



**Karen B. Salmon, Ph.D.**  
State Superintendent of Schools

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

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

**DATE:** August 28, 2018

**SUBJECT:** COMAR 13A.08.01.06  
*Educational Programs for Pregnant Girls*  
**ADOPTION - REPEAL**

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**PURPOSE:**

The purpose of this item is to request adoption of the repeal of COMAR 13A.08.01.06 *Educational Programs for Pregnant Girls*. The current regulation requires local school systems to provide appropriate school programs for all students, including pregnant girls, that include provisions for counseling, pupil personnel work, social work, and psychological services as needed.

**REGULATION PROMULGATION PROCESS:**

Under Maryland law, a state agency, such as the State Board, may propose a new regulation whenever the circumstances arise to do so. After the State Board votes to propose such a regulation, the proposed regulation is sent to the Administrative, Executive and Legislative Review (AELR) Committee 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, Maryland State Department of Education (MSDE) staff reviews and summarizes the public comments. Thereafter, MSDE staff will present a recommendation to the State Board of Education to either: (1) adopt the regulation in the form it was proposed; or (2) revise the regulation and adopt it as final because 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.

**BACKGROUND/HISTORICAL PERSPECTIVE:**

COMAR 13A.08.01.06 *Educational Programs for Pregnant Girls* became effective July 26, 1967 with the last revisions to section .06 in December 1984. Based on a review of the regulation by MSDE staff, the recommendation is that the regulation is out-of-date and that the provisions of the regulation are covered in Maryland statute and other COMAR regulations.

**EXECUTIVE SUMMARY:**

The Annotated Code of Maryland, Education Article 7-301 - Compulsory Attendance, COMAR 13A.05.05.01-.04 – *Coordinated Programs of Pupil Services*, COMAR 13A. 04.18.01 - *Comprehensive Health Education Instructional Programs for Grades Prekindergarten – 12*, and the Maryland Student Records System Manual contain the necessary provisions for all students, including students identified in COMAR 13A.08.01.06. Therefore, the MSDE requested the repeal of this regulation at the April 24, 2018 State Board meeting. The regulation was published in the Maryland Register from June 22, 2018 through July 23, 2018. No comments were received,

**ACTION:**

Request adoption of the repeal COMAR 13A.08.01.06 *Educational Programs for Pregnant Girls*.

(b) *Has a multistate licensure privilege to practice registered nursing;*  
 (2)—(4) (text unchanged)  
 B.—C. (text unchanged)

**10.27.26 Sanctioning Guidelines**

Authority: Health Occupations Article, §§1-606, 8-205(a)(1), 8-316, 8-6A-10, and 8-6B-18, Annotated Code of Maryland

**.02 Definitions.**

- A. (text unchanged)
- B. Terms Defined.
  - (1) (text unchanged)
  - (2) “Certificate holder” means an individual who has been issued a certificate by the Board to practice as a certified nursing assistant, or a certified medication technician.
  - (3)—(4) (text unchanged)
  - (5) “Licensee” means an individual who [has]:
    - (a) *Has* been issued a license by the Board to practice as [a]:

- (i) A registered nurse[.];
- (ii) A licensed practical nurse[, or as an];
- (iii) An advanced practice registered nurse;
- (iv) An electrologist[.]; or
- (v) A licensed direct-entry midwife; or
- (b) *Has a multistate licensure privilege to practice licensed practical nursing or registered nursing under the Nurse Licensure Compact.*  
 (6) “Multistate licensure privilege” has the meaning set forth in COMAR 10.27.01.01B.  
 [(6)] (7)—[(7)] (8) (text unchanged)

**.07 Sanctioning Guidelines.**

Subject to the provisions of this chapter, the Board may impose sanctions for violations of the Maryland Nurse Practice Act and its regulations according to the guidelines set forth in the following categories:  
 A.—L. (text unchanged)

M. Expulsion from [Rehabilitation] *Safe Practice* Program.

Severity	Tier/Conduct	Sanction Range		Monetary Penalty Range	
		Minimum	Maximum	Minimum	Maximum
N/A	Is expelled from the [Rehabilitation] <i>Safe Practice</i> Program established under Health Occupations Article, §8-208, Annotated Code of Maryland, for failure to comply with the conditions of the program.	(text unchanged)			

ROBERT R. NEALL  
 Secretary of Health

**Title 13A  
 STATE BOARD OF  
 EDUCATION**

**Subtitle 08 STUDENTS**

**13A.08.01 General Regulations**

Authority: Education Article, §§2-205, 7-101, 7-101.1, 7-301, 7-303—7-305, 7-307, 7-308, and 8-404, Annotated Code of Maryland; Ch. 273, Acts of 2016; Federal Statutory Reference: 20 U.S.C. §§1232g and 7912

**Notice of Proposed Action**  
 [18-158-P]

The Maryland State Board of Education proposes to repeal Regulation .06 under **COMAR 13A.08.01 General Regulations**. This action was considered at the April 24, 2018, meeting of the State Board of Education.

**Statement of Purpose**

The purpose of this action is to repeal the regulation because it is out-of-date. The provisions of the regulation are covered in Education Article, §§7-301 and 7-301.1, Annotated Code of Maryland and in COMAR 13A.05.05.01—.04 Programs of Pupil Services.

**Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

**Estimate of Economic Impact**

The proposed action has no economic impact.

**Economic Impact on Small Businesses**

The proposed action has minimal or no economic impact on small businesses.

**Impact on Individuals with Disabilities**

The proposed action has no impact on individuals with disabilities.

**Opportunity for Public Comment**

Comments may be sent to Walter J. Sallee, Director, Student Services and Strategic Planning, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, Maryland 21201, or call 410-767-1407 (TTY 410-333-6442), or email to walter.sallee@maryland.gov, or fax to 410-333-0880. Comments will be accepted through July 23, 2018. A public hearing has not been scheduled.

**Open Meeting**

Final action on the proposal will be considered by the State Board of Education during a public meeting to be held on August 28, 2018, 9 a.m., at 200 West Baltimore Street, Baltimore, Maryland 21201.

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