


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

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

**DATE:** January 28, 2025

**SUBJECT:** COMAR 13A.12.01.00 *General Provisions*  
COMAR 13A.12.01.05 *Military Reciprocity*  
COMAR 13A.12.01.06 *Reinstatement of an Expired Professional License*  
COMAR 13A.12.02.06 *Professional Development Points*  
COMAR 13A.12.03.05 *Professional Development Points- Professional and Technical Education/Specialized Areas for Fine Arts*  
COMAR 13A.12.02.07 *Teaching Endorsements*  
COMAR 13A.12.04.02 *Licenses for Specialists*  
COMAR 13A.12.04.06 *Reading Specialist*  
COMAR 13A.12.04.07 *Reading Teacher*  
COMAR 13A.12.04.13 *Renewal and Advancement of a Specialist License*  
COMAR 13A.12.04 *Professional Development Points*  
COMAR 13A.12.05.06 *Library Media Administrator*  
COMAR 13A.12.05.10 *Supervisor of Special Education*  
COMAR 13A.12.05.15 *Professional Development Points*  
**PERMISSION TO ADOPT**

### Executive Summary

The purpose of this item is to request permission to adopt amendments to the Code of Maryland Regulations (COMAR) 13A.12 *Educator Licensure* to align requirements to new state and federal laws, correct identified errors, and clarify language.

The Maryland State Department of Education (MSDE) identified inconsistencies and errors in the regulations after adoption in December 2023. These include inconsistent usage of terminology (e.g., certification vs. licensure), incorrect citations (e.g., referencing an incorrect section of a regulation), and inadvertent omissions (e.g., accidentally removing language from the previous regulations). Additionally, MSDE identified language that requires clarification to ensure consistent interpretation and added language to align with the federal law establishing military reciprocity for servicemembers and their spouses.

### Background and Process

Under Maryland law, the Professional Standards and Teacher Education Board (PSTEB) shares joint authority with the State Board of Education (SBOE) to develop regulations governing teacher certification and preparation. When the PSTEB initiates a regulatory change, the SBOE must also review the proposed

regulation. If a majority of the SBOE members approve of the regulation, the regulation promulgation process continues.

After the PSTEB and SBOE vote to approve 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, MSDE staff reviews and summarizes the public comments, which are presented to both boards. Thereafter, MSDE staff will present a recommendation to both the PSTEB and SBOE 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) withdraw 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 be recommended 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 PSTEB and SBOE would then vote to adopt the regulation formally.

On May 2, 2024, and June 25, 2024, PSTEB and the SBOE, respectively, voted to grant permission to publish amendments to COMAR 13A.12 Educator Licensure. The amendments were published in the Maryland Register for 30 days to solicit public comment. One public comment was received regarding COMAR 13A.12.04.13 *Renewal and Advancement of a Specialist License*. The comment supported the removal of language prohibiting the waiver of specific renewal requirements for school counselors who qualify for the senior educator waiver provision. On December 5, 2024, PSTEB passed a motion to adopt amendments to COMAR 13A.12 Educator Licensure.

### **Action Required**

MSDE is seeking permission to adopt amendments to COMAR 13A.12 *Educator Licensure* to correct identified errors, clarify intent, and align to federal legislation.

### **Enclosures**

COMAR 13A.12 *Educator Licensure*  
Public Comment

# Title 13A

## STATE BOARD OF EDUCATION

### Subtitle 12 EDUCATOR LICENSURE

#### 13A.12.01 General Provisions

Authority: Education Article, §§2-205, 2-303(g), and 6-127, and 6-701—6-708, 8-3A-03, and Family Law § 10-119.3, Annotated Code of Maryland, *Agency Note: Federal Statutory Reference- Servicemembers Civil Relief Act (50 U.S.C. § 4025a)*

##### **.05 Military Reciprocity.**

(1) *A servicemember or spouse of a servicemember with a professional educator license or certificate from another state may apply for a comparable Maryland license if the servicemember or spouse:*

- (a) *Has moved to reside in Maryland because of orders for military service;*
- (b) *Provides a copy of the military orders to the Department as part of a licensure application;*
- (c) *Has actively used the license or certificate during the 2 years immediately preceding the move; and*
- (d) *Remains in good standing with the licensing authority that issued the license or certificate and with every other licensing authority that issued an educator license or certificate to the service member or spouse.*

(2) *A servicemember or spouse who meets the criteria in §(1) of this regulation shall meet the renewal requirements for the Maryland license issued.*

##### **[.05] .06 Reinstatement of an Expired Professional License.**

A. (text unchanged)

B. [Exemption. An educator holding an expired Maryland Initial Professional, Professional, or Advanced Professional license who presents a valid professional license issued by a member state, may reinstate the Maryland license.

C.] Historic Professional Certificate or License.

(1)—(4) (text unchanged)

C. Exemptions.

(1) *An educator holding an expired Maryland Initial Professional, Professional, or Advanced Professional License who presents a valid professional license issued by a member state may reinstate the Maryland license.*

(2) *An educator holding an expired Maryland Standard Professional I, Standard Professional II, or Advanced Professional Certificate who presents a valid professional license issued by a member state may reinstate the Maryland license.*

#### 13A.12.02 Teachers

Authority: Education Article, §§2-205, 2-303(g), 6-701—6-708, 8-3A-03, and 8-701—8-708, Annotated Code of Maryland

##### **.06 Professional Development Points.**

A.—B. (text unchanged)

C. Additional Requirements for Specific [Certification] *Licensure* Areas.

(1)—(3) (text unchanged)

D.—F. (text unchanged)

##### **.07 Teaching Endorsements.**

A. An individual who meets the qualification for initial licensure under Regulation [.02B] .03 of this chapter may add an additional teaching endorsement by submitting documentation demonstrating that the applicant has obtained:

(1) (text unchanged)

(2) [24] *Twenty-four* content credits as follows:

(a) (text unchanged)

(b) For secondary, middle school, pre-kindergarten—12 education, 24 credits, at least 12 of which are in the area for which the new [certification] *licensure* is sought and 12 of which are in content-related areas; or

(c) (text unchanged)

B.—C. (text unchanged)

## 13A.12.03 Professional and Technical Education and Specialized Areas for Fine Arts

Authority: Education Article, §§2-205, 2-303(g), 6-701—6-708, 8-3A-03, and 8-701—8-708, Annotated Code of Maryland

### .05 Professional Development Points—Professional and Technical Education/Specialized Areas for Fine Arts.

- A.—B. (text unchanged)
- C. Additional Requirements for Specific [Certification] *Licensure* Areas.
  - (1)—(3) (text unchanged)
- D.—E. (text unchanged)

## 13A.12.04 Specialists

Authority: Education Article, §§2-205, 2-303(g), 6-701—6-708, 8-3A-03, and 8-701—8-708, Annotated Code of Maryland

### .02 Licenses for Specialists.

- A. Types of Specialist Licenses.
  - (1)—(3) (text unchanged)
  - (4) Advanced Professional.
    - (a) (text unchanged)
    - (b) An applicant who has met the requirements of one of the pathways to licensure under this chapter is eligible for an Advanced Professional License if the applicant meets the requirements for the Professional License under [§A(2)] §A(3) of this regulation and submits documentation demonstrating that the applicant has:
      - (i)—(iii) (text unchanged)
- B. (text unchanged)

### .06 Reading Specialist.

The requirements for [certification] *licensure* as a reading specialist are that the applicant shall:  
A.—E. (text unchanged)

### .07 Reading Teacher.

- A. Requirements for Licensure. The requirements for licensure as a reading teacher are that the applicant shall:
  - (1) Meet the requirements for licensure in early childhood education, elementary education, *special education*, or a secondary education area;
  - (2)—(4) (text unchanged)
- B. (text unchanged)

### .13 Renewal and Advancement of a Specialist License.

- A.—C. (text unchanged)
- [D. Renewal Requirements that May Not Be Waived. School counselors shall present 1 semester hour of coursework from an institution of higher education, one Department-approved continuing professional development credit; or an equivalent number of continuing education units that address the following:
  - (1) Depression;
  - (2) Trauma;
  - (3) Violence;
  - (4) Youth suicide;
  - (5) Substance Abuse; and
  - (6) The identification of professional resources and best practices for distributing resources to parents or guardians to help students in crisis.]

### .15 Professional Development Points.

- A.—B. (text unchanged)
- C. Additional Requirements for Specific [Certification] *Licensure* Areas.
  - (1)—(3) (text unchanged)
- D.—E. (text unchanged)

## 13A.12.05 Administrators and Supervisors

Authority: Education Article, §§2-205, 2-303(g), 6-701—6-708, 8-3A-03, and 8-701—8-708, Annotated Code of Maryland

### **.06 Library Media Administrator.**

A. (text unchanged)

B. Education and Experience. To be licensed as library media administrator, the applicant shall:

(1)—(4) (text unchanged)

(5) Complete one of the options listed under Regulation .05 of this chapter that would lead to [certification] *licensure* as Administrator I.

C. (text unchanged)

### **.07 Supervisor of School Counseling.**

The requirements for [certification] *licensure* as a supervisor of school counseling are that the applicant shall:

A.—D. (text unchanged)

### **.08 Supervisor of School Psychological Services.**

The requirements for licensure as a supervisor of school psychological services are that the applicant shall:

A. Meet the requirements for licensure as a school psychologist under COMAR [13A.12.03.07] *13A.12.04.09*;

B.—E. (text unchanged)

### **.10 Supervisor of Special Education.**

A. Principal Public Separate School. The requirements for [certification] *licensure* as a principal in a public separate school are that the applicant shall:

(1)—(2) (text unchanged)

B.—C. (text unchanged)

### **.15 Professional Development Points.**

A.—B. (text unchanged)

C. Additional Requirements for Specific [Certification] *Licensure* Areas.

(1)—(3) (text unchanged)

D.—E. (text unchanged)

CAREY M. WRIGHT, Ed.D.  
State Superintendent of Schools



November 18, 2024

Kelly Meadows  
Assistant State Superintendent  
Maryland State Department of Education  
200 West Baltimore St.  
Baltimore, MD 21201

**RE: Public Comments on Proposal to Amend Regulation .13 under COMAR 13A.12.04 Specialists**

Dear Assistant State Superintendent Meadows,

The Maryland School Counselor Association (MSCA) is a professional organization of over 900 counselors who work with students in pre-kindergarten through twelfth grade in public, private, charter, and magnet school settings. MSCA appreciates the opportunity to provide public comments on the proposal to amend regulation .13 under COMAR 13A.12.04 *Specialists* and is supportive of the regulation change.

School counselors are licensed professionals who improve student success for all students by implementing a comprehensive school counselor program that complement other behavioral health providers. They are an integral part of the behavioral health team in schools, and they are the only behavioral health professional that interacts with every student in the school. This position gives them a unique vantage point to help identify students with behavioral health needs, provide short-term counseling, and coordinate services with other behavioral health professionals for long-term needs in addition to the Professional Development Points (PDPs) they take to keep their license.

School counselors are often the first mental health professional a student sees; and under CMS policy, they may be reimbursed for behavioral health services in schools under Medicaid, like school psychologists, in states that have established school health billing programs. In understanding the role of school counselors in behavioral health, it may be helpful to review the American School Counselor Association's (ASCA) white paper entitled, *The School Counselor and Student Mental Health*.<sup>1</sup> School counselors are the only member of the behavioral health team that is charged with monitoring the need

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<sup>1</sup> "The School Counselor and Student Mental Health." *American School Counselor Association (ASCA)*, [www.schoolcounselor.org/Standards-Positions/Position-Statements/ASCA-Position-Statements/The-School-Counselor-and-Student-Mental-Health](http://www.schoolcounselor.org/Standards-Positions/Position-Statements/ASCA-Position-Statements/The-School-Counselor-and-Student-Mental-Health). Accessed 18 Nov. 2024.

of all students in a school. School counselors recognize and respond to the need for mental health services that promote social/emotional wellness and development for all students.

According to the ASCA, school counselors “recognize mental health warning signs” and “provide short-term counseling and crisis intervention focused on mental health or situational concerns such as grief or difficult transitions.” For longer term counseling, school counselors provide care coordinating with other behavioral health professions. In addition, school counselors also advocate for the mental health needs of all students by offering instruction that enhances awareness of mental health (such as Start Talking Maryland lessons), appraisal and advisement addressing academic, and career and social/emotional development.

Currently, school counselors are one of a few areas of licensure that have additional licensure renewal requirements. Effective July 1, 2016, all educators (teachers, specialists, administrators) certified as school counselors seeking certification or renewal in Maryland became required to have the skills to understand and respond to indicators of mental illness and behavioral distress, including depression, trauma, violence, youth suicide, and substance abuse, as well as to identify resources to help students in crisis. This requirement was instituted by House Bill 947 (Lauryn’s Law) and signed by then Governor Hogan in May 2015.

Lauryn’s Law requires counselors to complete 15 CEUs (15 clock hours of Continuing Education Units) or 1 semester hour of academic coursework (MSDE Continued Professional Development (CPD) or college/university credit) every 5 years (certificate renewal cycle) in the need for intervention or referral in response to indicators of mental illness and behavioral distress, including, but not limited to depression, trauma, violence, youth suicide, and substance abuse; and the identification of professional resources and best practices for distributing resources to parents or guardians to help students in crisis.

Yet, this requirement is duplicative as per the Maryland State Department of Education, this requirement can already be earned through the 90 PDPs needed for renewal.<sup>2</sup> Additionally, it is burdensome financially on school counselors who choose to take 1 semester hour of academic coursework at a college or university to fulfill their additional licensure renewal requirement.

As you are aware, we are in workforce shortage and there are not enough school counselors to meet the continued increasing needs of students today. The Accountability and Implementation Board (AIB) and the Maryland State Board of Education (MSBE) are currently reviewing the need to address the school counselor target metric that was held for further consideration during the June 25, 2024 Joint MSBE and AIB meeting during the discussion around the “*Alignment of Education Plan Metrics and Proposed Targets*.” The Commission on Innovation and Excellence in Education’s 2019 report adopted the nationally recommended ratio of 250 students per school counselor. However, per 2023-2024 MSDE data, many of our counties are significantly above the recommended ratio, the baseline student-counselor ratio in schools indicated that there are on average 307 students per school counselor with several schools having over 1,000 students per school counselor.

At a time when there is a workforce shortage and with many school counselors already earning these additional licensure requirements as part of the 90 PDPs for the licensure renewal, we should be


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<sup>2</sup> “Renewal and Advancement: Additional Renewal Requirements for Specific Areas of Licensure.” *Maryland State Department of Education*, [marylandpublicschools.org/about/Pages/DEE/Certification/Renewal.aspx](http://marylandpublicschools.org/about/Pages/DEE/Certification/Renewal.aspx). Accessed 18 Nov. 2024.

lessening the burden on our school counselors to retain them and to recruit new school counselors. Therefore, MSCA supports this amendment of regulation .13 under COMAR 13A.12.04 Specialists.

We hope that final action on this proposed regulation amendment will be in favor of this regulation change when considered by the MSBE on December 3, 2024. If we can provide any additional information, please contact me at [hkleiderlein@mscaonline.org](mailto:hkleiderlein@mscaonline.org) or our counsel, Jocelyn I. Collins at [jcollins@policypartners.net](mailto:jcollins@policypartners.net) with any questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "Holly J. Kleiderlein". The signature is written in a cursive, flowing style.

Holly J. Kleiderlein, NBCT  
Legislative Chair, Maryland School Counselor Association