

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	05/20/2015	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 7/10/2015

2. COMAR Codification

Title Subtitle Chapter Regulation

13A 12 01 01—.14

3. Name of Promulgating Authority

Maryland State Department of Education

4. Name of Regulations Coordinator

Charlene L Necessary

Telephone Number

410-767-0467

Mailing Address

200 W. Baltimore Street

City State Zip Code
Baltimore MD 21201

Email

charlene.necessary@maryland.gov

5. Name of Person to Call About this Document

Sarah Spross

Telephone No.

410-767-0385

Email Address

sarah.spross@maryland.gov

6. Check applicable items:

New Regulations

Amendments to Existing Regulations

Date when existing text was downloaded from COMAR online: March 1, 2015.

Repeal of Existing Regulations

Recodification

Incorporation by Reference of Documents Requiring DSD Approval

Reproposal of Substantively Different Text:

41: 11 Md. R 624-631 5/30/14
(vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: 14-135-P.

7. Is there emergency text which is identical to this proposal:

Yes No

8. Incorporation by Reference

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

9. Public Body - Open Meeting

OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

10. Children's Environmental Health and Protection

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Derek Simmons, Assistant Attorney General, (telephone #410-576-6465) on May 20, 2015. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Lillian M. Lowery, Ed.D.

Title

State Superintendent of Schools

Telephone No.

410-767-0467

Date

May 20, 2015

Title 13A
A STATE BOARD OF EDUCATION

Subtitle 12 CERTIFICATION

13A.12.01 General Provisions

Authority: Education Article, §§2-205, 2-303(g), and 6-701—6-705; Family Law
Article, §10-119.3; Annotated Code of Maryland

Notice of Proposed Action

[]

The Professional Standards and Teacher Education Board proposes to amend Regulations .01 through .14 under COMAR 13A.12.01 General Provisions and withdraw the proposed amendments to Regulations .01 through .14 as printed in Maryland Register, Vol. 41, Issue 11, Friday, May 30, 2014.

This action was considered during the Professional Standards and Teacher Education Board meeting on February 5, 2015.

Statement of Purpose

The purpose of this action is to establish a clear distinction between certificates and licenses. Certificates are issued to individuals employed in entities where they are required by regulation to hold a certificate. Licenses are issued to other individuals who are not required to hold a certificate. The validity period and processing fees remain the same.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Sarah Spross, Assistant State Superintendent, Division of Educator Effectiveness, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, Maryland 21201, or call 410-767-0385 TTY: 410-333-6442, or email

to sarah.spross@maryland.gov, or fax to 410-333-8963. Comments will be accepted through August 10, 2015. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Professional Standards and Teacher Education Board during a public meeting to be held on September 3, 2015 at 9:30 a.m., at 200 West Baltimore Street, Baltimore, Maryland 21201.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 2016

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

No

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

As part of a grant from Race to the Top, MSDE has expanded its Education Information System and agreed to create a new distinction between two types of educator credentials. Public school employees who are required to hold a certificate and meet evaluation, curriculum, and testing standards outlined in regulation will be issued certificates. Educators who teach in non-public schools or are not otherwise required to meet evaluation, curriculum, and testing standards will be issued licenses. Although this creates a new distinction between credentials, the underlying regulations remain largely the same, requiring no additional funds to implement. Processing fees for credentials remain the same. Additional changes to the regulations are designed to further clarify existing provisions concerning renewal and reinstatement of credentials; the validity period of credentials; and the procedure governing the process for denying credentials, among other changes.

E. If these regulations have no economic impact under Part A, indicate reason briefly:

As part of a grant from Race to the Top, MSDE has expanded its Education Information System and agreed to create a new distinction between two types of educator credentials. Public school employees who are required to hold a certificate and meet evaluation, curriculum, and testing standards outlined in regulation will be issued certificates. Educators who teach in non-public schools or are not otherwise required to meet evaluation, curriculum, and testing standards will be issued licenses. Although this creates a new distinction between credentials, the underlying regulations remain largely the same, requiring no additional funds to implement. Processing fees for credentials remain the same. Additional changes to the regulations are designed to further clarify existing provisions concerning renewal and reinstatement of credentials; the validity period of credentials; and the procedure governing the process for denying credentials, among other changes.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

Although this is a new credential structure, the underlying regulations remain largely the same, requiring no additional funds to implement.

G. Small Business Worksheet:

Attached Document:

.01 Purpose of [Licensure] Credentialing in Maryland.

[Certification] *Credentialing* of professional education personnel by the State is established to offer assurance to the citizens of this State that:

A.—B. (text unchanged)

C. Academically successful, multitalented, and experientially diverse individuals are being sought and retained by local school systems, *non-public schools approved under COMAR 13A.09.10, and State-operated schools*; and

D. [Certificated] *Credentialed* education personnel maintain competent practice through career long-engagement with their content area, research, best practice, and expert opinion.

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) (text unchanged)

(2) "Accredited" has the meaning stated in [§B(17)] §B(21) of this regulation.

(3) "[Accredited] *Approved nonpublic school*" means a nonpublic school [accredited by a national organization, regional organization, or] *approved to operate by the State Board of Education under COMAR 13A.09.10.*

(4) "Applicant" means an individual who has initiated a written request for [certification] *credentialing* and has completed all application requirements under Regulation .10 of this chapter.

(5) (text unchanged)

(6) "Conditional certificate" means a degree or nondegree certificate issued for 2 years while the applicant successfully pursues an acceptable plan developed by the applicant and the local school system officials to meet the professional certificate standards under Regulation .05 of this chapter. [For specific requirements, see Regulation .08 of this chapter.]

(7) "Conditional contract" means a contract signed by a teacher *or specialist* under COMAR 13A.07.02.01C.

(8) "Content course work" means course work completed in academic *or content* disciplines as differentiated from professional education course work.

(9) "Continuing professional development credits (CPDs)" means credits earned [through continuing professional development experiences approved by the Department, issued by a state department of education or an institution of higher education (IHE); or credits used to renew licenses issued by other licensing boards and approved by the Department] *at an institution of higher education (IHE) or following completion of Department-approved courses or professional experiences offered by a local school system.*

(10) "*Continuing Education Units (CEUs)*" means the number of clock hours or contact hours used to renew licenses issued by other licensing boards and approved by the Department.

(11) "*Credential*" means a license issued to individuals not required to hold a certificate or a certificate issued to individuals required to hold certification as stated in Regulation .03B(1)—(3) of this chapter.

[(10)] (12) "Crime against children" means any crime defined in Criminal Law Article, §§3-601 and 3-602, Annotated Code of Maryland.

[(11)] (13)—[(12)] (14) (text unchanged)

(13) "Essential dimensions of teaching" means outcomes consistent with national standards and identified by the State Board of Education for approval of Maryland teacher education programs under Regulation .04B of this chapter.]

(15) "*Department-recognized credits*" means credits earned through continuing professional development credits (CPDs), continuing education units (CEUs), or equivalent credits and job embedded professional learning.

(16) "*Endorsement*" means an additional subject or content area added to an existing professional credential.

(17) "Equivalent credits" means continuing professional learning experiences approved by the local superintendent of schools, a list of which is maintained by the Department, which are applied toward the renewal of the Advanced Professional Certificate.

[(14)] (18)—[(15)] (19) (text unchanged)

[(16)] (20) "Historic Maryland Certificate" means a previously issued [certificate] credential for which a [certification] credential area no longer exists.

[(17)] (21) "Institution of higher education (IHE)" means an accredited college or university that meets one of the following standards:

(a) (text unchanged)

(b) It participates in the [ICC] *Interstate Certification Compact (ICC)* or [the NCATE] *a Department-recognized national accreditation program*[s]; or

(c) Its course work is accepted by the state in which the institution is located for teacher [certification] credentialing purposes.

[(18)] (22) "Interstate Certification Compact (ICC)" means a legal agreement with other states to facilitate the [certification] credentialing of [out-of-State] *out-of-state* teachers and other professional educational personnel as authorized by Education Article, Title 6, Subtitle 6, Annotated Code of Maryland, or as otherwise provided by law.

(23) "*Job-embedded professional learning*" means teacher learning that is grounded in day-to-day teaching practice and is designed to enhance a teacher's content-specific instruction with the intent of improving student learning, and is approved by the local school system superintendent.

(24) "License" means a Practitioner License or Advanced Professional License.

[(19)] (25) "Local school system" means a Maryland public school system, a State-operated school, or [an] a [accredited] nonpublic school approved under COMAR 13A.09.10.

(26) "*Local superintendent of schools*" means the chief administrative officer of a Maryland public school system or the equivalent administrative leader of a State-operated school or nonpublic school approved under COMAR 13A.09.10.

[(20)] (27) (text unchanged)

[(21)] "Mentor" means an individual who possesses the attributes set forth in COMAR 13A.07.01.03.]

[(22)] (28) "National [Council for the] Accreditation [of Teacher Education (NCATE)] Program" means a [council providing] *Department-recognized* accreditation of professional education units in United States colleges or universities that prepare professional educators to staff PreK—12 schools for children.

[(23)] (29) "Occupational experience" means experience gained while employed performing the trade or career area to be taught.

[(24)] (30) (text unchanged)

[(25)] (31) "Professional certificate" means [a] *an Initial Professional Certificate*, Standard Professional Certificate, or an Advanced Professional Certificate.

[(26)] (32) "Professional [development] learning plan" means a plan *collaboratively designed by the certificate holder and his or her supervisor or designee, which describes the certificate holder's [to describe the employee's] continued professional [growth] learning including specified needs, strengths, and interests.*

[(27)] (33) "Professional education course work" means course work dealing with the knowledge and process of teaching (*pedagogy*) [to prepare to become a teacher], as differentiated from content course work.

[(28)] (34) "Regular contract" means a contract signed by a [teacher] *certificated professional employee* under COMAR 13A.07.02.01B.

(35) "*Reinstatement*" means requirements for the subsequent credential are submitted more than 90 days after the expiration date listed on the credential.

(36) "*Renewal*" means requirements for the subsequent credential are submitted within 90 days of the expiration date listed on the credential.

[(29)] (37) Required Grade.

(a) (text unchanged)

(b) For [a teaching] *an internship*, "required grade" means a grade of C or better, pass, or satisfactory.

[(30)] (38) "Resident Teacher Certificate" means a certificate issued to an applicant holding a bachelor's or higher degree from an IHE but not meeting professional requirements for the *Initial Professional Certificate* or Standard Professional Certificate. [For specific requirements, see Regulation .07 of this chapter.]

[(31)] (39) "Satisfactory school-related experience" means professional, full-time experience as a teacher, specialist, administrator, or supervisor in a public school [or accredited], *approved* nonpublic school, or *State-operated school* for which the annual overall evaluation rating is satisfactory or better.

[(32)] (40) "School" means a public school [or], an [accredited] *approved* nonpublic school, or *State-operated school*.

[(33)] (41) (text unchanged)

[(34)] (42) "Specific [certification] credential area" means a:

(a)—(c) (text unchanged)

[(35)] (43) (text unchanged)

[(36)] (44) "Teacher [certification] *credentialing* tests" means the tests offered nationally in basic skills, required content or subject matter, and pedagogy that have been validated according to generally accepted professional standards and approved by the State Board of Education, a list of which is maintained in the [Division of] Certification *Branch* of the Department.

[(37)] (45) "Teaching experience" means one of the following experiences in the [certification] *credential* area in a school at the appropriate age or grade level for which the applicant is seeking [certification] *credentialing*:

(a) (text unchanged)

(b) 1 year of satisfactory, full-time teaching experience *in the credential area being sought*; or

(c) Accumulation of 1 school year of satisfactory long-term substitute experience *in the credential area being sought*.

[(38)] (46) "Transcript analysis" means a review used to determine the appropriateness of course work or other experiences in the [certification] *credential* area sought by the applicant.

.03 Personnel.

A. The regulations in this subtitle are established as [certification] *credential* standards for personnel educating students. A local school system may establish additional requirements as a condition of employment.

B. Personnel Subject to Certification

(1) Public Schools.

(a) A teacher employed in an early childhood, elementary, *middle*, PreK—12 or secondary school program in the public school systems of Maryland shall hold an appropriate certificate under COMAR 13A.12.02.

(b) A specialist employed in an early childhood, elementary, *middle*, PreK—12 or secondary school program in the public school systems of Maryland shall hold an appropriate certificate under COMAR 13A.12.03 or a license in certain areas as otherwise provided in State law.

(c) An administrator, supervisor, and assistant in administration and supervision employed in an early childhood, elementary, *middle*, PreK—12, or secondary school program in the public school systems of Maryland shall hold an appropriate certificate under COMAR 13A.12.04.

(2) State-Operated-School Personnel. A teacher, specialist, administrator, and supervisor employed in an early childhood, elementary, *middle*, PreK—12, or secondary school program operated by a State agency shall hold an appropriate certificate for personnel employed in comparable positions in the public school systems.

(3) Nonpublic School Personnel. A teacher, specialist, administrator, and supervisor employed in an early childhood, elementary, [and] *middle*, PreK—12, or secondary school program in nonpublic schools approved by the State Board of Education under COMAR 13A.09.10 shall hold an appropriate certificate as provided under COMAR 13A.12.02, 13A.12.03, and 13A.12.04.

C. Personnel With Option. Personnel who are eligible to hold a [certificate] *credential* under Regulation .06A—E of this chapter have the option to hold that [certificate] *credential*.

D. Personnel Not Subject to Certification. Personnel who are not required to hold a certificate as specified in §B(1)—(3) of this regulation may receive the appropriate license as provided under Regulation .06 of this chapter.

[D.] E. Personnel Not Eligible.

(1) An individual who has been convicted of, pleads guilty or nolo contendere with respect to, or receives probation before judgment with respect to, a crime against children or a crime of violence, or an individual whose [certificate] *credential* is suspended, revoked, or voluntarily surrendered under COMAR 13A.12.05 or in another state for a cause comparable to one for which suspension or revocation is required in Maryland, may not hold [certification] *a credential* during the period of ineligibility.

(2) Personnel Under Investigation.

(a) Personnel under investigation for a cause under COMAR 13A.12.05 shall remain ineligible for a [certificate] *credential* pending the result of the investigation.

(b) *If the Department's investigation concludes that the individual has committed a cause listed under COMAR 13A.12.05, that individual shall be denied a credential by the Department.*

(c) *An individual who has been denied a credential may appeal that decision through the process outlined in COMAR 13A.12.05.*

(d) *The State Superintendent of Schools shall determine the length of the period of denial. An individual may again seek credentialing once the period of denial has expired.*

(3) An individual who signs the State regular contract or provisional contract for conditional or resident teacher certificate holders and leaves the employment of the local school system on or before the first day of the school year may be ineligible to receive a [certificate] *credential* for not more than 365 days.

(4) An individual whose failure to pay child support meets the criteria for denial of a professional license pursuant to Family Law Article, §10-119.3, Annotated Code of Maryland, following written notification to the State Superintendent of Schools by the Department of Human Resources, Child Support Enforcement Administration, is ineligible for a [certificate] *credential*.

(a) Prior to denial of a [certificate] *credential*, the State Superintendent shall send written notice to the individual, including the right to contest the identity of the individual whose [certificate] *credential* shall be denied.

(b) An individual may appeal the decision to deny a [certificate] *credential* based on failure to pay child support in accordance with State Government Article, Title 10, Subtitle 2, Annotated Code of Maryland. At the appeal hearing, the issue shall be limited to whether the Department of Human Resources, Child Support Enforcement Administration, has mistaken the identity of the individual whose [certificate] *credential* was denied.

(c) The State Superintendent shall immediately process an application for a [certificate] *credential* if notified by the Department of Human Resources, Child Support Enforcement Administration, that the individual is eligible for [a professional license and the individual otherwise qualifies for] a [certificate] *credential*.

.04 Options for Obtaining An Initial Maryland [Certification] Credential.

A. An applicant shall fulfill initial [certification] *credentialing* standards by completing one of the approved options in §§B—G of this regulation or a local school system may request a conditional certificate for an applicant who does not meet the requirements for a professional certificate, if the requirements under Regulation .08 of this chapter are satisfied.

B. Maryland Approved Programs. The applicant shall complete a program approved by the State Superintendent of Schools under COMAR 13A.07.06. Graduates of these programs, after completing all application procedures, shall receive [certification] *a credential* without analysis of transcripts by the Department or its designee.

C. Approved Out-of-State Teacher Education Programs. The applicant shall complete a program offered by an IHE leading to a teacher [certification] *credential* in the state in which the institution is located, for which a comparable Maryland [certification] *credential* is issued.

D. Approved Out-of-State Specialist or Administrator Programs. The applicant shall complete a graduate program offered by an IHE under COMAR 13A.12.03 and COMAR 13A.12.04 leading to a specialist, administrator, or supervisor [certification] *credential* in the state in which the institution is located for which a comparable Maryland [certificate] *credential* is offered [if the requisite experience is submitted].

E. Approved Professional Experience.

(1) The applicant shall:

(a) [Present] *Submit* a valid professional state [certificate] *credential* and verification of at least 27 months of satisfactory school-related experience *during the past 7 years, in the credential area sought*, on the basis of which application is being made for a [like or] comparable Maryland [certificate] *credential* [during the past 7 years in the certification area sought]; and

(b) If applicable to the [certification] *credential* being sought, meet the degree requirement under COMAR 13A.12.03 or 13A.12.04; or

(2) The applicant shall:

(a) [Present] *Submit* a valid professional [certification] *credential* from a country other than the United States and verification of 27 months of satisfactory school-related experience *during the past 7 years, in the credential area sought*, on the basis of which application is being made for a like or comparable Maryland teaching [certificate] *credential* [during the past 7 years in the certification area sought]; and

[(b) Demonstrate proficiency in both spoken and written English; and]

[(c)] (b) If applicable to the [certificate] *credential* being sought, also meet the degree requirements under COMAR 13A.12.03 or 13A.12.04.

[F. Regulation .05 of this chapter is not applicable to applicants under §E(2) of this regulation.]

[G.] *F.* Transcript Analysis. The applicant shall [present] *submit* verification of satisfactory completion of the requirements of a specific area under COMAR 13A.12.02, 13A.12.03, or 13A.12.04, with the required grades.

[H.] *G.* (text unchanged)

.05 General Requirements for [Professional Certificates] Credentials.

A. General Standards. An applicant for a professional [certificate] *credential* shall meet the following requirements unless otherwise provided in §D of this regulation:

(1) [Receive] *Submit* a bachelor's or higher degree from an IHE;

(2) Complete one of the [certification] *credentialing* options under Regulation .04 of this chapter; and

(3) Submit:

(a) Evidence of qualifying scores *in effect at the time of application*, as established by the State Superintendent of Schools on the teacher [certification] *credentialing* tests approved by the State Board of Education;

(b) A current, professional, out-of-[S]state teaching [certificate] *credential* and verification that a qualifying score on a valid [State certificate] *state credentialing* test was submitted to receive the [certificate] *credential*; or

(c) A professional teaching [certificate] *credential* and 2 years of satisfactory [full-time] *school-related* teaching experience in the [certification] *credential* area at the appropriate *age/grade* level; or

(d) Evidence of distinction of knowledge, skill, and practice of teaching provided to the applicant by a national or regional organization that is approved by the State Superintendent of Schools.

B. Special Provisions.

(1) (text unchanged)

(2) An applicant who [presents] *submits* a bachelor's or higher degree from an IHE whose official transcript notes the earning of credit using the College Level Examination Program may receive credit for those specific content course requirements.

(3) *When testing requirements under §§A or D under this regulation change, the previously accepted test will remain valid for 3 years from the date of adoption of the new test requirements.*

C. Acceptable Credit. Acceptable credit shall be approved by the local superintendent of schools if the applicant is employed by the local school system, or [if the applicant is not so employed] by the State Superintendent of Schools, if the credit is:

- (1) Earned or taught at an IHE or through [CPDs] *Department-recognized credits*;
- (2) (text unchanged)
- (3) Earned within 5 years immediately preceding the date on which the [certificate] *credential* is issued; and
- (4) (text unchanged)

D. Exceptions. An applicant who does not possess a bachelor's or higher degree for [certification] *credentialing* in a career and technology education area which does not require a bachelor's degree is required to submit evidence of qualifying scores *in effect at the time of application*, as established by the State Superintendent of Schools on the teacher [certification] *credentialing* tests approved by the State Board of Education.

E. An applicant shall present teacher [certification] *credentialing* test scores under §A of this regulation directly to the Department in one of the following ways:

- (1)—(3) (text unchanged)
- (4) By verification from a state department of education *or IHE*.

.06 Professional [Certificates] Credentials.

A. [Professional Eligibility Certificate] *Practitioner License*.

(1) A [Professional Eligibility Certificate] *Practitioner License* shall be issued to an applicant who:

(a) (text unchanged)

(b) Is not currently employed as a professional [in a local school system] *required to hold a certificate in one of the entities specified in Regulation .03B(1)–(3) of this chapter.*

(2) A [professional eligibility certificate] *Practitioner License* is valid for 5 years.

(3) (text unchanged)

B. *Advanced Professional License. An Advanced Professional License shall be issued to an applicant who:*

(1) *Meets all standards under Regulation .05 of this chapter; and*

(2) *Meets one of the following standards:*

(i) *Earned a master's or higher degree from an IHE in a credential area directly related to public school education, including 6 semester hours related to the applicant's specific discipline or job assignment;*

(ii) *Earned at least 36 semester hours of approved content or professional education course work directly related to public school education, earned after the conferral of the bachelor's or higher degree, including at least 21 graduate credits, of which at least six credits shall be related to the applicant's specific discipline or job assignment; or*

(iii) *Obtained National Board Certification and earned a minimum of 12 semester hours of approved graduate course work related to the applicant's specific discipline or job assignment.*

C. *Initial Professional Certificate.*

(1) *An Initial Professional Certificate shall be issued to an applicant who:*

(a) *Meets all standards under Regulation .05 of this chapter; and*

(b) *Is employed for the first time in the State as a professional required to hold a certificate in one of the entities specified in Regulation .03B(1)–(3) of this chapter.*

(2) *An Initial Professional Certificate is valid for 5 years and can be renewed or reinstated one time as specified in Regulation .11B(2) or .12A(2) of this chapter.*

[B.] D. Standard Professional I Certificate.

(1) A Standard Professional I Certificate shall be issued to an applicant who:

(a) Meets all standards [under Regulation .05 of this chapter] *for the Initial Professional Certificate*; and

[(b) Is employed as a professional in a Maryland school;]

(b) *Submits verification of a minimum of 3 years of satisfactory school-related experience.*

(2) (text unchanged)

(3) Before the expiration of the Standard Professional I Certificate, the applicant shall meet the requirements to obtain the Standard Professional II Certificate under §[C]E of this regulation or the Advanced Professional Certificate under §[E] F of this regulation.

[C.] E. Standard Professional II Certificate.

(1) A Standard Professional II Certificate shall be issued to an applicant who:

(a) Meets all standards [under Regulation .05 of this chapter] *for the Standard Professional I Certificate*;

(b) [Presents] *Submits* verification of a minimum of 3 years of satisfactory school-related experience;

(c) [Presents] *Submits* 6 semester hours of acceptable credit as set forth in Regulation .05C of this chapter; *and*

(d) [Has] *Submits* a professional [development] *learning* plan designed by the employee in agreement with the local superintendent of schools to satisfy the requirements for the Advanced Professional Certificate. [under §E of this regulation; and

(e) Is employed in a Maryland school.]

(2) (text unchanged)

(3) Before the expiration of the Standard Professional II Certificate, the applicant shall meet the requirements to obtain the Advanced Professional Certificate under [§F] §E of this regulation [or the Extended Standard Professional II Certificate under §D of this regulation.

D. Extended Standard Professional II Certificate.

(1) An Extended Standard Professional II Certificate shall be issued to an applicant who:

(a)—(b) (text unchanged)

(c) Consecutively held or holds a 5-year Standard Professional II Certificate. (2) An Extended Standard Professional II Certificate is valid for 3 years].

[E.] F. Advanced Professional Certificate.

(1) An Advanced Professional Certificate shall be issued to an applicant who:

(a) Meets all standards [under Regulation .05 of this chapter] *for the Initial Professional Certificate*;

(b) [Presents] *Submits* 6 semester hours of acceptable credit as set forth in Regulation .05C of this chapter;

(c) [Presents] *Submits* verification of 3 years of satisfactory school-related experience; and

(d) Meets one of the following standards:

(i) Earned a master's or higher degree from an IHE in a [certification] *credential* area directly related to public school education, including 6 semester hours related to the [teacher's] *applicant's* specific discipline or [the specialist's specific] *job* assignment;

(ii) Earned at least 36 semester hours of approved content or professional education course work directly related to public school education, earned after the conferral of the bachelor's or higher degree, including at least 21 graduate credits, of which at least six credits shall be related to the [teacher's] *applicant's* specific discipline or [the specialist's specific] *job* assignment; or

(iii) Obtained National Board Certification and earned a minimum of 12 semester hours of approved graduate course work[, earned after the conferral of the bachelor's or higher degree and] related to the [teacher's] *applicant's* specific discipline or [the specialist's specific] *job* assignment.

(2) An applicant for the Advanced Professional Certificate in a career and technology education area who does not possess a bachelor's or higher degree shall complete, in addition to the requirements for the Standard Professional Certificate, a planned program of 36 semester hours taken at an IHE. A maximum of [12] 15 CPDs for the [trade-related] *trade/career-related* or reading course work may be applied to the total of 36 semester hours.

(3) (text unchanged)

.07 Resident Teacher Certificate.

A. Definitions.

(1) (text unchanged)

(2) Terms Defined.

(a) "Comparable state-approved test" means an assessment, approved by a state [certification] *credentialing* agency, that tests proficiency in basic skill areas such as reading, writing, and mathematics or in content areas such as English, mathematics, science, and social studies, lists of which are maintained by the Department.

(b) (text unchanged)

B. The Resident Teacher Certificate shall be issued [initially] for 2 school years and [may] *shall* not be renewed.

C. [Except as provided in §D of this regulation, an] *An* applicant for a Resident Teacher Certificate shall meet all of the following requirements *and submit*:

(1) [Hold a] A bachelor's or higher degree from an IHE;

(2) [Obtain a] A qualifying score on a Department-approved test in basic skills or a comparable state-approved test in basic skills;

(3) [Obtain a] A qualifying score on a Department-approved content area test or a comparable state-approved content test; and

(4) [Present official] *Official* documentation from the local superintendent of schools, or a Department-recognized head of an organization of nonpublic schools, of completion of standards-based pre-employment training that includes:

(a) A minimum of 90 hours of study *based on State or national standards*, [that] *which* may consist of a combination of semester hours and clock hours [and that are based on Maryland Essential Dimensions of Teaching or the Interstate New Teacher Assessment and Support Consortium standards and include] *including*:

(i)—(ii) (text unchanged)

(b) (text unchanged)

(c) An internship which [was] *is* part of a Department-approved alternative preparation program.

[D. Instead of meeting the requirements in §C of this regulation, an applicant may present official verification from the local superintendent of schools, or a Department-recognized head of an organization of nonpublic schools, of a valid alternative certificate issued pursuant to an out-of-State program that Maryland accepts under the Interstate Certification Compact.]

[E.] D. (text unchanged)

[F.] E. An applicant who holds the Resident Teacher Certificate shall be eligible for the [Standard] *Initial* Professional Certificate upon [receipt by] *submission* to the Department of all of the following items:

(1)—(3) (text unchanged)

.08 Conditional Certificate.

A. Conditional [Teacher] Degree Certificate.

(1) A local school system shall request a Conditional [Teacher] *Degree Certificate for a teacher* only if a local school system is unable to fill a position with a qualified person who holds a professional certificate.

(2) An applicant hired by a local school system, who holds a bachelor's or higher degree from an IHE but does not meet the requirements for a professional certificate, may be issued the Conditional [Teacher] Degree Certificate at the request of the local superintendent of schools, upon [presentation] *submission* of a plan created under COMAR 13A.12.02.

[(3) An applicant who does not possess a bachelor's degree who is hired by a local school system in a career and technology education area which does not require a bachelor's degree, and who does not meet the requirements for a professional certificate, may be issued the Conditional Teacher Nondegree Certificate at the request of the local superintendent of schools, upon presentation of a plan created under COMAR 13A.12.02.]

(3) *A local school system shall request a Conditional Degree Certificate for a specialist, administrator, or supervisor only if the local school system is unable to fill a position with a qualified person who holds a professional credential and the applicant is within 6 semester hours of completing the professional credential requirements.*

[(4) A conditional teacher certificate issued in accordance with this regulation is valid for 2 years.]

[B. Conditional Specialist, Administrator, or Supervisor Certificate.

(1) A local school system shall request a conditional specialist, administrator, or supervisor certificate only if the local school system is unable to fill a position with a qualified person who holds a professional certificate.

(2) An applicant who holds the minimum degree required to be certified as a specialist, administrator, or supervisor under COMAR 13A.12.03 or 13A.12.04, but who does not meet the requirements for a professional certificate, may be issued a conditional specialist, administrator, or supervisor certificate at the request of the local superintendent of schools if the applicant is hired by the local school system and is within 6 semester hours of completing professional certificate requirements.

(3) A conditional specialist, administrator, or supervisor certificate issued in accordance with this regulation may not be renewed.]

B. Conditional Non-Degree Certificate.

An applicant who does not possess a bachelor's degree who is hired by a local school system in a career and technology education area which does not require a bachelor's degree, and who does not meet the requirements for a professional credential, may be issued the Conditional Non-Degree Certificate at the request of the local superintendent of schools, upon submission of a plan created under COMAR 13A.12.02.

C. A Conditional Certificate issued in accordance with this regulation is valid for 2 years.

.09 [Certificate] Credential Form.

A. Basic Information. All [certificates] *credentials* shall have the same basic information which shall include all of the following information:

- (1)—(3) (text unchanged)
- (4) Type of [certificate] *credential*;
- (5) Specific [certification] *credential* areas; and
- (6) (text unchanged)

B. Period of Validity. A [certificate] *credential* shall remain valid to the expiration date designated on the current [certificate] *credential* form under "Period of Validity".

C. Highest Degree Earned. The highest degree earned shall be listed on a [certificate] *credential* if the applicant [provides] *submits* official transcripts to verify completion of the degree from an IHE. [Any change in the highest degree shall be added only at the renewal date of a certificate.]

D. Specific [Certification] *Credential* Areas. A [certificate] *credential* shall name one or more of the following:

- (1)—(3) (text unchanged)

.10 Issuance of [Certificates] Credentials.

A. Application Procedure.

(1) To obtain [certification] *credentialing* in a specific area, an applicant, or local school system on behalf of the applicant, shall submit a written request and documentation as required by the Department and in accordance with Family Law Article, §5-560 et seq., Annotated Code of Maryland.

(2) Documentation shall be evaluated by the Department or its designee and an application shall be provided to an applicant who satisfies the requirements for [certification] *credentialing*.

(3) Upon [receipt] *submission* of a satisfactorily completed application *and processing fee*, the [certificate] *credential* shall be issued.

(4) It is the responsibility of the [certificated] *credentialed* individual to maintain the validity of the [certificate] *credential* and to provide the Division of [Certification] *Educator Effectiveness* of the Department with current information including name, address and degree status.

(5) The file of an applicant for [certification] *credentialing* who is not eligible for a [certificate] *credential* shall be maintained by the Department for 1 year from the date of the last correspondence.

B. Fee. The fee for the issuance of a [certificate] *credential* is provided in Education Article, §6-704(b), Annotated Code of Maryland, and shall be made payable to the Maryland State Department of Education by money order, certified check, cashier's check, or electronic payment.

C. New [Certification] *Credential Areas*. A [n] *degreed* applicant seeking to add new [certification] *credential* areas under Regulation .13 of this chapter shall [provide] *submit* appropriate documentation to the Department or to the local school system personnel office if employed. Upon [receipt] *submission* [at] to the Department of documentation that the applicant meets the requirements under COMAR 13A.12.02, 13A.12.03, or 13A.12.04, the new [certification] *credential* area will be added to the existing [certificate] *credential*.

D. Effective Dates of [Certificates] *Credentials*. A [certificate] *credential* issued to an applicant between:

(1) [January 1—June 30] *October 1—March 31*, shall be dated January 1; and

(2) [July 1—December 31] *April 1—September 30*, shall be dated July 1.

(3) *Special Allowances*.

(a) *An individual with a Conditional Certificate who meets the requirements for a professional certificate prior to the expiration of the current Conditional Certificate shall be issued a certificate with the next issuance date.*

(b) *An individual with a Standard Professional Certificate who meets the requirements for the Advanced Professional Certificate prior to the expiration of the current Standard Professional Certificate shall be issued an Advanced Professional Certificate with the next issuance date.*

(c) *An individual with a Practitioner's License who becomes employed in a public school, State-operated school, or non-public school shall be issued an Initial Professional Certificate with an issuance date contingent on the date of employment with a date of either January 1 or July 1.*

(d) *An individual with a Practitioner's License who meets the requirements for the Advanced Professional License prior to the expiration of the current license may be issued an Advanced Professional License with the next issuance date.*

E. Effective Date of Evaluations. If a regulation is amended after the Department has completed an initial evaluation, the Department shall evaluate for a 3-year period the applicant's [credentials] *qualifications* under the applicable regulation in effect on the date of the Department's initial evaluation if the applicant completes at least 6 semester hours of course work per year toward the professional [certificate] *credential*. If the applicant fails to complete at least 6 semester hours of course work per year or fails to satisfy the [certification] *credentialing* requirements for a professional [certificate] *credential* within the 3-year period, the applicant shall meet the requirements of the current applicable regulation.

F. A Historic Maryland [Certificate] *Credential* may not be issued as an initial [certificate] *credential*.

.11 Renewal of [Certificates] *Credentials*.

A. General.

(1) An applicant who receives a [certificate] *credential* is responsible for initiating the renewal of the [certificate] *credential*.

(2) Renewal requirements shall be [received at] *submitted to* the Department within 90 days after the expiration date listed under "Period of Validity" on the [certification] *credential* in order for the [certificate] *credential* to be considered continuous.

(3) Failure to Meet Requirements. Failure to meet the requirements of this section results in loss of the professional [certificate] *credential*. The local school system may request [a] *one* conditional certificate pursuant to Regulation .08 of this chapter for an employee who fails to meet the renewal requirements of the professional certificate.

(4) Fee. The fee for the renewal of a [certificate] *credential* is provided in Education Article, §6-704(b), Annotated Code of Maryland, and shall be made payable to the Maryland State Department of Education by money order, certified check, cashier's check, or electronic payment.

(5) If a teacher has not submitted the required semester hours in reading course work, the acceptable credit needed shall include:

(a) 12 semester hours in *current* reading theory [and], methodology, *assessment of reading instruction, and materials for teaching reading* for early childhood, elementary, or *generic special education infant – grade 3 or grades 1-8*, [at that level] taken at an IHE or through CPDs, *a list of which is maintained by the Department*. [which shall include:

(i) Processes and acquisition of reading skills;

(ii) Best practices in reading instruction that include the cuing systems of graphophonics, semantics, and syntactics;

(iii) Use of reading assessment data to improve instruction; and

(iv) Materials for teaching reading in order to gain literary experience, perform a task, and read for information;]

(b) 6 semester hours in *methods for teaching* [reading] *content area literacy* [methods] for *middle school, secondary education, or generic special education grade 6-adult* [at that level], taken at an IHE or through CPDs, *a list of which is maintained by the Department*. [which shall include:

(i) Types of reading;

(ii) Use of reading assessment data to improve instruction;

(iii) Skills in reading including cognitive strategies in reading;

(iv) Reading instruction including reading aloud strategies and methods for diagnosing reading difficulties and making instructional modifications and accommodations for the student;

(v) Strategies for intrinsic and extrinsic motivation for reading;

(vi) Teaching students to learn from text by applying theories, strategies, and practices in daily classroom use including additional content in types of reading using authentic texts;

(vii) Skills in reading including processing of multimedia information and strategies to connect reading with study skills; and

(viii) Reading instruction that integrates content area goals with reading goals including strategies for students to communicate effectively orally and in writing about what they have read in content area texts]; or

(c) 6 semester hours as provided in §A(5)(b) of this regulation for [certification] *credentialing* at the PreK—12 level.

(6) To maintain the specific [certification] *credential* areas of the [certificate] *credential*, at least 6 semester hours are required in each renewal period until the required semester hours under §A(5) of this regulation are completed.

(7) A *professionally credentialed* teacher is exempt from submitting the required semester hours in reading course work required under §A(5) of this regulation if the teacher [presents] *submits* evidence of a qualifying score as established by the State Superintendent of Schools on the test approved by the State Board of Education. *A teacher who qualifies for this exemption shall submit any remaining credits required under Regulation .05C of this chapter.*

B. Professional [Certificates] *Credentials*.

[(1) The Professional Eligibility Certificate shall be renewed for 5 years by an applicant not currently employed as a professional in a Maryland local school system, by presenting 6 semester hours of acceptable credit as set forth in Regulation .05C of this chapter and §A(5) of this regulation.

(2) The Standard Professional I Certificate shall be renewed only once upon the request of the local superintendent of schools for an applicant whose service was interrupted during the validity period of the Standard Professional I Certificate, preventing the applicant from meeting the experience requirement under Regulation .06C(1)(b) of this chapter, if the applicant presents 6 semester hours of acceptable credit as set forth in Regulation .05C of this chapter and §A(5) of this regulation.

(3) The Standard Professional II Certificate may not be renewed.

(4) The Extended Standard Professional II Certificate may not be renewed.

(5) The Advanced Professional Certificate shall be renewed for 5 years if an applicant is:

(a) Continuously employed as a professional in a Maryland school during the validity period of the certificate upon the request of the local superintendent of schools and upon presenting all of the following:

(i) A professional development plan for the subsequent Advanced Professional Certificate designed by the employee and reviewed by the local superintendent of schools that includes at least 6 semester hours of acceptable credit under Regulation .05C of this chapter and §A(5) of this regulation, or the equivalent once the required semester hours of reading course work are completed;

(ii) 6 semester hours of acceptable credit under Regulation .05C of this chapter and §A(5) of this regulation, or verification by the local superintendent of schools that the employee has earned the equivalent of 6 semester hours of credit in professional growth activities during the validity period of the current certificate once the required semester hours of reading course work are completed; and

(iii) Verification of 3 years of satisfactory school-related experience completed within the 5 years immediately preceding the issuance of the renewed Advanced Professional Certificate; or

(b) Not continuously employed as a professional in a Maryland school during the validity period of the certificate, upon the request of the applicant and upon the applicant presenting 6 semester hours of acceptable credit under Regulation .05C of this chapter and §A(5) of this regulation.]

(1) The Practitioner License or Advanced Professional License shall be renewed upon request for 5 years if the applicant:

(a) Is not employed as a professional required to hold a certificate in one of the entities specified in Regulation .03B(1)–(3) of this chapter; and

(b) Submits 6 semester hours of acceptable credit under Regulation .05C of this chapter and §A(5) of this regulation.

(2) The Initial Professional Certificate shall be renewed one time for five years upon the request of the local superintendent of schools for an applicant who fails to meet the experience requirement for the Standard Professional Certificate I under Regulation .06D(1)(b) of this chapter.

(3) The Standard Professional I Certificate shall be not be renewed.

(4) The Standard Professional II Certificate shall not be renewed.

(5) The Advanced Professional Certificate shall be renewed for 5 years upon request by the local superintendent of schools if an applicant submits:

(a) A professional development plan for the subsequent Advanced Professional Certificate that includes at least 6 semester hours of acceptable credit or equivalent credits under Regulation .05C of this chapter and §A(5) of this regulation;

(b) 6 semester hours of acceptable credit or equivalent credits under Regulation .05C of this chapter and §A(5) of this regulation; and

(c) *Verification of 3 years of satisfactory school-related experience completed within the 5 years immediately preceding the issuance of the renewed Advanced Professional Certificate.*

C. Conditional [Teacher] *Certificate*.

[(1) An applicant may hold only one Conditional Teacher Certificate which may be renewed in accordance with this regulation.]

[(2)] (1) A Conditional [Teacher] *Degree Certificate for a teacher* may be renewed for 2 years, only one time, upon the recommendation of the local superintendent of schools, if the applicant has:

(a) (text unchanged)

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

(2) *A Conditional Degree Certificate for a specialist, administrator or supervisor shall not be renewed.*

D. (text unchanged)

.12 Reinstatement of a [Certificate] *Credential*.

A. General.

(1) A [Professional Certificate or Professional Eligibility Certificate] *license* shall be reinstated *for 5 years* if an applicant [presents] *submits*:

(a) 6 semester hours of acceptable credit as set forth in Regulation .05C and .11A(5) of this chapter[.]; *or*

(b) *A valid professional credential issued by a member state and verification of 3 years of satisfactory school-related experience within the last 7 years in the credential area endorsed on the Maryland credential.*

[(2) If a teacher has not submitted the required semester hours in reading course work, the acceptable credit needed shall include the reading course work under Regulation.11A(5) of this chapter.]

(2) *An Initial Professional Certificate shall be reinstated for 5 years upon request by the local superintendent of schools for an applicant who fails to meet the experience requirement for a Standard Professional Certificate I under Regulation .06D(1)(b) of this chapter.*

(3) *A Standard Professional Certificate shall be reinstated for 5 years upon request by the local superintendent of schools for an applicant who submits 6 semester hours of acceptable credit as set forth in Regulation .05C and .11A(5) of this chapter.*

(4) *An Advanced Professional Certificate shall be reinstated for 5 years upon request by the local superintendent of schools for an applicant who submits a valid professional credential issued by a member state and verification of 3 years of satisfactory school-related experience within the last 7 years in the credential area endorsed on the Maryland credential.*

[B. Exemptions.

(1) A teacher holding an expired Maryland Professional Certificate or Professional Eligibility Certificate who holds a valid Professional Certificate issued by a member state and presents verification of 3 years of satisfactory experience within the last 7 years shall reinstate a Maryland Professional Certificate or Professional Eligibility Certificate.

(2) In order to maintain the specific certification areas on the certificate, a teacher shall submit at least 6 semester hours in each renewal period until the semester hours required under §A(2) of this regulation are completed.

(3) A teacher shall meet the reading course work requirements by presenting evidence of a qualifying score as set forth in Regulation .11A(7) of this chapter.]

[C.] B. A Historic Maryland Professional [Certificate] *Credential* may not be reinstated.

.13 Adding New [Certification] *Credential* Areas.

[In General.] Additional specific [certification] *credential* areas shall be added to a *degreed* teacher's professional [certificate] *credential* if the applicant:

[A. Meets the requirements under COMAR 13A.12.03 or 13A.12.04;]

[B.] A. Meets the following requirements:

(1) (text unchanged)

(2) For secondary, middle school, or prekindergarten—12 education, obtains 30 credits at least 15 of which are in the area for which the new [certification] *credential area* is sought and 15 of which are in content-related areas; [or]

(3) (text unchanged)

[C.](4) [Obtains] *Submits* a qualifying score as established by the State Superintendent of Schools on the content-specific tests required for [certification] *credentialing*.

C. *Meets the requirements under COMAR 13A.12.03 or 13A.12.04 to add a specialist or administrator credential area.*

D. *To add a Professional and Technical Education area, the degreed teacher must submit an industry-recognized credential, a list of which is maintained by the Department.*

.14 Waivers and Special [Certification] *Credential* Provisions.

A. Waiver of [Certification] *Credential* Requirements. Except for teacher [certification] *credentialing* tests, the State Superintendent of Schools has the authority to waive the specific requirements for a [certificate] *credential* in an individual case if the State Superintendent of Schools determines, after thorough investigation, that the applicant's preparation or experience, or both, are adequate to justify a waiver.

B. Special Allowances. Renewal requirements for any professionally [certificated] *credentialed* employee may be waived without regard to Regulation .11 of this chapter if the:

(1) (text unchanged)

(2) Professionally [certificated] *credentialed* employee is:

(a)—(b) (text unchanged)

LILLIAN M. LOWERY, Ed.D.
State Superintendent of Schools