

TO: Members of the State Board of Education

FROM: Carey M. Wright, Ed.D., Interim State Superintendent of Schools 

DATE: January 23, 2024

SUBJECT: Waiver of COMAR 13A.12.01.11C *Conditional Teacher Certificate*

Purpose

The purpose of this item is to request that the State Board of Education (SBOE) modify the waiver of Code of Maryland Regulation (COMAR) 13A.12.01.11C *Conditional Teacher Certificate*, approved on July 26, 2022, related to the requirements associated with the renewal of the Conditional Teacher Certificate.

Background

In 2022, Maryland local education agencies employed more than double the number of conditionally certified teachers who were employed five years prior, and that number continues to grow each school year. The attrition rate of Maryland public school teachers in 2023 was almost two percentage points higher than pre-pandemic rates, or approximately 1,100 additional teachers, and on the first day of the 2023-2024 school year, there were a total of 1935 teacher vacancies in Maryland.

Maryland has historically relied on recruiting teachers prepared in other states, as well as those professionals who are interested in changing careers because Maryland educator preparation programs do not produce enough candidates to fill the needs of Maryland local education agencies. Career changers who are issued Conditional Teacher Certificates while they complete the requirements for certification are significantly more likely to be teachers of color, and recruiting career changers into the classroom by means of issuing a Conditional Teacher Certificate continues to be a critical means of diversifying the teaching profession.

On July 26, 2022, the State Board of Education (SBOE) approved two, three-year waivers of COMAR 13A.12.01.11C *Conditional Teacher Certificate*, at the request of the State Superintendent of Schools on behalf of multiple local education agencies. The waivers were as follows:

1. *COMAR 13A.12.01.11C(1)- An applicant may hold **only one** Conditional Teacher Certificate which may be renewed in accordance with this regulation.*

Effective July 26, 2022, a local education agency, State-operated school, or nonpublic school approved under COMAR 13A.09.10 may renew a Conditional Teacher Certificate with an expiration date between July 1, 2020, and July 1, 2023, if that entity has hired the certificate holder to serve as a teacher of record in the subject area on that person's Conditional Teacher Certificate and attests to the certificate holder's ability to serve in that position on a Department-approved attestation form. This includes those certificate holders who have already held both the initial and renewed Conditional Teacher Certificate for a total of four years.

2. *COMAR 13A.12.01.11C(2)- A Conditional Teacher Certificate may be renewed for 2 years, only one time, upon the recommendation of the local superintendent of schools, if the applicant has:*

(a) Completed a minimum of 12 semester hours of course work toward the professional certificate during the 2-year period; and

(b) Achieved a qualifying score on the basic skills teacher certification test if required under Regulation .05A(3) of this chapter.

Effective July 26, 2022, a local education agency, State-operated school, or nonpublic school approved under COMAR 13A.09.10 may renew a Conditional Teacher Certificate with an expiration date between July 1, 2020, and July 1, 2023, without the submission of the requirements established in COMAR 13A.12.01.11C(2) if that entity has hired the certificate holder to serve as a teacher of record in the subject area on that person's Conditional Teacher Certificate and attests to the certificate holder's ability to serve in that position on a Department-approved attestation form. The renewed certificate will be valid for two years and is not eligible for subsequent renewal.

In November and December 2023, the Professional Standards and Teacher Education Board and the SBOE, respectively, adopted new regulations governing educator licensure. These regulations, effective April 1, 2023, will replace current certification requirements, including the requirements associated with the Conditional Teacher License. The new regulations establish a five-year non-renewable Conditional Teacher License. Beginning on April 1, 2024, local education agencies will have the option to issue the new Conditional Teacher License to those teachers who previously held a Conditional Teacher Certificate and have not yet completed all the requirements for professional licensure.

Teachers who held a Conditional Teacher Certificate that expired on January 1, 2024, cannot renew that certificate under the SBOE waiver (applies only to those teachers whose certificate expired between July 1, 2020, and July 1, 2023) and the new regulations are not yet effective. Teachers with Conditional Teacher Certificates that expired on January 1, 2024, who were not able to complete the requirements to renew are unable to continue as the teacher of record and face termination or demotion to a long-term substitute.

On behalf of Anne Arundel County Public Schools (AACPS), Superintendent Mark Bedell has requested that the State Superintendent of Schools waive the renewal requirements for teachers with a Conditional Teacher Certificate that expired after the period established by the SBOE in the July 22, 2022, waiver. Dr. Bedell shared that AACPS alone has 36 teachers who hold a Conditional Teacher Certificate that expired on January 1, 2024. He also shared that conditionally certified educators accounted for 48% of overall new hires and 57% of diverse new hires in AACPS.

Executive Summary

In light of the request from AACPS for an expansion of the Conditional Teacher Certificate waiver, and given the impending transition to new licensure regulations, the State Superintendent of Schools recommends the State Board of Education modify the current waiver of COMAR 13A.12.01.11C, collectively for all LEAs, State-operated schools, and nonpublic schools approved under COMAR 13A.09.10 for good cause.

The waivers, if approved, will be as follows:

1. COMAR 13A.12.01.11C(1)- *An applicant may hold **only one** Conditional Teacher Certificate which may be renewed in accordance with this regulation.*

Effective July 26, 2022, a local education agency, State-operated school, or nonpublic school approved under COMAR 13A.09.10 may renew a Conditional Teacher Certificate with an expiration date between July 1, 2020, and January 1, 2024, if that entity has hired the certificate holder to serve as a teacher of record in the subject area on that person's Conditional Teacher Certificate and attests to the certificate holder's ability to serve in that position on a Department-approved attestation form. This includes those certificate holders who have already held both the initial and renewed Conditional Teacher Certificate for a total of four years.

2. COMAR 13A.12.01.11C(2)- *A Conditional Teacher Certificate may be renewed for 2 years, only one time, upon the recommendation of the local superintendent of schools, if the applicant has:*

(a) Completed a minimum of 12 semester hours of course work toward the professional certificate during the 2-year period; and

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The State Board is authorized to grant the waiver pursuant to its authority under Education Article § 2-205 and COMAR 13A.01.01.02-1 Waiver from Regulations. The term of the waiver, if granted, is January 23, 2024, through April 1, 2024.

Action

Approve the State Superintendent's recommendation for a waiver of COMAR 13A.12.01.11C Conditional Teacher Certificate as follows:

Effective July 26, 2022, a local education agency, State-operated school, or nonpublic school approved under COMAR 13A.09.10 may renew a Conditional Teacher Certificate with an expiration date between July 1, 2020, and January 1, 2024, if that entity has hired the certificate holder to serve as a teacher of record in the subject area on that person's Conditional Teacher Certificate and attests to the certificate holder's ability to serve in that position on a Department-approved attestation form. This includes those certificate holders who have already held both the initial and renewed Conditional Teacher Certificate for a total of four years.

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