

# HOUSE BILL 715

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7lr0135

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By: **Chair, Ways and Means Committee (By Request – Departmental – Education)**

Introduced and read first time: February 2, 2017

Assigned to: Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 10, 2017

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Institutions of Higher Education – Teacher Preparation Programs –**  
3 **Accreditation and Approval**

4 FOR the purpose of authorizing the State Department of Education to approve the offering  
5 of certain teacher preparation programs by certain institutions of higher education  
6 under certain circumstances and in addition to certain approval by the Maryland  
7 Higher Education Commission; requiring certain institutions of higher education to  
8 make certain determinations; requiring the Department and the Commission to  
9 consider certain factors when making certain determinations regarding certain  
10 accrediting agencies and to jointly agree on certain standards used for certain  
11 purposes, and to adopt certain protocols for certain purposes; specifying that a  
12 certain program of technical support is available on request; providing for the  
13 application of this Act; making certain stylistic and conforming changes; defining  
14 certain terms; and generally relating to the accreditation and approval of teacher  
15 preparation programs offered by institutions of higher education in the State.

16 BY repealing and reenacting, without amendments,  
17 Article – Education  
18 Section 1–101(a) and (f)  
19 Annotated Code of Maryland  
20 (2014 Replacement Volume and 2016 Supplement)

21 BY repealing and reenacting, with amendments,  
22 Article – Education  
23 Section 11–208

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Annotated Code of Maryland  
2 (2014 Replacement Volume and 2016 Supplement)

3 Preamble

4 WHEREAS, Current law requires certain institutions of higher education that offer  
5 undergraduate and graduate programs that would certify a recipient to teach to be  
6 nationally accredited by an accrediting agency recognized by the United States Department  
7 of Education and endorsed by the Maryland State Department of Education; and

8 WHEREAS, As of September 2016, the United States Department of Education no  
9 longer recognizes an accrediting agency for teacher preparation programs; and

10 WHEREAS, Institutions of higher education in the State may no longer offer  
11 undergraduate or graduate programs that certify teachers since there is no accrediting  
12 agency that meets the requirements of current law; and

13 WHEREAS, The United States Department of Education is not expected to recognize  
14 an accrediting agency for teacher preparation programs for at least 2 years; and

15 WHEREAS, Graduating from an undergraduate or graduate program that certifies  
16 a recipient to teach allows an individual to quickly obtain a teaching certificate in Maryland  
17 because those programs meet all certification requirements set by the Maryland State  
18 Department of Education; and

19 WHEREAS, Unless current law is changed to alter the accreditation requirements  
20 for programs that certify a recipient to teach, graduates of these programs would have to  
21 go through a lengthier review process with the Maryland State Department of Education,  
22 which would place additional burdens on the local school districts hiring those graduates  
23 to submit certification requests; and

24 WHEREAS, In order to ensure that our institutions of higher education can continue  
25 to offer teacher preparation programs that would certify a recipient to teach and protect  
26 students who are currently in those programs that certify teachers, it is necessary to alter  
27 the law concerning accreditation of undergraduate and graduate programs that certify a  
28 recipient to teach; now, therefore,

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

31 **Article – Education**

32 1–101.

33 (a) In this article, unless the context requires otherwise, the following words have  
34 the meanings indicated.

1 (f) "Department" means the State Department of Education.

2 11-208.

3 (a) In this section, "national accreditation" means teacher education accreditation  
4 by an accrediting agency recognized [by the U.S. Department of Education and endorsed]  
5 by the Department **AND THE COMMISSION.**

6 (b) (1) [After July 1, 2004, an] **AN** institution of higher education in this State  
7 may not offer a program of undergraduate or graduate studies that would certify a recipient  
8 to teach unless the institution has received:

9 **(I) ~~A CERTIFICATE OF APPROVAL ISSUED BY THE COMMISSION~~**  
10 **~~UNDER § 11-202 OF THIS SUBTITLE APPROVAL TO OPERATE BY THE COMMISSION~~**  
11 **OR UNDER OPERATION OF LAW; AND**

12 **[i] (II) 1.** National accreditation; or

13 **[ii] 2.** [A waiver under paragraph (2) of this subsection]  
14 **APPROVAL BY THE DEPARTMENT.**

15 (2) [The State Superintendent may grant a waiver from the national  
16 accreditation requirements to:

17 (i) Any liberal arts college with a full-time equivalent enrollment of  
18 not more than 2,000 students; and

19 (ii) Any nationally recognized professional school of fine arts  
20 specializing in music or art] **AN INSTITUTION OF HIGHER EDUCATION SHALL**  
21 **DETERMINE WHETHER TO SEEK NATIONAL ACCREDITATION OR APPROVAL BY THE**  
22 **DEPARTMENT AS DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

23 (c) [(1) By July 1, 2000, an institution of higher education in the State that  
24 offers a program of undergraduate or graduate studies that would certify a recipient to  
25 teach must:

26 (i) File its intent to seek national accreditation;

27 (ii) Certify to the Department that it has national accreditation; or

28 (iii) Have received a waiver under subsection (b)(2) of this section]  
29 **WHEN DETERMINING WHETHER AN ACCREDITING AGENCY IS RECOGNIZED, THE**  
30 **DEPARTMENT AND THE COMMISSION SHALL CONSIDER WHETHER THE NATIONAL**  
31 **ACCREDITING AGENCY USES NATIONAL PROFESSIONAL STANDARDS THAT ARE**

1 COMPARABLE TO THE STANDARDS THAT ARE USED BY THE DEPARTMENT WHEN  
2 APPROVING A TEACHER PREPARATION PROGRAM.

3 (D) THE DEPARTMENT AND THE COMMISSION SHALL JOINTLY AGREE ON  
4 THE STANDARDS USED BY THE DEPARTMENT TO DETERMINE APPROVAL UNDER  
5 SUBSECTION (B)(1)(II) OF THIS SECTION.

6 [(2)] (E) The NATIONAL accreditation process for an institution of higher  
7 education subject to this section shall be conducted in accordance with the protocol  
8 established by a [nationally recognized] NATIONAL accrediting agency and the  
9 Department.

10 [(d)] (F) (1) In conjunction with accrediting agencies, the Department shall  
11 develop and administer a program of technical support, AVAILABLE ON REQUEST, to  
12 assist institutions of higher education in the State that seek NATIONAL accreditation OR  
13 APPROVAL BY THE DEPARTMENT under SUBSECTION (B) OF this section.

14 (2) In addition to the technical support provided to an institution of higher  
15 education under paragraph (1) of this subsection, the Department shall pay:

16 (i) Any fee that [an] A NATIONAL accrediting agency charges an  
17 institution of higher education in connection with the accreditation process;

18 (ii) Any training fee that [an] A NATIONAL accrediting agency  
19 charges a State representative who serves with a review team of an accrediting agency in  
20 conjunction with an accreditation visit to an institution of higher education in the State;  
21 and

22 (iii) One-half of the expenses incurred by an institution of higher  
23 education in connection with the accreditation visit of a review team of [an] A NATIONAL  
24 accrediting agency.

25 [(e)] (G) The Department shall adopt regulations to implement this section.

26 [(f)] (H) The Governor shall provide sufficient funds in the Department's annual  
27 budget for the additional costs incurred by the Department under this section.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to  
29 apply prospectively and an institution of higher education that was in compliance with the  
30 provisions of § 11-208 of the Education Article as of July 1, 2016, shall be deemed to have  
31 remained in compliance unless and until the institution receives notification from the State  
32 Department of Education, in consultation with the Maryland Higher Education  
33 Commission, that it is in violation of Section 1 of this Act.

1 SECTION 3. AND BE IT FURTHER ENACTED, That the State Department of  
2 Education and the Maryland Higher Education Commission shall adopt written protocols  
3 for carrying out the provisions of this Act.

4 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
5 1, 2017.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.