

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulation
State Board of Education**
(DLS Control No. 16-292)

Overview and Legal and Fiscal Impact

The regulation amends the language of COMAR 13A.12.04.04 to reflect changes made to the professional standards framework used for the certification of certain school administrators and supervisors.

The regulation presents no legal issues of concern.

There is no fiscal impact on State or local agencies.

Regulation of COMAR Affected

State Board of Education:

Certification: Administrators and Supervisors: COMAR 13A.12.04.04

Legal Analysis

Background

In 2005, Maryland developed and adopted the Maryland Instructional Leadership Framework to support the preparation, identification, and evaluation of educational leaders. In 2013, a consortium of national educational stakeholders created new professional standards aligned to reflect contemporary educational leadership ideas – the Professional Standards for Educational Leaders. Maryland has been using the Professional Standards for Educational Leaders since November 2015.

The State Board of Education and the Professional Standards and Teacher Education Board (PSTEB) are jointly responsible for developing regulations governing teacher certification and preparation. More specifically, if PSTEB initiates a regulatory change, the State board must review the change before the change may be adopted and vice versa. These regulations were reviewed by the PSTEB on May 5, 2016 and the State board on October 25, 2016.

Summary of Regulation

The regulation amends the language of COMAR 13A.12.04.04 to reference the Professional Standards for Educational Leaders, the professional standards framework the State uses to certify school administrators and supervisors.

Legal Issues

The regulation presents no legal issues of concern.

Statutory Authority and Legislative Intent

The State board cites §§ 2-205, 2-303(g) and 6-701 through 6-705 of the Education Article as statutory authority for the regulation. Section 6-704 requires the State board and PSTEB to develop regulations for the certification of teachers and other professional personnel. Additionally, § 2-205(c) gives the State board general authority to adopt “regulations for the administration of the public schools.” Finally, § 2-303(g) requires the State Superintendent to “certificate the professional personnel...in accordance with [the Education Article] and subject to the bylaws, rules, and regulations of the Professional Standards and Teacher Education Board.”

The remaining statutory authority is not relevant to this regulation.

The relevant cited authority is correct and complete. The regulations comply with the legislative intent of the law.

Fiscal Analysis

There is no fiscal impact on State or local agencies.

Agency Estimate of Projected Fiscal Impact

The regulation references the Professional Standards for Educational Leaders as a professional standards framework the State uses to certify school administrators and supervisors. 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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