



**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:** April 14, 2020  
**SUBJECT:** Request for Waiver Related to Terms of Contract for School Personnel

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**PURPOSE:**

To review waiver recommendations related to requirements for terms of contract for school personnel as a result of the extraordinary circumstances created by the COVID-19 pandemic and resulting school closures.

**BACKGROUND/HISTORICAL PERSPECTIVE:**

The Code of Maryland Regulation (COMAR) 13A.07.02.01 *Contracts* defines contractual requirements for certificated professional employees. The regulation identifies required dates for non-renewal of contracts. As a result of the COVID-19 pandemic and the state of emergency declared by Governor Larry Hogan, Maryland schools have been closed since March 16, 2020, and will be closed at least through April 24, 2020. The Maryland State Department of Education has been fielding questions and concerns regarding the impact of extended closures. An issue that impacts each school system is the logistical barriers to meeting defined contractual deadlines.

**EXECUTIVE SUMMARY:**

COMAR 13A.07.02.01 *Contracts* requires that probationary teachers hired before January 1 receive written notice by May 1 for non-renewal of contract. Probationary teachers hired after January 1 must receive written notice of non-renewal of contract by June 15. Due to circumstances created by the COVID-19 pandemic, it is being requested that deadlines for notice of non-renewal of contracts be extended by at least 45-days.

As a result of reviewing the Maryland Annotated Code, COMAR, and other documents, and based on the authority of the State Board included in COMAR 13A.01.01.02-1 *Waiver from Regulations*, the following waiver is requested:

COMAR 13A.07.02.01 *Contracts*

- Request extension of the May 1 deadline for written notice of non-renewals of certificated employees to be extended to June 15 for probationary teachers hired before January 1.

- Request extension of the June 15 deadline for written notice of non-renewals of certificated employees to be extended to July 29 for probationary teachers hired after January 1.

**ACTION:**

Request approval of the waiver for COMAR 13A.07.02.01 *Contracts*.

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