of satisfactory school-related experience on the basis of which application is being made for a like or comparable Maryland certificate during the past 7 years in the certification area sought; and

(b) If applicable to the certification being sought, meet the degree requirement under COMAR 13A.12.03 or 13A.12.04; or

(2) The applicant shall:

(a) Present valid professional certification from a country other than the United States and verification of 27 months of satisfactory school-related experience on the basis of which application is being made for a like or comparable Maryland teaching certificate during the past 7 years in the certification area sought;

(b) Demonstrate proficiency in both spoken and written English; and

(c) If applicable to the certificate being sought, also meet the degree requirements under COMAR 13A.12.03 or 13A.12.04.

[F]G. Regulation .05 of this chapter is not applicable to applicants under §[E]F(2) of this regulation.

[G]H. Transcript Analysis. The applicant shall present verification of satisfactory completion of the requirements of a specific area under COMAR 13A.12.02, 13A.12.03, or 13A.12.04, with the required grades.

[H]I. Maryland Resident Teacher Program. A local school system may request a Maryland Resident Teacher Certificate for an applicant who does not meet the requirements for a professional certificate, if the requirements under Regulation .07 of this chapter are satisfied.

*J. Adjunct Teacher. A local school system may request an adjunct certificate for an applicant who does not meet the requirements for a professional certificate, if the requirements under Regulation .08-1 of this chapter are satisfied.*