

MARYLAND REGISTER

# Emergency Action on Regulations

<b>TO BE COMPLETED BY AELR COMMITTEE</b>	<b>EMERGENCY</b> <b>Transmittal Sheet</b>	<b>TO BE COMPLETED BY DSD</b>
Date Received by AELR Committee		Date Filed with Division of State Documents
05/01/2020		Document Number
Emergency Status Approved		Date of Publication in MD Register
_ -Yes _ -No		
Emergency Status Begins On		
On		
Emergency Status Ends On		
Name of AELR Committee Counsel		

**1. COMAR Codification**

**Title Subtitle Chapter Regulation**

13A 12 01 14

**2. Name of Promulgating Authority**

Maryland State Department of Education

**3. Name of Regulations Coordinator**

Charlene L Necessary

**Telephone Number**

410-767-0467

**Mailing Address**

200 W. Baltimore Street

<b>City</b>	<b>State</b>	<b>Zip Code</b>
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charlene.necessary@maryland.gov

**4. Name of Person to Call About this Document**

Sarah Spross

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410-767-0385

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sarah.spross@maryland.gov

**5. Check applicable items:**

- New Regulations
- Amendments to Existing Regulations
- Repeal of Existing Regulations
- Incorporation by Reference of Documents Requiring DSD Approval

**6. Date Requested for Emergency Status to Begin:** 5/26/2020

**Date Requested for Emergency Status to Expire:** 11/20/2020

**7. Agency Will Take the Following Action on These Regulations**

- Promulgate them in accordance with State Government Article, §§ 10-101 -- 10-126
- Allow them to expire

**8. Is there proposed text which is identical to emergency text:**

- Yes  - No

**9. Check the following item if it is included in the attached document:**

- 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.)

**10. Reason for Request for Emergency Status**

The regulation establishes an emergency certificate that will allow local school systems to hire teacher candidates who have not yet taken certification assessments. Given that testing centers are closed, if we did not propose this emergency certificate, local school systems would not be able to hire these candidates and the teacher shortage would inevitably increase.

**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 Elliott L. Schoen, Assistant Attorney General, (telephone #410-576-6465) on April 30, 2020. A signed copy of the approval is on file at this agency.

**Name of Authorized Officer**

Karen B. Salmon, Ph.D.

**Title**

State Superintendent of Schools

**Telephone No.**

410-767-0467

**Date**

May 1, 2020

**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—6-706; Family Law Article, §10-119.3; Annotated Code of Maryland

**Notice of Emergency Action**

□

The Joint Committee on Administrative, Executive, and Legislative Review has granted emergency status to Regulation .14 under COMAR 13A.12.01 General Provisions.

**Emergency status began:**

**Emergency status expires:**

**Comparison to Federal Standards**

There is no corresponding federal standard to this emergency action.

**Estimate of Economic Impact**

The emergency action has no economic impact.

**Economic Impact on Small Businesses**

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

**Economic Impact Statement Part C**

A. Fiscal Year in which regulations will become effective: FY 2020

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:

No fiscal impact is expected.

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

The regulation establishes an emergency certificate that will allow local school systems to hire teacher candidates who have not yet taken certification assessments. Given that testing centers are closed, if we did not propose this emergency certificate, local school systems would not be able to hire these candidates and the teacher shortage would inevitably increase.

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

G. Response to small business worksheet:

#### Attached Document:

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#### **.14 Waivers and Special Certification Provisions.**

A.—B. (text unchanged)

*C. Emergency Certificate. During a state of emergency, the State Superintendent may authorize the issuance of an emergency certificate to an individual employed in a local school system, state institution, or nonpublic school approved under COMAR 13A.09.10.*

*(1) Conditions. The emergency certificate may only be issued during a state of emergency and is:*

*(a) Valid for 6 months from the date that the state of emergency is declared over;*

*(b) Not renewal; and*

*(c) May only be issued to an individual employed in a local school system, state institution, or nonpublic school approved under COMAR 13A.09.10.*

*(2) Applicant. The emergency certificate may be issued to those applicants who are employed with a local school system, state institution, or nonpublic school approved under COMAR 13A.09.10 in a position that requires certification under COMAR 13A.12.01.03B, if the applicant is:*

*(a) Enrolled, in good standing, in a Maryland approved educator preparation program and has completed all program requirements with the exception of the clinical experience(s) and the certification assessment(s); or*

*(b) Holds a conditional degree or conditional nondegree certificate and has completed all of the requirements on their Maryland State Department of Education evaluation with the exception of the required experience and certification assessment(s).*

KAREN B. SALMON, Ph.D.  
State Superintendent of Schools