
By: Senators Collins, Ruben, Hollinger, Pica, Kelley, Della, Sfikas, and Stone

Introduced and read first time: January 29, 1996

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Professional Educators - Certification**

3 FOR the purpose of transferring full authority over the certification of certain school
4 personnel to the Professional Standards and Teacher Education Board; altering the
5 composition of the Board; authorizing the State Superintendent of Schools to waive
6 certain requirements for a teacher certificate under certain circumstances; and
7 generally relating to the certification of certain school personnel by the Professional
8 Standards and Teacher Education Board.

9 BY repealing and reenacting, without amendments,
10 Article - Education
11 Section 6-701 and 6-702
12 Annotated Code of Maryland
13 (1992 Replacement Volume and 1995 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article - Education
16 Section 6-703 and 6-704(a)
17 Annotated Code of Maryland
18 (1992 Replacement Volume and 1995 Supplement)

19 BY adding to
20 Article - Education
21 Section 6-709
22 Annotated Code of Maryland
23 (1992 Replacement Volume and 1995 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
25 MARYLAND, That the Laws of Maryland read as follows:

26 **Article - Education**

27 6-701.

28 (a) In this subtitle the following words have the meanings indicated.

29 (b) "Board" means the Professional Standards and Teacher Education Board.

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1 (c) "Review board" means the entity composed of, and appointed by, the
2 Professional Standards and Teacher Education Board under § 6-707 of this subtitle.

3 6-702.

4 There is a Professional Standards and Teacher Education Board in the State
5 Department of Education.

6 6-703.

7 (a) (1) The Board consists of 25 members.

8 (2) Of the 25 Board members:

9 (i) [8] EIGHT shall be public school classroom teachers, as follows:

10 1. [6] SIX shall be chosen from a list of nominees provided by
11 the statewide teachers' organization representing a majority of teachers in the State for
12 collective bargaining purposes; and

13 2. [2] TWO shall be chosen from a list of nominees provided by
14 a statewide teachers' organization representing teachers in at least one jurisdiction within
15 the State for collective bargaining purposes other than the majority organization provided
16 for in item 1 of this subparagraph;

17 (ii) [1] ONE shall be a certified nonpublic school classroom teacher,
18 chosen from a list of nominees provided by the Association of Independent Schools;

19 (iii) [6] SIX shall be teacher education faculty members from colleges
20 of the State, chosen from a list of nominees provided by:

21 1. The Maryland Association of Teacher Educators; and

22 2. The Maryland Association of Colleges of Teacher Education;

23 (iv) [4] FOUR shall be administrative or supervisory staff members of
24 public schools, as follows:

25 1. [2] TWO shall be chosen from a list of nominees provided by
26 the Public School Superintendents' Association of Maryland;

27 2. [1] ONE shall be chosen from a list of nominees provided by
28 the Maryland Association of Secondary Principals; and

29 3. [1] ONE shall be chosen from a list of nominees provided by
30 the Maryland Association of Elementary School Administrators;

31 (v) [2] TWO shall be [administrative or supervisory staff of the
32 approved nonpublic schools of the State,] chosen from [a list of nominees provided by
33 the Association of Independent Schools] THE MEMBERS OF THE MARYLAND STATE
34 BOARD OF EDUCATION;

35 (vi) [1] ONE shall be a member of a local board of education, chosen
36 from a list of nominees provided by the Maryland Association of Boards of Education;

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1 (vii) [2] TWO shall be representatives of the general public, as follows:

2 1. [1] ONE shall be chosen from a list of nominees provided by
3 the Speaker of the House of Delegates of Maryland; and

4 2. [1] ONE shall be chosen from a list of nominees provided by
5 the President of the Senate of Maryland; and

6 (viii) [1] ONE shall be the State Superintendent or a designee of the
7 State Superintendent.

8 (3) The Board shall include all the members of the ProfessionalStandards
9 and Teacher Education Advisory Board serving on July 1, 1991.

10 (b) (1) The Governor, with the advice and consent of the Senate of Maryland,
11 shall appoint the members of the Board described in subsection (a)(2)(i) through (vii) of
12 this section.

13 (2) In making the appointments required under this subsection, the
14 Governor shall ensure that the Board is representative of:

15 (i) The geographic regions of the State; and

16 (ii) Minority populations of the State as defined in § 9-301 of the State
17 Government Article.

18 (c) (1) The term of an appointed member is 3 years.

19 (2) The terms of the appointed members are staggered as required by the
20 terms provided for members of the Board on October 1, 1991.

21 (3) At the end of a term, a member continues to serve until a successor is
22 appointed.

23 (4) A member who is appointed after a term has begun serves only for the
24 remainder of the term and until a successor is appointed and qualifies.

25 (d) The Governor may remove a member for incompetence or misconduct.

26 (e) From among its members, the Board annually shall elect a chairman.

27 (f) A majority of the members of the Board then serving on the Board is a
28 quorum.

29 (g) The staff for the Board shall be provided by the State Board.

30 6-704.

31 (a) (1) In accordance with Title 10, Subtitle 1 of the State Government Article,
32 [both the State Board and] the Board shall [develop for consideration] ADOPT rules
33 and regulations CONSISTENT WITH THE GOALS OF THE STATE BOARD OF EDUCATION
34 for:

35 (i) The certification of teachers and other professional personnel in
36 accordance with this article; and

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1 (ii) Requirements for preparation of teachers and other education
2 personnel.

3 [(2) Rules and regulations developed by the State Board shall be reviewed by
4 the Board.

5 (3) Rules and regulations developed by the Board shall be reviewed by the
6 State Board.

7 (4) Rules and regulations that are initiated by either the State Board or the
8 Board and submitted for review to each other shall be acted upon within 60 days of their
9 receipt by the other party.

10 (5) Recommendations on rules and regulations that are initiated by the
11 Board shall be implemented unless disapproved by three-fourths of the members of the
12 State Board.

13 (6) Recommendations on rules and regulations that are initiated by the
14 State Board shall be implemented unless disapproved by the Board.

15 (7) If the rules or regulations are disapproved under paragraph (6) of this
16 subsection, the rules or regulations shall be implemented if they are approved by
17 three-fourths of the members of the State Board.]

18 [(8)] (2) An individual who is otherwise qualified may not be denied the
19 right to receive credentials from the Board, to receive training to become a teacher, or to
20 practice teaching in any school because that individual is totally or partially blind.

21 [(9)] (3) A county board may not refuse to contract with or engage a
22 teacher because of blindness if the blind teacher is capable of performing the duties of
23 the position for which he has applied.

24 [(10)] (4) The right of a school psychologist, who is certified by the Board to
25 practice school psychology consistent with the provisions of that certification, may not be
26 limited by Title 18 of the Health Occupations Article with respect to the practice of
27 school psychology in an educational institution.

28 6-709.

29 EXCEPT FOR A REQUIREMENT FOR A TEACHER CERTIFICATION TEST, THE
30 STATE SUPERINTENDENT HAS THE AUTHORITY TO WAIVE SPECIFIC REQUIREMENTS
31 FOR A CERTIFICATE IN AN INDIVIDUAL CASE, IF THE STATE SUPERINTENDENT
32 DETERMINES, AFTER THOROUGH INVESTIGATION, THAT THE APPLICANT'S
33 PREPARATION OR EXPERTISE, OR BOTH, ARE ADEQUATE TO JUSTIFY A WAIVER.

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
35 October 1, 1996.