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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.12.03.04
Pupil Personnel Worker
AMEND – PERMISSION TO PUBLISH

PURPOSE:

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

REGULATION PROMULGATION PROCESS:

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

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

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

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

HISTORICAL BACKGROUND:

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

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

On December 7, 2017, the PSTEB granted permission to publish the proposed regulations.

PROPOSED AMENDMENTS:

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

SUMMARY:

Code of Maryland Regulation 13A.12.03.04 *Pupil Personnel Worker* requires revision to clarify regulatory language and align it with current MSDE practice.

ACTION:

Request permission to publish amendments to COMAR 13A.12.03.04 *Pupil Personnel Worker*.

13A.12.03 Certification - Specialists

.04 Pupil Personnel Worker.

The requirements for certification 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,
- (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 selected from at least seven of the following eight areas:

- (1) School law (required),
- (2) Counseling methods,
- (3) Early childhood or adolescent psychology, or both,
- (4) Multicultural issues,
- (5) Family systems/dynamics,
- (6) Delivery of pupil personnel services and programs,
- (7) Abnormal psychology or juvenile delinquency, or both,
- (8) Educational assessment interpretation;

C. 3 years of satisfactory teaching experience, or, at the recommendation of a local superintendent of schools, [2 years of] related experience may be substituted for [2 years of] teaching experience; and

D. 3 semester hours of credit or State-approved CPDs in inclusion of special needs student populations.