

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulation
State Board of Education
(DLS Control No. 14-012)**

Overview and Legal and Fiscal Impact

This regulation updates and modifies the certification and recertification requirements for teachers of students who are blind or visually impaired.

The regulation presents no legal issue of concern.

There is no fiscal impact on State or local agencies.

Regulation of COMAR Affected

State Board of Education:

Certification: Teachers: COMAR 13A.12.02.23

Legal Analysis

Background

The State Board of Education and the Professional Standards and Teacher Education Board (PSTEB) within the State Department of Education share the authority to develop regulations for the preparation and certification of teachers and other professional personnel in the public schools. Under current regulations, an applicant for an initial certification to teach students with visual impairments must meet certain special education, specialized content, and professional education coursework requirements, including coursework in Braille code and methods of teaching Braille reading and writing. A teacher who is professionally certified in early childhood, elementary, or secondary education and seeks an endorsement to teach students with visual impairments must meet the same specialized content and professional education coursework requirements. To renew a certification to teach students with visual impairments, a teacher must present at least one course, continuing education unit, or professional development activity indicating maintenance of Braille proficiency.

Chapters 254 and 255 of 2010 required the board to establish standards for the mastery of Braille for use in English, language arts, and mathematics instruction of blind and visually impaired students in pre-kindergarten through grade 12. To ensure the full implementation of the use of Braille for English, language arts, and mathematics instruction, Chapters 254 and 255 also required the board and PSTEB to review and, as appropriate, modify certification and recertification requirements for teachers of blind and visually impaired students.

The board advises that this regulation was considered at the PSTEB meeting on October 3, 2013. PSTEB is scheduled to consider final action on this matter during a public meeting on June 5, 2014.

Summary of Regulation

In addition to making stylistic changes and updating terminology, the regulation reorganizes and modifies the coursework requirements for an initial certification to teach blind or visually impaired students. The regulation requires the completion of specified special education coursework, a minimum of 12 semester hours of professional education coursework in specified areas, and a minimum of 21 semester hours of specialized content coursework that includes (1) knowledge of literary Braille, including methods of teaching Braille reading and writing; (2) knowledge of Nemeth Code for Mathematics and Science and other Braille codes; (3) medical aspects and disorders of the eye, including impact on the development of the student and current and future literacy needs; (4) curriculum, instructional methods, and adaptations to meet individualized needs of blind or visually impaired students; (5) assessment, diagnosis, and prescriptive techniques to meet the individualized needs of blind or visually impaired students; (6) introduction to orientation and mobility training emphasizing the development of concepts and skills required for independent travel; and (7) a supervised practicum or one year of supervised teaching experience with blind or visually impaired students.

The regulation also modifies the certification renewal provisions to require a teacher to present, before the expiration of the initial professional certificate: (1) a qualifying score on a department-approved test of Braille competency; and (2) six semester hours of coursework from an institution of higher education or in department-approved continuing professional development credits or continuing education units. For continued renewal, a teacher must submit six semester hours of coursework from an institution of higher education or in department-approved continuing professional development credits or continuing education units that includes maintenance of knowledge of Braille code.

In addition, the regulation changes the name of the certification area to specifically include blind students and substitutes the term “blind/visually impaired students” for “students with visual impairments.”

Legal Issue

The regulation presents no legal issue of concern.

Statutory Authority and Legislative Intent

The board cites §§ 2-205, 2-303(g), 6-121, 6-701 through 6-705, and 8-408 of the Education Article as legal authority for this regulation. More specifically, § 2-205 grants the board broad authority to adopt regulations to implement its powers and duties in overseeing the administration of public schools. Section 6-121 requires the department to adopt regulations establishing teacher certification for career professionals in specialized fields. Section 6-704 requires the board and PSTEB to develop regulations for the certification of teachers and other professional personnel, requirements for preparation of teachers and other educational personnel, and the certification of social workers employed as professional personnel by a local school. Section 8-408 requires the board to adopt regulations to implement certification standards for

teachers of blind and visually impaired students to ensure the successful implementation of the provisions of law governing individualized education programs and instruction in, and the use of, Braille.

Fiscal Analysis

There is no fiscal impact on State or local agencies.

Agency Estimate of Projected Fiscal Impact

The department advises that the regulation has no impact on State or local governments. The Department of Legislative Services concurs.

Impact on Budget

There is no impact on the State operating or capital budget.

Agency Estimate of Projected Small Business Impact

The department advises that the regulation has minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

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