



200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • MarylandPublicSchools.org

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

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

**DATE:** February 27, 2018

**SUBJECT:** COMAR 13A.12.01.08-1  
*Adjunct Certificate*  
**PERMISSION TO PUBLISH**

---

**PURPOSE:**

The purpose of this item is to request permission to publish the promulgation of new Code of Maryland Regulations (COMAR) 13A.12.01.08-1 *Adjunct Certificate* (Attachment I) with clarifying language changes to COMAR 13A.12.01.08-1D. and F.(2). On January 30, 2018, the State Board of Education granted permission to publish proposed regulations for *Adjunct Certificate*. However, on February 1, 2018, the Professional Standards and Teacher Education Board (PSTEB) granted permission to publish proposed regulations with language changes to COMAR 13A.12.01.08-1D and F(2) and therefore, this regulation is being returned to the State Board.

**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 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, the Maryland State Department of Education (MSDE) staff reviews and summarizes the public comments, which are presented to the PSTEB and the State Board. Thereafter, the 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:**

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 the 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 Teacher Induction, Retention, and Advancement Act (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 employment 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.

To assure high quality instruction, the workgroup recommended that LEAs provide mentoring, co-teaching opportunities, and professional development to individuals who receive an adjunct certification. At a minimum, it was recommended that candidates hold a bachelor's degree in a related content area, have five years of successful occupational experience, and hold an industry credential, if applicable.

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

On January 30, 2018, the SBOE granted permission to publish the proposed regulations.

On February 1, 2018, the PSTEB granted permission to publish the proposed regulations with language changes to COMAR 13A.12.01.08-1D and F(2). The changes clarify that the certificate can only be issued to a part-time employee, as defined in COMAR 13A.12.01.02.B(14) and that the local school system: provide either side-by-side coaching or co-teaching with a professional certificated teacher.

**PROPOSED AMENDMENTS:**

The proposed regulatory language changes made by the PSTEB are as follows:

COMAR 13A.12.01.08-1D. An individual who holds an Adjunct Certificate shall not be full-time.

COMAR 13A.12.01.08-1F.(2). An individual who is issued an Adjunct Certificate shall be provided with the following by the employing local school system: side-by-side coaching or co-teaching with a professional certificate teacher.

**SUMMARY:**

New regulatory language (COMAR 13A.12.01.08-1) is being proposed to address the LEAs continuing need to hire individuals with highly specialized content expertise, who are interested in teaching on a part-time basis, as a teacher of record. Specific regulatory language changes from PSTEB, clarify that the Adjunct Certificate can only be issued to a part-time employee and that the local school system: provide either side-by-side coaching or co-teaching with a professional certificated teacher.

**ACTION:**

Request permission to publish the promulgation of new Code of Maryland Regulations (COMAR) 13A.12.01.08-1 *Adjunct Certificate*.

Attachments (1)

### ***13A.12.01 Certification General Provisions***

#### ***13A.12.01.08-1 Adjunct Certificate.***

- A. *Maryland State Department of Education may issue an adjunct certificate upon the request of a local school system superintendent or an education director of a nonpublic school approved under COMAR 13A.09.10.*
- B. *The request for adjunct certification must include:*
  - (1) *Name and credentials of individual;*
  - (2) *Course name and content to be taught; and*
  - (3) *Explanation as to why the position cannot be filled by a qualified certificate holder.*
- C. *The Adjunct Certificate shall not be transferred between local school systems.*
- ~~D.~~ *An individual who holds an Adjunct Certificate shall ~~provide instruction up to/no more than two class periods per day.~~ **shall not be full time.***
- E. *An applicant for an Adjunct Certificate shall meet the following requirements:*
  - (1) *Hold a bachelor's or higher degree from an IHE;*
  - (2) *Hold an industry license, when applicable for the profession; and*
  - (3) *Have five years of satisfactory occupational experience in the field to be taught.*
- F. *An individual who is issued an Adjunct Certificate shall be provided with the following, by the employing local school system:*
  - (1) *A professionally certificated mentor;*
  - (2) ~~*The opportunity to participate in*~~ *Side-by-side coaching or co-teaching with a professionally certificated teacher;*
  - (3) *A minimum of 45 hours of professional development, with 30 hours delivered prior to entry to the classroom and the remainder to be delivered throughout the school year; and*
  - (4) *Evaluations of teacher effectiveness.*
- G. *The Adjunct Certificate issued in accordance with this regulation is valid for a 1-year period and may be renewed upon the request of the local school system.*