



Nancy S. Grasmick
State Superintendent of Schools

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TO: Members of the State Board of Education
FROM: Nancy S. Grasmick *Nancy*
DATE: August 26, 2008
SUBJECT: COMAR 13A.12.01.13 (AMEND)
Adding New Certification Areas
APPROVAL

PURPOSE:

The purpose of this item is to request your approval of proposed changes to COMAR 13A.12.01.13, which governs the addition of certification areas to professional certificates. These amendments were considered and acted upon (publication) by the Professional Standards and Teacher Education Board (PSTEB) at its meeting on April 3, 2007. Subsequently, you reviewed the proposal at your meeting on April 30, 2008. The proposed changes will provide clarification for adding endorsement(s) to existing professional certificates for teachers only and will add the recently created category of middle school to others enumerated in the regulation.

HISTORICAL BACKGROUND:

An initial change in regulation pertaining to adding new certification areas was grounded in a recommendation made by the Quality Teacher Work Group in its report of February, 2003:

It is recommended that professionally certificated personnel may receive additional endorsements on their certificates by:

- i. Taking a minimum of 30 credits (appropriately distributed) in a specified content area or*
- ii. Passing the Praxis II in that content area.*

The effect of this change was to enable teachers holding valid professional certification to add endorsement(s) in a more streamlined way. The rationale for the recommendation of the Quality Teacher Work Group and the proposed regulatory change was based on Maryland's continuing need to attract and retain highly qualified teachers, recognition that certificated teachers already possess pedagogy skills, and focus on alignment with teacher quality provisions of federal legislation, *No Child Left Behind* (NCLB).

Subsequently, in October, 2004 the PSTEB adopted a second change to this regulation, which further clarified that adding new certification areas was designed only for teachers, not for other professionally certificated individuals such as guidance counselors. Unfortunately, adopted wording was unintentionally ambivalent, referring to "teaching areas" and inadvertently permitting specialists and administrators to add subject-area endorsements.

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In June, 2005 the PSTEB adopted a third change to this same regulation, which delineated the requirements for coursework and clarified the potential use of related content along with specific content. In presenting this change, the reference to "teachers" was inadvertently eliminated from the regulation. Due to this oversight, the regulation currently permits any individual holding a professional certificate to add a teaching area; this is clearly contradictory to the original intent of this regulatory change and the Quality Teacher Work Group recommendation. Since administrator and specialist preparation programs do not include pedagogy, adding teaching endorsements solely on the basis of content is inappropriate for these areas.

This proposed amendment was presented and discussed at the PSTEB meeting on March 6, 2008, and members requested consideration for publication in April. In the intervening weeks, staff review led to a non-substantive refinement beyond that presented at the March meeting. Subsequent to the regulatory activity described herein, Maryland has adopted middle school certification (COMAR 13A.12.02.05) through action by the PSTEB and the Maryland State Board of Education in 2005. Along with the amendment developed initially in March, the final proposal includes language to address the exclusion of middle school-certificated teachers from the options afforded under COMAR 13A.12.01.13. The PSTEB voted to publish the proposed regulations at its meeting on April 3, 2007. Subsequently, you reviewed the proposal at your meeting on April 30, 2008 and determined that a Joint Conference Committee was not necessary prior to publication.

A copy of the proposed COMAR amendment, as published in the *Maryland Register* on June 20, 2008 is attached. The period for public comment concluded on July 21, 2008, and no comments were submitted. Proposed COMAR 13A.12.01.13 does not have any economic impact, nor does it have any impact on individuals with disabilities. There is no corresponding federal standard for this proposed action.

SUMMARY:

Adoption of the proposed changes to COMAR13A.12.01.13, Adding New Certification Areas, will provide clarification of the existing language to align with the original intent of the recommendation of the Quality Teacher Work Group and the subsequent changes to the regulation that have previously been adopted. Adding an endorsement on the basis of content, either through course work or an assessment, will be an option limited to professionally certificated teachers whose credentials include pedagogical qualifications. The proposed amendment also adds middle school as an eligible category for the options provided in this regulation. A copy of the proposed COMAR amendment, as published in the *Maryland Register* on June 20, 2008 is attached.

ACTION:

I am requesting approval of COMAR13A.12.01.13, Adding New Certification Areas.

NSG:jcs

Attachment: COMAR13A.12.01.13, Adding New Certification Areas (*Maryland Register*, June 20, 2008)

(text unchanged)
 [A school shall distribute] *Distribute* the schedule of its school day to the [parents of each student enrolled and] representatives of agencies placing students in the school or to the parents of students enrolled, as applicable;

(3) — (4) (text unchanged)

[K.] L. Calendar of the School Year. A school shall:

(1) — (2) (text unchanged)

(3) Distribute the written calendar to the [parent of each student enrolled and] representatives of agencies placing students in the school or to the parents of students enrolled, as applicable.

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.13 Adding New Certification Areas.

In General. Additional specific certification areas shall be added to a teacher's professional certificate if the applicant:

- A. (text unchanged)
- B. Meets the following requirements:
 - (1) (text unchanged)
 - (2) For secondary, *middle school*, or prekindergarten — 12 education, obtains 30 credits at least 15 of which are in the area for which the new certification is sought and 15 of which are in content-related areas; or
 - (3) (text unchanged)
- C. (text unchanged)

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Subtitle 12 CERTIFICATION

13A.12.01 General Provisions

Authority: Education Article, §§2-205, 2-303(g), and 6-701 — 6-705, Annotated Code of Maryland

Notice of Proposed Action

[08-175-P]

The Professional Standards and Teacher Education Board proposes to amend Regulation .13 under COMAR 13A.12.01 General Provisions. This action was considered at the Professional Standards and Teacher Education Board meeting on April 3, 2008.

Statement of Purpose

The purpose of this action is to provide clarification for adding endorsements to existing professional certificates for teachers only and to add the recently created category of middle school to others enumerated in the regulation.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to John Smeallie, Assistant State Superintendent, Certification and Accreditation, Maryland State Department of Education, 200 W. Baltimore Street, Baltimore, MD 21201, or call 410-767-0385, or email to jsmeallie@msde.state.md.us, or fax to 410-333-8963. Comments will be accepted through July 21, 2008. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Professional Standards and Teacher Education Board during a public meeting to be held on September 4, 2008, at 200 W. Baltimore Street, Baltimore, MD 21201.

Subtitle 12 CERTIFICATION

13A.12.03 Specialists

Authority: Education Article, §§2-205, 2-303(g), 6-101 — 6-104, and 6-701 — 6-706; Health Occupations Article, §§2-301 and 19-301; Annotated Code of Maryland

Notice of Proposed Action

[08-167-P]

The Professional Standards and Teacher Education Board proposes to amend Regulation .01 and repeal Regulations .09 and .10 under COMAR 13A.12.03 Specialists. This action was considered at the Professional Standards and Teacher Education Board meeting on April 3, 2008.

Statement of Purpose

The purpose of this action is to clarify and streamline certification for certain professionals who are required to hold licensure in accordance with the Maryland Health Occupations Article and who practice in schools.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to John Smeallie, Assistant State Superintendent, Certification and Accreditation, Maryland State Department of Education, 200 W. Baltimore Street, Baltimore, MD 21201, or call 410-767-0385, or email to jsmeallie@msde.state.md.us, or fax to 410-333-8963. Comments will be accepted through July 21, 2008. A public hearing will be held on August 7, 2008, at the Nancy S. Grasmick State Education Building, 200 W. Baltimore Street, Baltimore, MD. Public comment will be limited to 35 people. The maximum speaking time afforded to any individual will be 3 minutes. Anyone wishing to provide public comment will need to sign up before 9:15 a.m. the morning of August 7, 2008.