

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulations
State Board of Education**
(DLS Control No. 23-106)

Overview and Legal and Fiscal Impact

The regulations alter the standards and processes to be used by the Maryland State Department of Education (MSDE) to approve traditional and alternative teacher preparation programs in the State.

The regulations present no legal issues of concern.

There is no material fiscal impact on State agencies and no fiscal impact on local agencies.

Regulations of COMAR Affected

State Board of Education:

School Personnel: Programs for Professionally Certified Personnel:
COMAR 13A.07.06.01 through .15

Legal Analysis

Background

The Blueprint for Maryland's Future, Chapter 36 of 2021, established requirements for and approval of Maryland teacher preparation programs. The Professional Standards and Teacher Education Board (PSTEB) considered the regulations on December 1, 2022, and the State Board of Education considered the regulations on January 24, 2023.

Summary of Regulations

The regulations repeal the existing regulations in Chapter 6 on approval of programs for professionally certified teachers and replace them with requirements for programs for professionally licensed teachers.

In General

The purposes of the chapter are established and terms are defined. Definitions for "accreditation", "alternative teacher preparation program", "Commission", "Department", "institution of higher education", and "partner school" generally conform to existing statutory definitions in the Education Article. The regulation also provides additional terms, the definitions of which are not derived from statute.

Incorporation by Reference

The regulation incorporates by reference many documents related to national standards in (1) administrative or supervisory areas; (2) early childhood and elementary areas; (3) English; (4) mathematics; (5) middle school; (6) science; (7) special education; (8) secondary areas; (9) specialist areas; (10) specialty areas (PreK-12); and (11) general teaching.

State Consent to Offer Programs

Persons are prohibited from offering an educator preparation program without permission from the Maryland Higher Education Commission (MHEC) and MSDE. MSDE may allow a provider to operate an educator preparation program if MHEC has granted a Maryland institution preparing educators approval to operate in Maryland and the provider either obtains and continues to hold an appropriate accreditation or meets certain other requirements.

National Accreditation

The regulations provide an exemption from receiving permission from MHEC and MSDE to offer an educator preparation program if the provider holds a national accreditation. However, the provider is also required to comply with certain requirements and authorize MSDE to investigate certain complaints.

Application and Process for State Program Approval

The regulations set forth the application process for State approval of traditional and alternative programs, including changes to existing approved programs. Also, conditions are detailed under which MSDE may not approve a change in an approved program and circumstances that void an approval.

The State program approval process for traditional and alternative programs generally and other special requirements for alternative programs is set forth. There are additional requirements in the approval process if there are no national content standards available for the program.

State Program Approval, Reporting, and Oversight

The regulations set forth program requirements and standards, including: entry requirements for candidates; waivers from entry requirements under certain circumstances; standards and competencies for programs, including requirements for different types of programs; minimum requirements for clinical experiences and practicums; exit requirements; and credit requirements.

Requirements for clinical experience placements are detailed, including requirements for partner schools, clinical mentor teachers, and action research. The regulations also set forth program reporting requirements.

The regulations set forth standards for program reviews by MSDE. Programs are approved for five years and must be reviewed by MSDE at the end of each cycle. The regulations set

requirements for program approval, approval with conditions, placement on probation, or approval revocation. Procedures for appeals of MSDE's decision are set forth.

Teacher Preparation Competencies

The regulations provide detailed requirements for general competencies, literary competencies, math competencies, and teacher preparation competencies involving cultural responsiveness.

Legal Issues

The regulations present no legal issues of concern.

Statutory Authority and Legislative Intent

The State board cites §§ 2-205, 6-120, 6-121, 6-704, and 11-208 of the Education Article as statutory authority for the regulations. More specifically, § 2-205(c) requires the State board to adopt regulations for the administration of public schools. Section 6-704(a)(i) and (ii) require both PSTEB and the State board to develop rules and regulations for the certification of teachers and other professional personnel and requirements for preparation of teachers and other education personnel.

Section 6-120 generally establishes the requirements for an undergraduate and graduate teacher preparation program and alternative teacher preparation programs, including the requirements for the teacher training practicum component and the minimum duration of a program. More specifically, subsection (g) requires PSTEB and the State board, in consultation with the Accountability and Implementation Board (AIB) to adopt regulations to implement the section.

Section 6-121 generally establishes the requirements of a teacher preparation program with respect to other aspects of the programs not mentioned in § 6-120. These requirements include components of instruction, classroom observations by the program participants, credit requirements for the programs at institutions of higher education, etc. Similarly, subsection (g) of this section also requires PSTEB and the State board to adopt regulations in consultation with the AIB to implement the section.

Section 11-208 generally establishes the criteria and procedures for receiving national accreditation status as it pertains to teacher education accreditation. More specifically, subsection (b) prohibits an institution of higher education in the State from offering a program of undergraduate or graduate studies that would certify a recipient to teach unless the institution has received approval to operate by MHEC and either national accreditation or approval by MSDE. Subsection (f) also requires MSDE to pay certain fees relating to the accreditation process. MSDE is required to adopt regulations to implement this section.

Although not cited by the State board, § 1-303(2)(ii) and (iii) of the Education Article requires, under the Blueprint for Maryland's Future, that (1) teacher preparation programs in the State's postsecondary institutions are rigorous and prepare teacher candidates to have the

knowledge, skills, and competencies needed to improve student performance and to teach all students successfully regardless of the student's economic background, race, ethnicity, and learning ability or disability; and (2) State exit standards from teacher preparation programs and State standards for teacher licensure require prospective teachers to demonstrate that they have the knowledge, skills, and competencies to successfully teach students from all backgrounds. Additionally, § 6-126(a) of the Education Article requires, after July 1, 2025, that an individual who graduates from a teacher preparation program or an alternative teacher program meet certain requirements to qualify for an initial certificate.

With the addition of §§ 1-303 and 6-126, this authority is correct and complete. The regulations comply with the legislative intent of the law.

Fiscal Analysis

There is no material fiscal impact on State agencies and no fiscal impact on local agencies.

Agency Estimate of Projected Fiscal Impact

The regulations implement several statutory requirements. The department advises that there are expenses associated with the statutory requirement (Education Article § 11-208) for the department to cover specified costs related to accreditation of teacher preparation programs. Further, institutions of higher education advise that there are expenses linked to the statutory requirement outlined in the Blueprint for Maryland's Future (House Bill 1300 of 2020, enacted as Chapter 36 of 2020) related to requiring an undergraduate teacher preparation program to be equivalent to one full school year by July 1, 2025. The Department of Legislative Services advises that these costs are due to the statutory requirements; however, potential institutional costs associated with opening dormitories and providing the supports to the educators participating in the internship were not explicitly discussed in the fiscal and policy note for the Blueprint for Maryland's Future (House Bill 1300). The department advises that these costs can be met with minimal impact to institutions of higher education, and the Department of Legislative Services concurs that any impact is likely not material.

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 regulations have minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

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