

Library of Maryland Regulations / Code of Maryland Regulations / Title 13A STATE BOARD OF EDUCATION / Subtitle 07 SCHOOL PERSONNEL

## Subtitle 07 SCHOOL PERSONNEL

### Chapter 01 Comprehensive Teacher Induction Program

#### Administrative History

Effective date: November 26, 1968

Revised October, 1971; September 1, 1975

Amended effective July 1, 1974 (2:1 Md. R. 15) and August 18, 1976 (3:17 Md. R. 916)

Regulation .01G amended effective May 29, 1981 (8:11 Md. R. 975)

Regulation .01G amended as an emergency provision effective July 1, 1982 (9:13 Md. R. 1348); adopted permanently effective August 30, 1982 (9:17 Md. R. 1709)

Regulation .01N amended effective April 4, 1988 (15:7 Md. R. 852)

Regulation .01U adopted effective July 1, 1985 (12:4 Md. R. 360)

Regulation .01-1 adopted effective August 27, 1984 (11:17 Md. R. 1493)

Regulations .01 and .02A amended effective April 21, 1986 (13:8 Md. R. 903)

[Regulation .02A](#) amended effective October 6, 1986 (13:20 Md. R. 2211)

Regulations .02A; .06E; .08A-1, B, and E; and .09A, B, and R amended effective August 2, 1982 (9:15 Md. R. 1517)

Regulations .02B and .03C, .09DD-1 amended effective July 1, 1985 (12:13 Md. R. 1281)

Regulations .03C and .09A, B amended effective January 9, 1981 (8:1 Md. R. 20)

[Regulation .04A](#) amended effective May 10, 1982 (9:9 Md. R. 911)

Regulations .05; .06A, J; .07A; .08A; .09B-1, DD-1 adopted effective January 9, 1981 (8:1 Md. R. 20)

Regulations .06C, .07E and F amended, and .07G repealed effective August 27, 1984 (11:17 Md. R. 1493)

Regulations .06K and .07A-2 adopted and .07A-1 amended effective June 30, 1986 (13:13 Md. R. 1493)

Regulation .07H amended effective August 18, 1976 (3:17 Md. R. 916)

Regulation .08 amended effective October 6, 1986 (13:20 Md. R. 2212)

Regulation .09 amended effective October 6, 1986 (13:20 Md. R. 2212)

Regulation .09DD-1 amended as an emergency provision effective April 4, 1985 (12:9 Md. R. 807); adopted permanently effective July 1, 1985 (12:13 Md. R. 1281)

Regulation .09DD-1 amended effective January 27, 1986 (13:2 Md. R. 138)

Regulation .09N-1 adopted effective July 1, 1988 (15:5 Md. R. 622) (recodified from Regulation .09O)

Regulations .10—.17 adopted effective July 1, 1987 (14:7 Md. R. 833)

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Note: At 15:16 Md. R. 1917 (July 29, 1989), Regulation .08 was amended effective July 1, 1989.

Chapter, Certification, repealed effective January 1, 1989 (15:26 Md. R. 2985)

Amendments to Regulation .08 were incorporated into a new chapter. See COMAR 13A.12.02.

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Chapter, Teacher Mentoring Programs, adopted effective July 24, 2000 (27:14 Md. R. 1342)

[Regulation .01](#) amended effective October 9, 2003 (30:19 Md. R. 1334)

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Chapter, Teacher Mentoring Programs, repealed and new Chapter, Comprehensive Teacher Induction Program adopted effective August 9, 2010 (37:16 Md. R. 1060)

[Regulation .04](#) amended effective August 22, 2011 (37:18 Md. R. 1013)

[Regulation .05](#) amended effective August 22, 2011 (37:18 Md. R. 1013)

[Regulation .06B](#), F amended effective August 22, 2011 (37:18 Md. R. 1013)

[Regulation .07](#) amended effective August 22, 2011 (37:18 Md. R. 1013)

Regulation .09 adopted effective August 22, 2011 (37:18 Md. R. 1013)

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Chapter revised effective November 24, 2025 (52:23 Md. R. 1140)

#### **Authority**

Education Article, §§[2-205](#) (c), [5-206](#) -1, and [6-202](#) (b), Annotated Code of Maryland

### **.01 Purpose and Scope.**

This chapter applies to a comprehensive induction program for new teachers. The purpose of this regulation is to provide guidance for local school systems to establish a high quality induction program that addresses critical professional learning needs of new teachers, improves instructional quality, and helps inductees achieve success in their initial assignments, resulting in improved student learning and higher retention in the profession. Recognizing that “one-size-fits-all” induction programs do not meet the needs of new teachers, these regulations establish the components of an induction program, allowing local school systems to build on their current programs.

### **.02 Incorporation by Reference.**

In this chapter, the following documents are incorporated by reference:

- A. Standards for Professional Learning (Learning Forward, 2022);
- B. InTASC Model Core Teaching Standards and Learning Progressions for Teachers 1.0 (Council of Chief State School Officers, 2013);
- C. Social Justice Standards: The Teaching Tolerance Anti-Bias Framework (Southern Poverty Law Center, 2018);
- D. International Society for Technology in Education Standards for Educators (International Society for Technology in Education, 2024); and
- E. Model Code of Ethics for Educators (National Association of State Directors of Teacher Education and Certification, 2023).

#### Cross References

[13A.07.01.04E\(4\)](#)

[13A.07.01.04E\(7\)](#)

[13A.07.01.04E\(8\)](#)

[13A.07.01.05I\(6\)](#)

### .03 Definitions.

- A. In this chapter, the following terms have the meanings indicated.
- B. Terms Defined.

- (1) “Mentee” means a public school teacher who receives the services of a mentor.
- (2) “Mentor” means a highly competent teacher selected by the local school system who will work to instill in a mentee the skills and knowledge necessary for student success in

accordance with [Regulation .05 of this chapter](#).

(3) “New teacher” means a teacher who is:

- (a) Professionally licensed and has less than three years of teaching experience; or
- (b) Holds a Conditional License or Resident Teacher License.

(4) “Veteran teacher” means a professionally licensed teacher who is new to the local school system and has 3 or more years of teaching experience.

## .04 Programmatic Requirements.

- A. Each local school system shall establish and maintain a comprehensive induction program for all new teachers that is at least 3 years in duration.
- B. Each local school system shall establish and maintain a comprehensive induction program for all veteran teachers that is at least 1 year in duration.
- C. Each comprehensive induction program shall be designed with a coherent structure and consistent focus to ensure an integrated, seamless system of support for participating teachers and provide them with the knowledge and skills necessary to be successful in their classrooms and schools and prepare them to stay in the profession.
- D. A comprehensive induction program may be developed and implemented in collaboration with an institution of higher education.
- E. Each comprehensive induction program shall include:
  - (1) An initial orientation;
  - (2) Ongoing participation in an educator professional learning community;
  - (3) A plan for professional licensure, if applicable;
  - (4) Specialized professional learning on the knowledge and skills new educators need that is aligned with the Maryland-recognized professional learning standards incorporated by

reference in [Regulation .02 of this chapter](#);

- (5) Professional learning on State and local school system initiatives and priorities, including the teacher evaluation system, career ladder for educators, and the College and Career Readiness Standards;
  - (6) Professional learning and support for working with students with disabilities, multi-lingual learners, and differentiating instruction;
  - (7) Professional learning for using technology in education aligned with the International Society for Technology in Education Standards for Educators incorporated by reference in [Regulation .02 of this chapter](#);
  - (8) Review and assessment of the principles of the Model Code of Ethics for Educators incorporated by reference in [Regulation .02 of this chapter](#);
  - (9) Job-embedded individualized and differentiated mentoring;
  - (10) Regularly scheduled opportunities for new teachers to observe and co-teach with skilled teachers, including follow-up discussions of the experiences;
  - (11) Assistance for new teachers with planning instruction;
  - (12) Observations of instruction with feedback;
  - (13) Ongoing professional learning on the multi-tiered system of supports (MTSS) framework to support all students; and
  - (14) A schedule aligned to the Career Ladder for Educators established in [Education Article, §6-1003, Annotated Code of Maryland](#).
- F. Each local school system may identify a program coordinator who will plan and facilitate induction activities by:
- (1) Communicating with principals and other school leaders about induction activities;

- (2) Building and maintaining partnerships with local institutions of higher education to ensure a seamless transition from graduation to induction; and
  - (3) Overseeing the evaluation of the comprehensive induction program.
- G. The comprehensive induction program shall include ongoing professional learning for school leaders. Professional learning may address the following:
- (1) Retention strategies;
  - (2) Creating the climate and systems for induction;
  - (3) Working with mentors and new teachers; and
  - (4) Aligning induction supports with local school system initiatives and strategies.

## .05 Mentoring Component of the Comprehensive Induction Program.

- A. A local school system shall establish an instructional mentoring program as part of its Comprehensive Induction Program.
- B. The mentoring program shall provide individualized, instruction-focused, job-embedded support and mentoring that begins when a teacher is hired into the local school system.
- C. The mentoring program shall include standards for effective mentoring that are:
- (1) Focused;
  - (2) Systematic;
  - (3) Ongoing;
  - (4) Of high quality;
  - (5) Geared to the needs of each teacher; and
  - (6) Include observations with feedback.

- D. The mentoring program shall include mentoring activities related to the Five Core Propositions of National Board Certification focusing on planning, instructional practices, and analyzing student learning.
- E. The mentoring program shall support new teachers in developing culturally relevant teaching practices for all students.
- F. To the extent practicable given staffing and fiscal concerns, each new teacher shall receive at least 400 minutes of mentoring per marking period.
- (1) A local school system and new teacher may mutually agree to a reduction in mentoring minutes per marking period if the new teacher achieves a rating of effective, or comparable, on a year-end evaluation.
  - (2) The reduction of mentoring minutes per marking period shall not be less than:
    - (a) 300 minutes per marking period in year two of induction; and
    - (b) 200 minutes per marking period in year three of induction.
- G. Each local school system shall have a rigorous selection process for mentors that includes:
- (1) Assurance that the mentor holds:
    - (a) A Professional or Advanced Professional License; and
    - (b) At least an effective, or comparable, rating on the most recent local school system evaluation;
  - (2) A recommendation from a school or district leader who previously or currently supervises the individual and can attest to their readiness for the mentor role; and
  - (3) Once the Career Ladder is well established, prioritization of those teachers with a designation of Lead, Distinguished, or Professor Distinguished Teacher.
- H. Each local school system shall establish a process for matching mentors and mentees that:

- (1) Correlates licensure areas or grade bands, with the prioritization of the licensure area when possible; and
  - (2) Considers diversity markers to the extent practicable.
- I. Local school systems shall provide initial and ongoing training for mentors that may include:
- (1) Mentoring language and stances;
  - (2) Key practices of a mentor, including differentiation of support;
  - (3) Adult learning practices;
  - (4) Elements of instructional mentoring, such as observations, planning, and analyzing student work;
  - (5) Reflection on mentoring practice and communities of practice;
  - (6) Anti-bias pedagogy aligned with the Social Justice Standards incorporated by reference in [Regulation .02 of this chapter](#); and
  - (7) Identification and coordination of appropriate resources to address the performance needs of mentees.
- J. A mentor in the comprehensive induction program may not participate in the formal evaluation of a mentee.

**Cross References**

[13A.07.01.03B\(2\)](#)

## .06 Evaluation of the Comprehensive Induction Program.

- A. Local school systems shall evaluate the effectiveness of the comprehensive induction program.

- B. Each local school system induction program shall develop a comprehensive evaluation plan that includes:
- (1) Mentee and mentor perception data of their overall induction experience;
  - (2) Mentee experience data regarding their work with their mentor;
  - (3) Mentor experience data regarding their work with their mentee;
  - (4) Evidence of program components aligned to the:
    - (a) Five Core Propositions of the National Board for Professional Teaching Standards, which are:
      - (i) Teachers are committed to students and their learning;
      - (ii) Teachers know the subjects they teach and how to teach those subjects to students;
      - (iii) Teachers are responsible for managing and monitoring student learning;
      - (iv) Teachers think systematically about their practice and learn from experience; and
      - (v) Teachers are members of learning communities;
    - (b) Model Code of Educator Ethics; and
    - (c) InTASC Model Core Teaching Standards and Learning Progressions for Teachers 1.0;
  - (5) Teacher growth data from the beginning to the end of the induction program as measured by the local school system teacher evaluation system;
  - (6) Induction program participants' retention data; and
  - (7) Evidence of the number of instructional-driven mentoring minutes every month.

## Cross References

[13A.07.01.07C\(2\)](#)

## .07 Compliance and Reporting.

- A. Local school systems shall be in full compliance with this chapter by July 1, 2027.
- B. Local school systems shall provide a report to the Department by July 1, 2027 that includes:
- (1) A description of the comprehensive induction program demonstrating compliance with this chapter; and
  - (2) An evaluation plan that meets the requirements under [Regulation .07 of this chapter](#).
- C. Local school systems shall provide a report to the Department beginning July 1, 2029, and every 3 years thereafter, that includes:
- (1) Mentee and mentor data, including:
    - (a) Mentee growth from the beginning to the end of the induction program;
    - (b) Teacher retention;
    - (c) The number of mentees participating in the comprehensive induction program;
    - (d) The number of mentors assigned to teachers in the comprehensive induction program; and
    - (e) The number of teachers who did not receive the minimum number of mentoring minutes per marking period under [Regulation .05F of this chapter](#) with an explanation of the reasons; and
  - (2) The results of the evaluation of the comprehensive induction program developed under [Regulation .06 of this chapter](#).

## Chapter 02 Terms of Employment

## Administrative History

Effective date: December 18, 1968

[Regulation .01](#) amended effective July 25, 1980 (7:15 Md. R. 1426); January 15, 1989 (15:27 Md. R. 3135); August 19, 2024 (51:16 Md. R. 743)

[Regulation .01B](#) amended effective March 31, 1976 (3:7 Md. R. 402); July 20, 1977 (4:15 Md. R. 1154); October 10, 1983 (10:20 Md. R. 1789); June 15, 1987 (14:12 Md. R. 1351); November 6, 1995 (22:22 Md. R. 1668); March 6, 2000 (27:4 Md. R. 455); July 23, 2001 (28:14 Md. R. 1323); April 11, 2005 (32:7 Md. R. 683)

[Regulation .01B](#) amended as an emergency provision effective July 1, 2010 (37:17 Md. R. 1180); amended permanently effective November 29, 2010 (37:24 Md. R. 1659)

[Regulation .01C](#) amended effective June 15, 1987 (14:12 Md. R. 1351); November 6, 1995 (22:22 Md. R. 1668); January 5, 2004 (30:26 Md. R. 1916); April 11, 2005 (32:7 Md. R. 683)

[Regulation .02](#) amended effective January 15, 1989 (15:27 Md. R. 3135)

[Regulation .03](#) repealed and new Regulation .03 adopted effective January 28, 1985 (12:2 Md. R. 141)

[Regulation .04](#) adopted effective July 24, 2000 (27:14 Md. R. 1343)

[Regulation .05](#) adopted effective June 25, 2001 (28:12 Md. R. 1111)

## Authority

Education Article, §§[2-205](#), [4-103](#), [4-204](#)(a), [6-201](#), [6-202](#), and [6-302](#); State Personnel and Pensions Article, §§[22-406](#) and [23-407](#); Annotated Code of Maryland

## .01 Contracts.

- A. **Contracts To Be In Writing.** All contracts with licensed professional employees shall be in writing and on contract forms prescribed by the State Board of Education. The contract shall be signed by the licensed professional employee and the secretary of the local board of education, and when so signed shall be filed by the secretary in the office of the Board.

B. Regular (Teacher's) Contract.

(1) Except as provided in [§C of this regulation](#), for employees who hold professional licenses, the form entitled “Regular Contract” shall be used and others may not be recognized.

(2) The following is the approved form:

REGULAR CONTRACT

STATE OF MARYLAND, COUNTY OF \_\_\_\_\_

IT IS HEREBY AGREED by and between the LOCAL BOARD OF EDUCATION OF \_\_\_\_\_ COUNTY and \_\_\_\_\_ that the said licensed employee shall be and is hereby employed in the public schools of the said County subject to assignment by the Local Superintendent or transfer to some other position with the County, provided that if the transfer be made during the school year or after the opening of the school for any year, the salary shall not be reduced for the remainder of the year. The salary of said licensed employee shall be fixed by the Local Board of Education which salary shall be not less than the minimum salary provided by law.

The term “school year” as used in this contract means the period of time the licensed employee is obligated to perform duties (teaching and nonteaching) under his or her assignment for a local school system.

AND IT IS FURTHER AGREED that the licensed employee named herein shall become a member of the Teachers’ \_\_\_\_\_\* of the State of Maryland, if eligible, as of date on which his/her service begins.

AND IT IS FURTHER AGREED that the said licensed employee will not rescind an employment contract with the local school system after July 15 except in case of emergency, of which the Local Board of Education shall exercise judgment on a reasonable basis.

AND IT IS FURTHER AGREED that the said licensed employee will perform all duties required by the rules and regulations of the Local Board of Education and the State Board of Education.

AND IT IS FURTHER AGREED that:

- (a) Except as provided in subparagraphs (c)—(d) below, the probationary period of employment of a licensed employee in a local school system shall be three years from the date of employment.
- (b) Either of the parties to this contract may terminate it at the end of the first, second, or third school year or on the first, second, or third anniversary date of employment in regard to employees hired after January 1 following the commencement of a school year by giving notice in writing to the other, as of the following dates:
- (i) In the case of employees employed before January 1 following the commencement of a school year, not later than May 1;
  - (ii) In the case of employees employed on or after January 1 following the commencement of a school year, not later than June 15, or not later than sixty (60) days prior to the first, second, or third anniversary date at the discretion of the Local Board of Education. Notwithstanding (i) above to the contrary, in the case in which the Board of Education must effect a reduction in force because a position must be abolished as a result of budgetary action by the local appropriating authority on or after May 1, notice must be given to the employee within 15 days following final action by the appropriating authority or June 30, whichever is earlier.
- (c) A licensed employee who has achieved tenure in a local school system and moves to another local school system shall retain tenure in the new local school system under the following conditions:
- (i) The employee's contract is renewed after one year of probationary employment in the local school system to which the employee relocated;
  - (ii) The employee's final evaluation rating in the local school system from which the employee departed is "satisfactory" or better; and
  - (iii) There has been no break in the employee's service between the two local school systems of longer than one year.
- (d) A licensed employee's probationary period in a new local school system, specified in subparagraph (c) above, may be extended for a second year from the date of employment if:

- (i) The employee does not qualify for tenure at the end of the first year based on established performance evaluation criteria; and
- (ii) The employee demonstrates a strong potential for improvement.

AND IT IS FURTHER AGREED that if the licensed employee named herein wishes to vacate his or her position after becoming tenured, thirty days' notice in writing shall be given the Local Board of Education prior to the beginning of his or her next school year but not later than July 15, except in case of emergency, of which the Local Board of Education shall exercise judgment on a reasonable basis.

If any of the conditions of this contract shall be violated by the licensed employee named herein, salary already accrued will be forfeited, in the discretion of the Local Board of Education.

This contract shall continue from year to year, subject to the foregoing conditions. The Local Board of Education, pursuant to the provisions of §6-202 of the Education Article of the Annotated Code of Maryland, as amended, may suspend or dismiss the employee at any time, upon the recommendation of the Local Superintendent, for immorality; misconduct in office, including knowingly failing to report suspected child abuse in violation of §5-701 et seq. of the Family Law Article; insubordination; incompetency; or willful neglect of duty, provided that the charge or charges be stated, in writing, to the employee, and that the employee be given an opportunity to be heard by the Local Board of Education upon not less than 10 days' notice with the right to bring counsel and witnesses, if so desired. An appeal may be made to the State Board of Education within 30 days of the decision of the Local Board of Education.

This contract shall automatically terminate if the employee ceases to hold a professional license.

This contract is made in accordance with the provisions of the School Law, and is subject to §§2-205, 4-103, 4-204(a), 6-201, 6-202, and 6-302 of the Education Article of the Annotated Code of Maryland, and any amendments thereto, and will be filed among the records of the Local Board of Education.

The said licensed employee on his or her part hereby accepts said employment, to take effect on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_. Date of signing this contract \_\_\_\_\_, 20\_\_.

WITNESS OUR HANDS:

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Secretary, Local Board of Education

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Licensed Employee

C. Provisional Contract. For employees who hold conditional or resident teacher licenses the form entitled "Provisional Contract For Conditional or Resident Teacher License Holders" shall be used, and no others shall be recognized. The following is the approved form:

PROVISIONAL CONTRACT FOR CONDITIONAL OR RESIDENT TEACHER LICENSE HOLDERS

STATE OF MARYLAND, COUNTY OF -----

IT IS HEREBY AGREED by and between the LOCAL BOARD OF EDUCATION of COUNTY and that the said licensed employee shall be and is hereby employed in the public schools of the said County as subject to assignment by the Local Superintendent or transfer in some other position within the County, provided that if the transfer be made during the school year or after the opening of the school for the term herein designated, the salary shall not be reduced for the remainder of the year. The salary of said licensed employee shall be fixed by the Local Board of Education, which salary shall not be less than the minimum salary provided by law.

The term of this contract shall extend from the date of its signing until the thirtieth day of June next succeeding said date of signing, and this contract shall automatically terminate and expire on the thirtieth day of June next succeeding the date of its signing.

AND IT IS FURTHER AGREED that the teacher named herein shall become a member of the Teachers' \* of the State of Maryland as of date on which his/her teaching service begins.

AND IT IS FURTHER AGREED that the said licensed employee will not vacate the position to which assigned during any school year, except in case of emergency, of which the Local Board of Education shall judge.

AND IT IS FURTHER AGREED that the said licensed employee will perform all duties required by the rules and regulations of the Local Board of Education and the State Board of Education.

If any of the conditions of this contract shall be violated by the licensed employee named herein, salary already accrued will be forfeited, in the discretion of the Local Board of Education. The Local Board of Education, pursuant to the provisions of [§6-202 of the Education Article of the Annotated Code of Maryland](#), as amended, may suspend or dismiss the employee at any time, upon the recommendation of the Local Superintendent, for immorality; misconduct in office, including knowingly failing to report suspected child abuse in violation of §5-701 et seq. of the Family Law Article; insubordination; incompetency; or willful neglect of duty, provided that the charge or charges be stated, in writing, to the employee, and that the employee be given an opportunity to be heard by the Local Board of Education upon not less than 10 days' notice, with the right to bring counsel and witnesses, if so desired. An appeal may be made to the State Board of Education within 30 days of the decision of the Local Board of Education.

Anything to the contrary notwithstanding, this contract shall terminate if the employee ceases to hold or fails to comply with the requirements for maintaining a teacher's Conditional or Resident Teacher License. However, if the employee is provided a Professional License during the school year for which this contract is in effect, the employee's employment shall continue to be governed by the terms of this contract until its June 30th termination date. If the local board employer determines to offer the employee for the subsequent school year a regular contract then in force according to the regulations as promulgated by the State Board of Education, the employee shall be given credit toward tenure for years served as a conditional or resident teacher employee.

The said licensed employee on his or her part hereby agrees to abide by the terms and restrictions of this contract and accepts said appointment, to take effect on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_. Date of signing this contract \_\_\_\_\_, 20\_\_\_.

WITNESS OUR HANDS:

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Secretary, Local Board of Education

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Licensed Employee

\*Type "Retirement System" or "Pension Plan System", as applicable.

## .02 Reciprocal Relationships With the State Department of Education.

- A. Contracts and Agreements for the Release of Local School Personnel to the State Department of Education. All agreements shall be in writing and shall set forth the following:
- (1) The period of time for the release of local school personnel to the State Department of Education;
  - (2) The terms of the financial reimbursement by the State to the local school system;
  - (3) The contract and tenure rights of the teacher may not be affected by the agreement;
  - (4) The agreement shall be signed by the local school superintendent and by the Secretary-Treasurer of the State Board of Education and when signed shall be filed by the Secretary in the office of the Board.
- B. Contract and Agreements Relating to the Assignment of Rights of the State Department of Education and the Studio Teachers Concerning Program Material Which May Be Produced or Broadcasted, or Both. All agreements shall be in writing on forms prescribed by the State Board of Education, and shall include such items as terms of employment, description of duties, differential payment as studio demonstration teacher, assignment of rights to program materials, terms for future revisions or updating of materials, mutual indemnification. The agreements shall be signed by the State Department of Education Superintendent of Schools, the Division of Instructional Technology, and by the studio teacher.

## .03 Leave of Absence.

- A. All public school system employees who are members of the organized militia or of the Army, Navy, Air or Marine Reserve, shall be entitled to a leave of absence from their respective duties, without loss of pay, time, or efficiency rating, on all days during which they shall be engaged in field or coast defense or other training ordered or authorized under the provisions of [Article 65, Annotated Code of Maryland](#), or under any law of the United States, during such time as they are on inactive duty training, not to exceed 15 days annually.

- B. All public school system employees who are members of the organized militia, and who are ordered to active duty under authority of the Governor, shall be entitled to a leave of absence without loss of pay, time, or efficiency rating for the time they are actually serving under the active duty orders, in addition to the 15-day period specified above.

#### .04 Standards for Earnable Compensation for Retirement or Pension Purposes.

- A. For a member of the Teachers' Retirement or the Teachers' Pension System who performs regular job responsibilities during a mandatory assignment that extends beyond the member's 10-month assignment, the standards governing eligibility for earnable compensation are as follows:
- (1) The local school superintendent or designee shall provide to the teacher written notice of mandatory assignment beyond the 10-month period, but not necessarily mandated for a full 11-month or 12-month period;
  - (2) Regular job responsibilities shall continue through the mandatory assignment beyond the 10 months;
  - (3) Local school systems have flexibility in scheduling the mandatory duty days beyond the 10-month period; and
  - (4) The determination of mandatory assignment for retirement purposes beyond the regular 10-month period is made on a year-to-year basis by the local school superintendent or designee.
- B. Compensation for mandatory assignment beyond the 10 months consistent with the standards listed in [§A of this regulation](#) shall be reported as earnable compensation.
- C. All voluntary extra-pay for extra-duty assignments, including but not limited to summer curriculum development, extracurricular sponsors, additional temporary or occasional assignments, bonuses, and summer school salaries, shall be excluded from the report of earnable compensation.
- D. The standards for eligibility for earnable compensation apply to any mandatory assignment as of July 1, 1998.

## .05 Employment Terms of Rehired Retired Teachers.

- A. Definitions. In this regulation the following terms have the meanings indicated:
- (1) “Contract” means an employment contract between a local school system and a rehired retired teacher.
  - (2) “Rehired retired teacher” means a retired certificated employee who is a member of the State Teachers' Retirement System or the State Teachers' Pension System and who is hired by a local school system under the provisions of State Personnel and Pensions Article, §§[22-406](#) and [23-407](#), Annotated Code of Maryland.
- B. The duties and responsibilities of a rehired retired teacher shall be set forth in a contract, the term of which may not exceed 1 year and which may be renewed annually upon the mutual written agreement of the local school system and the rehired retired teacher.
- C. Beginning with the 2001–2002 school year, a rehired retired teacher shall receive the salaries and benefits and be subject to the working conditions that are mutually agreed upon in negotiations between the local board and the appropriate exclusive representative, under [Education Article, §6-401](#) et seq., Annotated Code of Maryland.
- D. All reports and data produced by a rehired retired teacher during the course and scope of employment under the contract shall be the property of the local board of education.
- E. A local board of education may terminate a contract if a rehired retired teacher has not performed, or has performed unsatisfactorily, the duties and responsibilities set forth in the contract.
- F. A controversy or dispute arising out of or relating to a contract or breach of contract shall be governed by the procedures set forth in [Education Article, §4-205\(c\), Annotated Code of Maryland](#).

## Chapter 03 Professional Duties

### Administrative History

Effective date: May 28, 1969

Chapter revised effective January 15, 1989 (15:27 Md. R. 3135)

**Authority**

[Education Article, § 2-205](#), [Annotated Code of Maryland](#)

## .01 General Duties.

- A. Knowledge of Regulations. Every certificated employee shall become familiar with the regulations of the State Board of Education and the regulations of the local board of education.
- B. Organization and Conduct of Schools. Principals and teachers shall organize and conduct their schools and classes in accordance with the programs of study prescribed by the State Board of Education and with the courses of study and regulations issued by the local board of education.

## .02 Attendance and Absence of Certificated Employees.

- A. Notification in Case of Absence. When it is necessary for a certificated employee to be absent for any reason, the employee shall report to the local superintendent or designated official. If a teacher acts contrary to this regulation, the employee shall forfeit his or her salary for the time lost and incur such other penalty as the local board may prescribe. A substitute who was not assigned to the school by the local superintendent, or his or her designated official, or whose assignment is not approved by him or her, is not entitled to compensation.
- B. Absence for Illness.
  - (1) Certificated employees in the local school systems in the State shall be allowed minimum sick leave at the rate of 1 work day per month, the annual total of which shall be available at the beginning of the school year.
  - (2) Each certificated employee who shall submit to the local board of education satisfactory proof of illness requiring absence from work shall be paid full salary for the allowed sick leave in any school year plus the minimum cumulative sick leave hereinafter specified. At

the discretion of the local board, full, partial, or no salary may be paid for absence because of illness in excess of the allowed minimum annual sick leave and accumulated sick leave.

- (3) Unused sick leave from and after August 31, 1966, shall be cumulative up to 100 days, provided, however, that local school systems may allow unused cumulative sick leave in excess of 100 days. Sick leave accumulated up to a maximum of 100 days from and after August 31, 1966, shall be transferred without change to any public school system in Maryland. Local school systems may, consistent with local rules and regulations, allow the transfer of cumulative sick leave in excess of 100 days.
- C. **Absence for Death in Family.** On the death of a child, parent, brother, sister, husband, wife, or of anyone who has lived regularly in the household of a certificated employee, the certificated employee shall be allowed 4 calendar days of absence from school without loss of salary.
- D. **Time Lost Not to Be Made Up.** Time lost by the certificated employee, whether for illness or any other cause, may not be made up on Saturdays or on legal holidays or in extra hours.
- E. **Deductions for Absences.** For each day's absence without good and sufficient reason accepted by the local board of education, the board shall deduct the daily rate of pay for that certificated employee.
- F. **Record of Certificated Employee's Attendance.** Certificated employees shall keep a record of their daily attendance in a manner approved by the State Board of Education and provided by the local board of education for that purpose. The record shall be preserved in good condition and open during school hours for the inspection of the local superintendent or designated official and members of the local board of education, whenever desired.

### .03 Personal Conduct.

Certificated employees are prohibited from using controlled substances in any form without a doctor's prescription on the school premises.

## Chapter 04 Evaluation of Professionally Certificated Personnel

**Administrative History**

Effective date: March, 1969

[Regulation .01](#), Professional Employees Organizations, repealed effective January 15, 1989 (15:27 Md. R. 3136)

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Regulations [.01](#)—[.04](#) adopted effective December 5, 1994 (21:24 Md. R. 1989)

**Authority**

Education Article, §§[2-205](#) (b), (e), and (g), 4-205(c), and 6-202; Annotated Code of Maryland

**.01 Definitions.**

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

- (1) “Evaluation” means a written appraisal of professional performance for a school year based on written criteria and procedures.
- (2) “Professionally certificated personnel” means individuals holding a professional certificate as defined in COMAR 13A.12.01.02B.

**.02 Minimum Requirements for Evaluation of Professionally Certificated Personnel.**

A. General Standards.

- (1) An evaluation shall be based on written criteria established by the local board of education, including but not limited to scholarship, instructional effectiveness, management skills, professional ethics, and interpersonal relationships.
- (2) An evaluation shall provide, at a minimum, for an overall rating.

- (3) An overall rating that is not satisfactory or better is considered unsatisfactory.
- (4) An evaluation shall be based on at least two observations during the school year.
- (5) An unsatisfactory evaluation shall include at least one observation by an individual other than the immediate supervisor.
- (6) The written evaluation report shall be shared with the certificated individual who is the subject of the evaluation.
- (7) The certificated individual shall receive a copy of and sign the evaluation report.
- (8) The signature of the certificated individual does not necessarily indicate agreement with the evaluation report.
- (9) An evaluation shall provide for written comments and reactions by the individual being evaluated, which shall be attached to the evaluation report.

#### B. Frequency of Evaluations.

- (1) Standard Professional Certificate. An individual holding a Standard Professional Certificate shall be evaluated at least once annually.
- (2) Advanced Professional Certificate.
  - (a) An individual holding an Advanced Professional Certificate shall receive an evaluation at least twice during the validity period of each certificate. The first evaluation shall occur during the initial year of the certificate.
  - (b) An individual holding an Advanced Professional Certificate who receives an unsatisfactory overall rating shall be evaluated at least once annually until receiving a satisfactory rating.
  - (c) If an individual holding an Advanced Professional Certificate receives an overall rating of satisfactory or better, subsequent annual performance shall be considered satisfactory in the absence of an annual evaluation.

### .03 Minimum Requirements for Observation of Professionally Certificated Personnel.

- A. An observation, announced or unannounced, shall be conducted with full knowledge of the certificated individual.
- B. A written observation report shall be shared with the certificated individual within a reasonable period of time.
- C. An observation shall provide for written comments and reactions by the individual being observed, which shall be attached to the observation report.

### .04 Appeal of an Evaluation.

- A. In the event of an overall rating of unsatisfactory, the local school system shall, at a minimum, provide certificated individuals with a meaningful appeal in accordance with [Education Article, §4-205\(c\)\(4\), Annotated Code of Maryland](#).
- B. If an observation report is a component of an unsatisfactory evaluation, the observation report may be appealed along with the unsatisfactory evaluation.
- C. The burden of proof is on the certificated individual appealing an overall rating of unsatisfactory.

## Chapter 05 Assignment of Personnel

#### **Administrative History**

Effective date: March, 1971

#### **Authority**

Education Article, §§[2-205](#) and [6-105](#), Annotated Code of Maryland

### .01 Integration.

Local boards of education shall develop and implement plans and procedures for the attainment of racial balance at the various levels of the public school system, reflective of the composition of the population of their respective jurisdictions. These plans and procedures shall apply to the hiring, placing, and promotion of all personnel employed at the various levels of the school system. The plans and procedures provided in this regulation shall be submitted to the State Department of Education by January 1, 1971. The Department shall also require and review reports from local boards on the implementation of this regulation.

## Chapter 06 Programs for Professionally Licensed Personnel

### Administrative History

Effective date: March, 1969

Chapter revised effective January 15, 1989 (15:27 Md. R. 3136)

Chapter, Teacher Education Programs, repealed effective November 6, 1995 (22:22 Md. R. 1669)

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[Regulation .01](#), Programs for Professionally Certified Personnel, adopted effective November 6, 1995 (22:22 Md. R. 1669)

[Regulation .01](#) amended effective September 7, 1998 (25:18 Md. R. 1435)

Regulation .01A amended effective October 14, 2013 (40:20 Md. R. 1653)

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[Regulation .01](#) repealed under Programs for Professionally Certified Personnel and new Regulations [.01–.15](#) adopted under Programs for Professionally Licensed Personnel effective April 1, 2024 (51:5 Md R. 229)

[Regulation .02B](#) amended effective March 3, 2025 (52:4 Md. R. 219)

[Regulation .03](#) amended effective July 21, 2025 (52:14 Md. R. 713)

[Regulation .08C](#)—F amended effective March 3, 2025 (52:4 Md. R. 219)

### Authority

Education Article, §§[1-303](#) [\(2\)](#)(ii) and (iii), 2-205, 6-120, 6-121, 6-126, 6-704, and 11-208,  
Annotated Code of Maryland

## .01 Purpose.

This chapter sets the standards that MSDE uses to issue an approval document to an entity that is responsible for governing and operating an educator preparation program, either traditional or alternative, for the training of educators in the knowledge, skills, and disposition required to understand and teach the Maryland Curriculum Frameworks as licensed educators in the State.

## .02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

- (1) “Accreditation”, also referred to as “national accreditation”, means a teacher education program has met standards set by a national accrediting agency recognized by the Department and the Commission.
- (2) “Action research” means a deliberate, solution-oriented investigation to enhance student achievement that is conducted by the teacher candidate, under the guidance of a mentor teacher and clinical faculty.
- (3) “Alternative teacher preparation program” means a sequence of courses established by a county board, an institution of higher education, or a nonprofit organization and approved by the State Superintendent that leads to a participant receiving a Resident Teacher License issued by the Department and includes teaching assignments with supervision and mentoring by a qualified teacher.
- (4) “Approval” means a program has met all requirements set by the Department.

- (5) “Approval with conditions” means a program has met some, but not all, requirements set by the Department and may operate under certain circumstances.
- (6) “Candidate” means an individual enrolled in an educator preparation program who is preparing for or serving in a position as an educator in schools that educate students in preschool through grade twelve.
- (7) “Clinical experience” means guided, hands-on, practical applications and demonstrations of a candidate’s professional knowledge and the application of theory through collaborative and facilitated learning, including in the practicum and in field-based assignments, tasks, activities, and assessments across a variety of settings.
- (8) “Clinical supervisor” means an individual employed by the education preparation provider who oversees a candidate, is trained or experienced in the field in which the individual is supervising, and is trained to work with and provide feedback to candidates.
- (9) “Commission” means the Maryland Higher Education Commission.
- (10) “Completer” means the candidate has met exit requirements outlined in [Regulation .08E of this chapter](#).
- (11) “Department” means the Maryland State Department of Education.
- (12) “Educator preparation program (program)” means either a traditional or alternative Maryland-approved sequence of courses and experiences required to train candidates to become licensed educators in a specific area.
- (13) “Educator preparation provider (provider)” means an accredited college, university, or other post-secondary institution, public or private educational association, local school system, corporation, or institution approved to operate traditional or alternative educator training programs in Maryland.
- (14) “Entrance” means matriculation into a program.
- (15) “Exit” means completion of a program.

- (16) “Focused revisit” means the subsequent review by the Department of a program that holds the status of approved with conditions or probation.
- (17) “Institution of higher education” means a place of postsecondary education that generally limits enrollment to graduates of secondary schools, and awards degrees at either the associate, baccalaureate, or graduate level.
- (18) “Interstate Certification Compact (ICC)” means a legal agreement with other states to facilitate the certification of out-of-State teachers and other professional educational personnel as authorized by [Education Article, Title 6, Subtitle 6, Annotated Code of Maryland](#), or as otherwise provided by law.
- (19) “Local school system (LSS)” means a Maryland public local education agency, a State-operated school, or a nonpublic school.
- (20) “Maryland Teacher-Principal Evaluation” means an assessment framework for the performance of teachers, administered annually by the local school system, a State-operated school, or a nonpublic school, and recommended by the State.
- (21) “Mentor teacher” means a highly competent educator, trained and selected by the partner school, who will work to instill in the participant the skills, attitudes, values, and knowledge necessary for the next generation of teachers.
- (22) “Partner school” means a local school system, nonpublic school, nonpublic special education school, or eligible prekindergarten provider that has a written partnership agreement with an institution of higher education or alternative teacher preparation program to provide a teacher training practicum for participants enrolled in a teacher preparation program at the institution of higher education or alternative teacher preparation program.
- (23) “Practicum” means the clinical experiences in which candidates have an increased teaching responsibility under the guidance of a mentor teacher.
- (24) “Probation” means a program has seriously failed to meet program requirements or has demonstrated a pattern of noncompliance.

- (25) “Professional development” means a variety of specialized training, formal education, or advanced learning intended to help administrators, teachers, and other educators improve their professional knowledge, competence, skill, and effectiveness.
- (26) “Traditional program” means a sequence of courses for educator preparation that:
- (a) Is offered by a college or university leading to a degree and that includes:
    - (i) General education and content coursework;
    - (ii) Professional coursework;
    - (iii) Clinical experiences; and
    - (iv) Demonstration of standards and competencies required to prepare educators for teaching students in the classroom environment; and
  - (b) On completion, makes candidates eligible for licensure in Maryland.

### .03 Incorporation by Reference.

In this chapter, the following documents related to national and State standards are incorporated by reference:

#### A. Administrative or Supervisory Areas.

- (1) Professional Standards for Educational Leaders (PSEL), National Policy Board for Educational Administration (NPBEA), 2015.
- (2) Program Recognition Standards: District Level, National Educational Leadership Preparation (NELP), 2018.
- (3) ISTE Standards for Educational Leaders, International Society for Technology in Education (ISTE), 2018.

#### B. Early Childhood/Elementary Areas.

- (1) Ensuring Quality in Early Childhood Education Professional Preparation Programs: NAEYC's Early Childhood Higher Education Accreditation Standards, 2021.
- (2) CAEP 2018 K-6 Elementary Teacher Preparation Standards, Council for the Accreditation of Educator Preparation (CAEP), 2018.

#### C. English.

- (1) National Council of Teachers of English (NCTE) Standards for the Initial Preparation of Teachers of English Language Arts 7–12, 2021.
- (2) Maryland College and Career Ready (MCCR) Standards for English Language Arts/Literacy, 2014.

#### D. Mathematics.

- (1) Standards for Mathematical Practice, Common Core State Standards Initiative, 2010.
- (2) Standards for Mathematics Teacher Preparation, National Council of Teachers of Math (NCTM), 2020.

#### E. Middle School Areas. Middle Level Teacher Preparation Standards with Rubrics and Supporting Explanations, Association for Middle Level Education (AMLE), 2022.

#### F. Science.

- (1) Standards for Science Teacher Preparation, National Science Teachers Association (NSTA), 2020.
- (2) Disciplinary Core Ideas (DCI) Arrangements of the Next Generation Science Standards, Next Generation Science Standards (NGSS), 2017.

#### G. Special Education.

- (1) Initial Practice-Based Professional Preparation Standards for Special Educators, Council for Exceptional Children (CEC), 2020.

- (2) Initial Practice-Based Standards for Early Interventionists/Early Childhood Special Educators, Council for Exceptional Children (CEC), 2020.
- (3) Knowledge and Practice Standards for Teachers of Reading, International Dyslexia Association (IDA), 2018.

#### H. Secondary Areas.

- (1) Standards for School-Based Agricultural Education Teacher Preparation Programs, American Association for Agricultural Education (AAAE), 2017.
- (2) Business Teacher Education Curriculum Guide and Program Standards, National Business Education Association (NBEA), 2013.
- (3) Standards for Computer Science Teachers, Computer Science Teachers Association (CSTA), 2020.
- (4) Standards for Technological and Engineering Literacy: The Role of Technology and Engineering in STEM Education, International Technology and Engineering Educators Association (ITEEA), 2021.
- (5) National Standards for Teachers of Family And Consumer Sciences, National Association of State Administrators of Family and Consumer Sciences (NASAFACS), 2018.
- (6) National Core Arts Standards: Theatre, National Coalition for Core Arts Standards, 2014.
- (7) National Standards for the Preparation of Social Studies Teachers, National Council for Social Studies (NCSS), 2018.
- (8) Handbook, National Association of Schools of Theatre (NAST), 2023–2024.

#### I. Specialist Areas.

- (1) NAGC — CEC Teacher Preparation Standards in Gifted and Talented Education, National Association for Gifted Children (NAGC) — Gifted and Talented Specialist: Council for Exceptional Children (CEC); The Association for the Gifted (TAG), 2013.

- (2) Introduction to the 2024 CACREP Standards, Council for Accreditation of Counseling & Related Educational Programs (CACREP), 2024.
  - (3) ASCA Standards, American School Counselor Association (ASCA), 2019.
  - (4) American Library Association (ALA), American Association of School Librarians (AASL), & the Council for the Accreditation of Educator Preparation (CAEP) School Librarian Preparation Standards, 2019.
  - (5) Standards Framework for Learners, American Association of School Librarians (AASL), 2018.
  - (6) Standards for Accreditation of Master's Programs in Library and Information Studies, Adopted by the Council of the American Library Association (ALA), 2015.
  - (7) Standards for the Preparation of Literacy Professionals, International Literacy Association (ILA) Standards for the Preparation of Literacy Professionals, 2017.
  - (8) Standards for Graduate Preparation of School Psychologists, National Association of School Psychologists (NASP), [2010] 2020.
  - (9) Standards for School Social Work Services, National Association of Social Workers (NASW), 2012.
- J. Specialty Areas (PreK–12).
- (1) ACTFL/CAEP Program Standards for the Preparation of Foreign Language Teachers, American Council on the Teaching of Foreign Languages (ACTFL)/ Council for the Accreditation of Educator Preparation (CAEP), 2013.
  - (2) Standards for Learning American Sign Language: A Project of the American Sign Language Teachers Association, American Sign Language Teachers Association (ASLTA), 2012.
  - (3) Standards for Art Teacher Preparation, National Art Education Association (NAEA), 2009.
  - (4) National Association of Schools of Music (NASM), Handbook 2023–2024.

- (5) National Core Arts Standards: Dance, National Coalition for Core Arts Standards, 2014.
- (6) National Core Arts Standards: Music, National Coalition for Core Arts Standards, 2014.
- (7) National Core Arts Standards: Visual Arts, National Coalition for Core Arts Standards, 2014.
- (8) SOPHE 2019 Health Education Teacher Preparation Standards, Society for Public Health Education (SOPHE), 2019.
- (9) National Standards for Initial Physical Education Teacher Education, Society of Health and Physical Educators (SHAPE), 2017.
- (10) Standards for Initial TESOL Pre-K–12 Teacher Preparation Programs, Teaching English to Speakers of Other Languages (TESOL), 2019.
- (11) WIDA’s English Language Development Standards, Kindergarten—Grade 12, WIDA, 2020.

K. General Teaching.

- (1) Standards for Educators, International Society for Technology in Education (ISTE), 2017.
- (2) Model Core Teaching Standards and Learning Progressions for Teachers 1.0, Interstate Teacher Assessment and Support Consortium (InTASC), 2013.
- (3) Model Code of Ethics for Educators (MCEE) 2<sup>nd</sup> Ed., National Association of State Directors of Teacher Education and Certification, (2023).
- (4) Social Justice Standards: The Teaching Tolerance Anti-Bias Framework, Teaching Tolerance, A Project of the Southern Poverty Law Center, 2018.

**Cross References**

[13A.07.06.08C\(1\)\(a\)](#)

[13A.07.06.08C\(4\)](#)

[13A.07.06.08C\(5\)\(a\)](#)

## .04 State Consent to Offer Programs.

- A. An individual, public or private educational association, corporation, or institution of higher education may not offer an educator preparation program without obtaining the permission of the Commission and the Department by meeting the requirements of this chapter.
- B. The Department may allow a provider to operate an educator preparation program if:
  - (1) The Commission has granted a Maryland institution preparing educators approval to operate in Maryland as applicable; and
  - (2) The provider obtains and continues to hold accreditation from a national accreditation organization recognized by the Department and the Commission, or meets the approval requirements as outlined in this chapter.

## .05 National Accreditation.

- A. In this regulation, “national accreditation” means teacher education accreditation by an accrediting agency recognized by the Department and the Commission.
- B. A provider does not need to meet State approval standards if it holds and maintains accreditation from a national accrediting agency recognized by the Department and the Commission.
- C. A provider shall notify the Department when it applies to a national accreditation organization recognized by the Department and the Commission.
- D. A provider shall operate its program in a manner that is consistent with the requirements of the national accrediting agency.
- E. A provider shall submit to the Department proof of accreditation with supporting documentation within 30 calendar days after receiving it.

- F. A provider shall notify the Department within 15 calendar days of any change in a program's accreditation status.
- G. Programs that have chosen national accreditation may be reviewed by their accrediting organization at the request of the Department.
- H. The Department may investigate complaints regarding any aspect of a program separate from any review conducted by the national accrediting agency.
- I. A provider that holds national accreditation shall inform the Department in writing at least 90 calendar days before a program stops operating and provide an exit plan for current students that includes notification to those students.
- J. A provider of a program that holds national accreditation shall submit reporting requirements outlined in [Regulation .10A\(5\) of this chapter](#).
- K. The Department shall pay:
  - (1) Any fee that a national accrediting agency charges an institution of higher education in connection with the accreditation process;
  - (2) Any training fee that a national accrediting agency charges a State representative who serves with a review team of an accrediting agency in conjunction with an accreditation visit to an institution of higher education in the State; and
  - (3) One-half of the expenses incurred by an institution of higher education in connection with the accreditation visit of a review team of a national accrediting agency.

## .06 Application for State Approval.

### A. Application for State Approval for Traditional and Alternative Programs.

- (1) A provider shall submit an application for new program approval to the Department that includes the following:
  - (a) A description of the program and other administrative information, including the plan for implementing Department-mandated program components as defined in

Regulation .07 of this chapter;

- (b) A plan to recruit racially and ethnically diverse candidates; and
- (c) Documentation that the program is aligned to national content standards, or documentation of the process required in Regulation .07C when national content standards are not available, including:
  - (i) A needs assessment demonstrating the demand for program completers in the employment market and demand by potential candidates, which may be met by documentation provided to the Commission;
  - (ii) The curriculum for the program and a course sequence chart, including syllabi for any new courses;
  - (iii) Descriptions of the expected outcomes of the programs and how those outcomes will be assessed;
  - (iv) Key assessments in the program, using rubrics aligned to national content standards and Maryland-approved PreK—12 competencies;
  - (v) Vitae for all faculty administering or delivering instruction in the program; and
  - (vi) Descriptions of materials, media, and resources available for the program, and how technology is integrated into the curriculum or program.

(2) A provider shall notify the Department not later than 6 months before applying for State approval.

B. The Department shall issue a letter of approval to the provider to begin operation of a program or programs when the provider has met the requirements of this chapter.

C. The Department shall include the following in the approval letter:

(1) Name of the provider;

(2) Location of the provider;

- (3) List of programs leading to certification;
  - (4) Description of degree or degrees, and certificates awarded on completion of the program;  
and
  - (5) Length of approval.
- D. A provider shall operate its program in a manner that is consistent with the specifications in its approval letter and the requirements of this chapter.
- E. If a provider plans a change in operation that is inconsistent with the specifications in its approval letter, the provider shall notify the Department in writing not later than 6 months before the intended change and include a letter from the Commission indicating approval of the change, if required by the Commission.
- F. A provider may not implement a change in the operation of a program until the Department has been notified and has determined whether a change to the approval letter is required.
- G. The Department may not approve a change in an approval letter under any of the following circumstances:
- (1) The program status is approval with conditions, unless the provider provides sufficient evidence that the change is necessary to meet all approval requirements;
  - (2) The program is on probation;
  - (3) The program has not filed its annual report with the Department;
  - (4) The Department is investigating a written complaint alleging that the provider's program is in violation of one or more regulations under this chapter, unless the change is necessary to bring the program into compliance with this chapter; or
  - (5) The Department is implementing procedures and sanctions as specified in [Regulation .11 of this chapter](#).
- H. The Department shall notify a provider that a requested change may not be implemented in writing within 30 days of the date of the written request.

- I. A provider shall inform the Department in writing not later than 90 calendar days before a program stops operating and provide an exit plan for current students that includes notification to those students.
- J. The approval letter is void if:
  - (1) The provider stops operating a program; or
  - (2) The State Superintendent issues a final order requiring the program to stop operations.

## .07 State Program Approval Process.

### A. Requirements for Traditional and Alternative Programs.

- (1) A provider may seek approval for a new program, or a new specialization in a currently operating program area, if the documentation submitted contains sufficient justification to warrant the program or new specialization, and has been approved by the Commission.
- (2) Where a provider seeks first-time approval for a program, the Department may conduct annual monitoring and a full review of the program or programs within the first 2 years of operation and may also conduct an on-site review if considered necessary by the Department to confirm information in the application.
- (3) The Department shall approve or reject the proposal for a new program and notify representatives of the provider, in writing, of the decision.
- (4) A new program may not admit candidates to the program until the Department has provided approval.

### B. Special Requirements for Alternative Programs.

- (1) In addition to meeting the requirements found in [§A of this regulation](#), a provider of an alternative program shall provide at least 4 weeks of professional development before the candidate assumes full responsibility of the classroom.
- (2) The provider shall ensure this professional development includes, but is not limited to, pre-employment training, initial coursework, pedagogy, and pre-practicum experiences.

### C. Program Approval Process Where No National Content Standards Are Available.

- (1) As part of the approval process for proposed programs for which there are no national content standards, the Department shall review the program application, and may also conduct an on-site review if considered necessary by the Department to confirm information in the application.
- (2) A program approved under this section shall complete all requirements in §A to receive program approval.
- (3) At least 6 months before requesting program approval, a provider shall notify the Department of its intent to initiate the review process for a program for which there are no national content standards.
- (4) At least 6 months before the approval is requested, the provider shall submit the application for approval to the Department.
- (5) The provider shall ensure this application includes:
  - (a) A description of the proposed program;
  - (b) A detailed description and outline of proposed program content and coursework; and
  - (c) Identification of national content standards most closely related and relevant to the proposed program.

#### Cross References

[13A.07.06.06A\(1\)\(a\)](#)

## .08 State Program Approval Requirements.

### A. Entry Requirements for Teacher Preparation Programs.

- (1) A provider of a traditional program shall require candidates to have a grade point average (GPA) of at least 3.0 on a 4.0 scale during the most recent 2 years of the candidate's post-

secondary education or demonstrate mastery of general knowledge by providing evidence of a qualifying score, as established by the State Superintendent of Schools and as approved by the State Board of Education (SBOE), on a basic skills assessment.

(2) A provider of an alternative program shall require candidates to submit:

- (a) A GPA of at least 3.0 on a 4.0 scale at the post-secondary level, or demonstrate mastery of general knowledge by providing evidence of a qualifying score, as established by the State Superintendent of Schools and as approved by the SBOE, on a basic skills assessment; and
- (b) Evidence of one of the following:
  - (i) A conferred bachelor's degree or higher with a major related to the program licensure area;
  - (ii) A conferred bachelor's degree or higher with a minimum of 24 semester hours of credit related to the licensure area; or
  - (iii) A conferred bachelor's degree or higher and evidence of a qualifying score on an approved content assessment, as established by the State Superintendent of Schools and as approved by the SBOE.

#### B. Waiver of Entry Requirements.

- (1) A provider of a program may waive the entrance requirement for up to 10 percent of the candidates admitted in an annual cohort.
- (2) A provider of a program shall implement strategies to ensure that candidates admitted under a waiver receive assistance to successfully demonstrate the required standards and competencies and meet requirements for licensure on exit from the program.

#### C. Standards and Competencies.

- (1) A provider shall ensure that its teacher preparation programs provide the following for all candidates:

- (a) Instruction and experiences in the core academic subjects that the teacher will be teaching, aligned with Maryland-recognized national content and pedagogy standards listed under [Regulation .03A of this chapter](#);
  - (b) Instruction and experiences aligned with Department-approved competencies under Regulations [.12— .15](#) of this chapter;
  - (c) Instruction in the Department-approved Model Code of Ethics for Educators;
  - (d) Instruction in teaching in high poverty, culturally diverse, and linguistically diverse schools under [Regulation .15 of this chapter](#);
  - (e) Instruction in research-based literacy instruction aligned to the science of reading for the grade level the individual will be teaching; and
  - (f) Training in the skills and techniques for teaching effectively in a virtual learning environment, including the use of online curricula.
- (2) A provider of a teacher preparation program leading to licensure in early childhood education, elementary education, English as a Second Language, and special education shall:
- (a) Provide coursework demonstrating coverage of research-based literacy instruction aligned to the science of reading including phonemic awareness, phonics, vocabulary, fluency, and comprehension;
  - (b) Use high-quality curricula and materials that accurately detail the principles of scientifically based reading practices;
  - (c) Provide opportunities for candidates to demonstrate mastery of reading instruction through in-class assignments, tests, and instructional practice; and
  - (d) Prepare candidates to interpret reading assessment data to identify students with reading difficulties and inform instruction.
- (3) A provider shall ensure that programs preparing candidates for licensure in early childhood and elementary education provide content instruction in each of the following:

- (a) English language arts;
  - (b) Social studies;
  - (c) Math; and
  - (d) Science.
- (4) Programs for Specialists. The Department shall approve specialists programs according to the national standards listed in [Regulation .03A of this chapter](#).
- (5) Programs for Administrators.
- (a) The Department shall approve administrator programs according to the national standards listed in [Regulation .03A of this chapter](#).
  - (b) A provider of a program that offers courses in school administration shall:
    - (i) Develop a method for evaluating the potential of candidates to be effective school leaders;
    - (ii) Develop a curriculum to enable candidates to organize and manage both schools and highly skilled professionals in a professional work environment, and achieve effective peer observations and effective evaluations of other personnel;
    - (iii) Include clinical experiences and assessments that measure competencies established in the program curriculum; and
    - (iv) Include instruction in research-based literacy instruction aligned to the science of reading.

#### D. Clinical Experiences.

- (1) Each participant in an undergraduate, graduate, or alternative teacher preparation program shall complete a teacher training practicum as a requirement for program completion.

- (2) A provider shall ensure that a teacher training program incorporates classroom observations in which the candidate is observed in different school settings at the beginning of the program to assist in determining if the candidate has the aptitude and temperament for teaching.
- (3) A teacher training practicum may be completed consecutively or over the course of the program.
- (4) Before July 1, 2025, a provider shall ensure that a teacher preparation program has a required practicum of a minimum of 100 days.
- (5) Minimum Required Practicum.
  - (a) Beginning on July 1, 2025, a provider shall ensure that:
    - (i) An undergraduate teacher preparation program has a required practicum equivalent to a full school year;
    - (ii) A graduate teacher preparation program has a required practicum of a minimum of 100 days; and
    - (iii) An alternative teacher preparation program has a required practicum equivalent to a full school year.
  - (b) Exceptions.
    - (i) If an alternative teacher preparation program operating in Maryland on or before July 1, 2021, provides effective and diverse teachers in schools and local school systems, as approved by the State Superintendent, and has high rates of teacher vacancies, teacher turnover, and new teachers relative to other public schools in Maryland, a provider shall ensure that this program has a required practicum of a minimum of 100 days.
    - (ii) Candidates in an alternative teacher preparation program for early childhood education may satisfy criteria established by the Department that evaluate the knowledge and skills from prior learning relating to early childhood education in place of a practicum.

- (6) A provider shall ensure collaboration with mentor teachers of a partner school to evaluate participants in a teacher training practicum and ensure each participant demonstrates the competencies required of licensed teachers.
- (7) Special Requirements for Alternative Teacher Preparation Programs. A provider shall ensure that a teacher training practicum in an alternative teacher preparation program includes, at a minimum, the following content:
- (a) Preparing lesson plans;
  - (b) Teaching;
  - (c) Debriefing;
  - (d) Observation of a class of students to which the participant is assigned as a student teacher; and
  - (e) 40 hours of teaching during class periods.
- (8) A provider shall ensure that a program leading to licensure in an area of teaching includes a practicum experience in a partner school and:
- (a) Is located in a Maryland public school, a nonpublic school, or an out-of-State school with the permission of the State Superintendent;
  - (b) Is aligned with program curricula that encompass the area, subject, or category of licensure being sought by candidates, including opportunities to provide reading instruction for those candidates enrolled in early childhood, elementary, special education, and ESOL programs;
  - (c) Provides candidates on-site supervision by a mentor teacher and ongoing support by a clinical supervisor from the provider, including:
    - (i) Documented observations;
    - (ii) Collaboration between clinical supervisors and mentor teachers to evaluate candidates for demonstration of required competencies;

(iii) Observations and evaluations of candidates, aligned to a Department-approved educator evaluation system; and

(iv) Feedback, placement, remediation, or supports, informed by candidate evaluation; and

(d) Ensures candidates are responsible for the instruction and classroom management of a roster of students for a minimum of 150 hours during the practicum.

(9) A provider shall ensure that a program for administrators includes supervised clinical experience totaling a minimum of 240 hours distributed within the program to include observations and evaluations of candidates aligned to a Department-approved administrator evaluation system.

(10) A provider shall ensure that a program for specialists includes a supervised clinical experience in the specialty area being pursued.

#### E. Exit Requirements.

(1) A provider shall establish exit requirements for programs that:

(a) Demonstrate successful completion of required coursework that is based on Department-recognized national content standards and Department-approved competencies;

(b) Demonstrate successful completion of the clinical experience outlined in [§D of this regulation](#); and

(c) Enable teacher candidates to, beginning July 1, 2025, complete:

(i) A nationally recognized and nationally scored portfolio-based assessment of teaching ability approved by the State Board of Education; or

(ii) A rigorous local school system teacher induction program that meets the requirements listed in [§E\(3\) of this regulation](#).

- (2) Candidates who complete an approved program in the State who passed an approved portfolio-based assessment will not be required to take the assessment more than one time.
- (3) A local school system induction program under [§E\(1\)\(c\)\(ii\) of this regulation](#) shall:
  - (a) Be developed by the local school system, either independently or collaboratively with other local school systems;
  - (b) Be approved by the Department;
  - (c) Last the lesser of 3 years or the amount of time a teacher holds a conditional license; and
  - (d) Include a locally developed portfolio component that is aligned with the Interstate Teacher Assessment and Support Consortium Standards.

#### F. Credit Requirements.

- (1) A provider shall ensure that a program leading to a bachelor's degree is a 4-year program and award 120 credits, unless otherwise permitted by law.
- (2) A provider may expand the program by no more than 12 semester hours of credit or an additional semester only with the permission of the Department and the Commission.
- (3) A locally developed portfolio established under [§E\(3\) of this regulation](#) may be used to meet a portion of the coursework requirements of the program.

#### Cross References

[13A.07.06.02B\(10\)](#)

[13A.07.06.10A\(4\)\(a\)](#)

[13A.07.06.10A\(4\)\(b\)](#)

[13A.07.06.10A\(4\)\(c\)](#)

[13A.07.06.10A\(4\)\(d\)](#)

[13A.07.06.10A\(4\)\(e\)](#)

## .09 Clinical Experience Placements.

- A. A partner school and a provider shall establish a teacher training practicum through a written partnership agreement, as follows:
- (1) The provider of a program shall prioritize selecting partner schools within its same community;
  - (2) The provider of a program and a partner school shall seek to provide teacher training placements in a variety of school environments with diverse student populations that provide participants with the same kind of experiences as teachers employed in the State; and
  - (3) The instructional program and work organization of a partner school located in a local school system shall reflect the career ladder once the Accountability and Implementation Board determines that the career ladder system is well established throughout the State.
- B. A clinical mentor teacher shall:
- (1) Be a highly competent teacher demonstrated by evidence of impacting student achievement;
  - (2) Be trained and selected by the partner school;
  - (3) Hold a professional Maryland educator license;
  - (4) Have the skills and knowledge needed to mentor teacher training practicum participants and to instill the skills, attitudes, values, and knowledge necessary for the next generation of teachers;
  - (5) Provide opportunities for teacher training practicum participants in guided, hands-on, practical applications and demonstrations of a candidate's professional knowledge while

applying educational theory through collaborative and facilitated learning tasks, activities, and assessments;

- (6) Have teaching and release time per the implementation of the county board approved career ladder to mentor candidates and lead workshops and demonstrations at the school level;
- (7) Collaborate with the educator preparation program to evaluate participants in a teacher training practicum to ensure each participant demonstrates the competencies required of certified teachers; and
- (8) Be selected using the following criteria:
  - (a) From the career ladder system, as applicable, when the Accountability and Implementation Board determines that the career ladder system is well established throughout the State;
  - (b) Until the Accountability and Implementation Board makes a determination that the career ladder is well established, meet the requirements of §B(1)–(7) of this regulation; and
  - (c) A partner school may select a clinical mentor who is not on the career ladder if the partner school can demonstrate the need to justify the selection.

#### C. Program Collaboration with Clinical Experience Placements.

- (1) The provider of the program shall collaborate with the partner school to provide the mentor teacher:
  - (a) Initial training on best practices in coaching, mentoring, and reflective strategies; and
  - (b) Additional professional development to support mentor teachers.
- (2) The provider of the program shall collaborate with mentor teachers to ensure teacher candidates demonstrate the teacher competencies established in Regulations [.12](#)–[.15](#) of this chapter.

#### D. Partner School Requirements.

(1) A partner school shall:

(a) Assist in finding teaching training practicum placements, to ensure:

(i) A well-rounded clinical experience based on student population and geographic location;

(ii) Exposure to distinguished instructional practices; and

(iii) Placement with a mentor teacher who meets the requirements outlined in [§B of this regulation](#), and is professionally licensed in the area in which the candidate is placed; and

(b) Actively collaborate with programs to ensure mentoring and growth of teacher candidates.

(2) Compensation of Mentor Teachers.

(a) Partner schools shall compensate mentor teachers who supervise participants in a teacher training practicum.

(b) When the career ladder system is well established throughout the State, as determined by the Accountability and Implementation Board, the compensation of mentor teachers will be according to the career ladder system.

#### E. Action Research.

(1) A provider shall ensure that all programs require teacher candidates to conduct action research during the practicum.

(2) Candidates shall present findings to the partner school and program.

(3) Candidates shall ensure these findings include the ongoing cycle of problem identification, data collection, reflection, analysis, and lessons learned for the next cycle.

## .10 State Program Reporting.

### A. Compliance with Program Requirements.

- (1) A provider shall provide evidence of adherence to program requirements as outlined in this regulation.
- (2) If a provider submits annual reporting to a national accreditation agency recognized by the Department and the Commission, the provider shall submit a copy of the annual report to the Department within 30 calendar days.
- (3) A provider shall submit data and annual reports to the Department demonstrating each program's compliance with requirements.
- (4) A provider shall ensure the annual reports include documentation of compliance with the following measures:
  - (a) Entry requirements as stated in [Regulation .08A of this chapter](#);
  - (b) Clinical experience requirements as stated in [Regulation .08D of this chapter](#);
  - (c) Standards and competencies requirements as stated in [Regulation .08C of this chapter](#);
  - (d) Exit requirements as stated in [Regulation .08E of this chapter](#), including candidate passing rates on performance assessments, as well as rate of program completion, and attrition data;
  - (e) Candidate evaluation requirements as stated in [Regulation .08D\(8\)\(c\) of this chapter](#), including documentation of evaluation processes and remediation policies as defined by the program; and
  - (f) The process by which the provider uses data to continuously improve the program, including, but not limited to, the recruitment and support of a racially and ethnically diverse pool of candidates.

- (5) A provider shall compile and report data to the Department for each graduating cohort at the individual level, including race, ethnicity, and gender, for the most recent 5 years of program cohorts, on a selection of Department-identified metrics that may include, at a minimum:
- (a) Program completion rates, including number and demographics of completers, non-completers, and degrees granted;
  - (b) Placement in partner schools by subject area, grade level, LSS employer, and school;
  - (c) Performance, including passing rates on Department-approved performance, content, and basic skills assessments;
  - (d) Enrollment data, including candidate residence, and past and projected enrollment in each program;
  - (e) Employment of graduates/completers;
  - (f) Retention of program completers through the first 5 years of employment; and
  - (g) Candidate satisfaction survey.
- B. The Department will distribute to providers a copy of the Maryland Curriculum Frameworks for prekindergarten through 12th grade on an annual basis to ensure content, composition, and expectations of teachers are current.

**Cross References**

[13A.07.06.05J](#)

## .11 State Program Renewal, Oversight, and Revocation.

### A. Program Review.

- (1) The Department shall review programs every 5 years.

- (2) The Department shall approve programs that meet its requirements and standards for 5 years.
- (3) Programs that fail to meet all the requirements and standards addressed in this chapter may be approved with conditions or placed on probation.
- (4) Program Extensions.
  - (a) A provider may request an extension of the Department's 5-year review.
  - (b) A provider shall submit this request in writing at least 180 calendar days before the end of the program's 5-year approval.
  - (c) The Department may grant up to a 1-year extension based on documentation submitted to justify the extension.
- (5) The Department may monitor or conduct an interim review of a program at any time.
  - (a) Where this interim review reveals that a program has seriously failed to meet the standards and benchmarks or reporting or compliance requirements, or has demonstrated a pattern of noncompliance, the program may be placed on probation under [§C of this regulation](#).
  - (b) If after the 1-year probation a program fails to make satisfactory progress toward meeting program standards, reporting requirements, or compliance requirements, the Department may revoke its approval under [§D of this regulation](#).
- (6) Beginning in the 2025–2026 school year, each approved educator preparation program leading to certification in early childhood education, elementary education, special education, and ESOL, shall post on its website information describing its program to prepare teachers to teach reading using evidence-based practices in literacy programming and instruction aligned to the science of reading.

#### B. Approval with Conditions.

- (1) If the approved program fails to meet all of the standards and competencies, reporting, or compliance requirements, it may be approved with conditions for a period of 2 years.

- (2) The Department shall conduct a focused review of a program approved with conditions within 2 years of the original review.
- (3) The Department may extend a program's approval with conditions for good cause beyond the original 24-month period.
- (4) Programs may continue to accept candidates for entry while approved with conditions.
- (5) Approval with conditions shall last 2 years unless, through its annual reports, the program supplies sufficient evidence to meet program approval requirements, after which it may be removed from approval with conditions after 1 year, granted approval, and returned to a 5-year review cycle.
- (6) A program approved with conditions shall continue to provide all annual reporting.
- (7) If after 2 years a program has not made satisfactory progress toward meeting Department requirements and national standards, reporting requirements, or compliance requirements, the program may be placed on probation or revoked.

#### C. Probation.

- (1) Programs that have seriously failed to meet the standards and benchmarks or reporting or compliance requirements, or have demonstrated a pattern of noncompliance, may be placed on probation.
- (2) Programs that do not submit data or required reports to the Department, or who lose national accreditation status by revocation or by expiration, may be placed on probation status or may face immediate revocation of Department approval.
- (3) The Department may conduct a full review within 1 year of the last focused revisit for a program on probation unless, through annual reporting requirements, the program supplies sufficient evidence to meet program approval requirements.
- (4) Programs may not accept candidates for entry while on probation.
- (5) A program on probation shall continue to provide all annual reporting to the Department.

- (6) Within 30 calendar days of the notification of probation, the provider shall notify each candidate individually in writing of the probation of the program, explain what probation means, and provide documentation of the notification to the Department.
- (7) The Department shall monitor program progress towards meeting the Department requirements and national standards for the program throughout the probationary period, including review of required reports and monitoring visits as considered necessary.
- (8) If a program supplies evidence of meeting all program requirements, the Department may remove it from probation.
- (9) The Department may request an annual follow-up report with an annual re-visit for institutions removed from probation.
- (10) If after the 1-year probation a program has not made satisfactory progress toward meeting program standards, reporting requirements, or compliance requirements, the Department may revoke its approval.

#### D. Revocation.

- (1) The Department may revoke its approval if a program fails to meet the standards, reporting requirements, or compliance requirements set forth by this chapter.
- (2) The Department shall notify the provider in writing of a decision to revoke approval.
- (3) On provision of the notification, the provider shall stop operating the revoked program.
- (4) A revoked program may not recruit or accept new candidates.
- (5) Within 30 calendar days of the notification of revocation, the provider shall notify each candidate individually, in writing, of the revocation of program approval, explain what revocation means, and provide documentation of the notification to the Department.
- (6) Candidates enrolled in the revoked program who have accumulated enough credits to be on track for program completion within the current academic year may exit.

- (7) A provider shall wait 2 years after revocation of a program before it may apply to the Department for approval of a program that is substantively the same as the one revoked.

#### E. Appeal.

- (1) A provider may request a hearing to challenge the revocation if the provider files a written request with the State Superintendent within 20 calendar days of receipt of the notice of revocation.
- (2) The State Superintendent shall promptly refer the case to the Office of Administrative Hearings.

#### F. Hearing Procedures.

- (1) The hearing procedures for appeals referred to the Office of Administrative Hearings are in accordance with the Administrative Procedure Act, State Government Article, §§[10-201](#) –[10-226](#), Annotated Code of Maryland, and with [COMAR 28.02](#).
- (2) The Office of Administrative Hearings shall prepare an official case record as provided in [COMAR 28.02.01.22](#).
- (3) The administrative law judge shall submit in writing to the State Superintendent a proposed decision containing findings of fact, conclusions of law, and recommendations, and distribute a copy of the proposed decision to the parties.
- (4) A party objecting to the administrative law judge's proposed decision may file exceptions with the State Superintendent within 15 calendar days from the date of the decision. A party may respond to the exceptions within 15 calendar days of the date of the exceptions.
- (5) If exceptions are filed, any party may request an opportunity for oral argument before the State Superintendent before a final decision is made. Each side may present no more than 15 minutes of oral argument before the State Superintendent.
- (6) The State Superintendent shall make a final decision in writing containing findings of fact and conclusions of law.

- (7) A provider may seek judicial review of a State Superintendent's determination under this regulation as provided by the Administrative Procedure Act, [State Government Article, §10-222, Annotated Code of Maryland](#).

### Cross References

[13A.07.06.06G\(5\)](#)

## .12 Teacher Preparation Competencies: General Competencies.

### A. Purpose.

- (1) The general teacher preparation competencies apply to teacher candidates across all content areas and grade levels, to determine readiness to enter the profession.
- (2) The teacher candidate shall demonstrate essential knowledge and skills of general competencies that align with current expectations for teacher candidates to exit a program.

### B. Required General Competencies. The teacher candidate shall:

- (1) Use evidence-based research strategies, learning theories, and methods to help improve student performance;
- (2) Use inquiry skills and methods regularly to collect meaningful data and improve the candidate's professional practice;
- (3) Incorporate personal reflection, professionals' feedback, best practice, and expert opinion to improve the candidate's professional practice;
- (4) Demonstrate that knowledge of the learner's physical, cognitive, emotional, social, and cultural development is the basis of effective teaching of the following students:
  - (a) Students from different racial, ethnic, and socioeconomic backgrounds;
  - (b) Students for whom English is not their primary language;

- (c) Students with different learning abilities; and
  - (d) Students with social and emotional needs;
- (5) Create, build, and sustain a safe, inclusive learning environment by effectively:
- (a) Using trauma-informed instruction and other approaches to meet social and emotional needs;
  - (b) Implementing restorative practices;
  - (c) Using active listening, conflict de-escalation to include bullying, and other strategies; and
  - (d) Managing student behavior;
- (6) Apply multiple, valid assessment approaches, both formal and informal, modifying when appropriate, that address a variety of developmental needs, conceptual abilities, curriculum outcomes, and school goals;
- (7) Develop action research that advances the candidate's knowledge base, promotes equity, and addresses an academic need;
- (8) Collaborate effectively with colleagues, families, school professionals, businesses, and social services agencies to support student development and student achievement;
- (9) Apply instructional supports, including a 504 Plan and an individualized education plan, to support a student with disabilities by providing developmentally appropriate access to age-level or grade-level instruction, individually and in collaboration with colleagues;
- (10) Evaluate student behaviors and unique learning needs in the adaption of various learning environments, such as physical arrangement, student grouping, instructional intensity, pacing, and embedded assistive technology supports;
- (11) Use assistive technologies ranging from low-tech to high-tech devices or equipment, materials, and resources to educate individuals whose disabilities interfere with written or verbal communication;

- (12) Analyze and use data derived from assessments to develop intervention plans aligned to the specific needs of individual students to remedy learning deficits;
- (13) Implement Response to Intervention (RtI), Universal Design for Learning (UDL), and Direct Instruction (DI) to differentiate instruction;
- (14) Implement Specially Designed Instruction (SDI) to implement the Individualized Education Program for students with disabilities; and
- (15) Effectively use high quality instructional materials (including online) and adapt existing curriculum to make it stronger using standards-aligned tools, including the ability to use digital resources and computer technology.

**Cross References**

[13A.07.06.08C\(1\)\(b\)](#)

[13A.07.06.09C\(2\)](#)

### .13 Teacher Preparation Competencies: Literacy Competencies.

- A. Literacy Competencies for Secondary and PreK–12 Teaching Areas. Teacher candidates completing programs that lead to licensure in secondary and PreK–12 content areas shall demonstrate an understanding of the following competencies:
  - (1) The Learner and Learning. The teacher candidate shall:
    - (a) Define, describe, explain, and analyze the developmental characteristics of adolescent literary learners, active independent readers, processes of making meaning, and motivation and engagement;
    - (b) Interpret, synthesize, and apply learning of active independent readers, processes of making meaning, and motivation and engagement to specific content area instruction;
    - (c) Define and distinguish features of diversity and interpret linguistic cultural differences among adolescent learners;

- (d) Examine, evaluate, and apply learning of inclusive content area literacy environment and instruction to close achievement gaps;
- (e) Describe the characteristics of a high quality learning environment; and
- (f) Construct high quality learning environments that support individual and collaborative interaction and engagement.

(2) Content Knowledge. The teacher candidate shall:

- (a) Describe purposes and opportunities for reading, writing, and communicating within and across content areas and analyze types of new literacies and their uses for acquiring content knowledge and student understandings;
- (b) Use new literacies for acquiring and developing content knowledge and student understanding;
- (c) Identify and select appropriate multi-modal sources and resources for inquiry; and
- (d) Evaluate and use discipline-specific processes of inquiry to engage in collaborative problem solving and critical thinking.

(3) Assessment and Instruction. The teacher candidate shall:

- (a) Describe guiding principles and practices and examine assessment types, tools, and purposes for content literacy assessment;
- (b) Select or develop content-specific assessment tools to evaluate student performance and the effectiveness of assessment tools for content-specific assessment;
- (c) Identify deficits in reading and develop a plan to address using strategies aligned to the science of reading to support appropriate interventions;
- (d) Examine factors of text complexity and analyze student data to inform and evaluate instructional practice;

- (e) Synthesize multiple data points to evaluate and to refine content area instructional practice;
  - (f) Identify professional and literacy standards and curricula for lesson development to plan and evaluate engaging instruction that supports all learners in meeting goals and intended outcomes;
  - (g) Use professional and literacy standards and curricula to plan, implement, and evaluate lessons and instructional units of study within content areas;
  - (h) Critique effectiveness of instruction and design next steps for students and teachers;
  - (i) Examine research and theoretical frameworks and investigate evidence-based multi-modal instructional practices to develop comprehension;
  - (j) Use evidence-based multi-modal instructional practices to develop and evaluate comprehension within content areas; and
  - (k) Examine research and theoretical frameworks and investigate evidence-based multi-modal instructional practices for general academic and content specific vocabulary use.
- (4) Professional Responsibility. The teacher candidate shall:
- (a) Examine current trends, initiatives, and educational reform efforts as relative to content literacy;
  - (b) Explore professional dispositions and engage in critical self-reflection to construct a professional development plan as a content area literacy teacher;
  - (c) Identify organizational structures and school-based resources for specific needs; and
  - (d) Investigate opportunities for collaboration with families/school/communities and develop leadership capacities through actively participating in school-based opportunities for growth and development.

B. Literacy Competencies for Early Childhood, Elementary, Special Education, and English to Speakers of Other Languages. Teacher candidates completing programs that lead to licensure in early childhood, elementary, English to speakers of other languages, and special education areas shall demonstrate an understanding of the following:

(1) Literacy Processes. The teacher candidate shall:

- (a) Identify the component processes involved in reading and writing aligned to the science of reading;
- (b) Apply that knowledge to understand the reading and writing processes of native English speakers and English learners;
- (c) Describe how key components of reading and writing processes develop and what biological, cognitive, linguistic, and sociocultural factors may influence literacy development;
- (d) Identify characteristics that define evidence-based practices in literacy programming and instruction aligned to the science of reading;
- (e) Use evidenced-based criteria aligned to the science of reading to select and organize print and multimedia resources for teaching reading and writing; and
- (f) Use a variety of print and multimedia resources to engage students as readers and writers.

(2) Literacy Instruction in the Diverse Classroom. The teacher candidate shall:

- (a) Develop in their students the awareness of the sounds made by spoken words;
- (b) Systematically map speech sounds with letters and letter combinations;
- (c) Provide extended practice for reading words to develop fluency;
- (d) Provide opportunities for students to devote energy to the meaning of text to build content vocabulary;

- (e) Develop student understanding of what is being read to them and what they will eventually read themselves;
  - (f) Provide instruction focused on the core components of reading that lead to proficient and motivated reading behavior for all students;
  - (g) Provide instruction focused on the core components of writing that lead to proficient and motivated writing behavior for all students;
  - (h) Design speaking and listening opportunities that lead to more active, equitable, and academically oriented conversations for all students;
  - (i) Identify the role of classroom literacy instruction aligned to the science of reading in a multi-tiered system of supports and work with colleagues to provide effective interventions for students who struggle as readers and writers; and
  - (j) Provide literacy instruction that reflects and is responsive to the diversity of the classroom community and promotes all students' cultural competence through inclusive and equitable literacy learning opportunities.
- (3) Effective Literacy Assessment. The teacher candidate shall:
- (a) Identify the foci, purposes, and features of literacy assessments and application;
  - (b) Identify and implement a developmentally appropriate reading screener to identify students at risk for reading difficulties;
  - (c) Select or design appropriate diagnostic assessments and use data from those assessments to determine areas of need, provide targeted instruction, collaborate with instructional specialists, monitor progress, and evaluate the effectiveness of literacy instruction; and
  - (d) Use effective techniques for communicating assessment information to a variety of stakeholders.
- (4) Researched-based literacy instruction aligned to the science of reading, to include:

- (a) Phonological and phonemic awareness;
- (b) Phonics and decoding;
- (c) Fluency;
- (d) Vocabulary;
- (e) Comprehension of literary and informational text;
- (f) Written expression, spelling, and grammar;
- (g) Assessment and instructional decision-making;
- (h) Long-term planning aligned with the literacy curriculum, student needs, instructional histories, school/grade level needs;
- (i) Effective methods for promoting the reciprocal relationship between writing and reading;
- (j) Strategies that foster connections to students' homes and communities; and
- (k) Multiple opportunities for incorporating oral language variation.

#### .14 Teacher Preparation Competencies: Math Competencies.

- A. Math Competencies. Teacher candidates seeking licensure to provide mathematics instruction shall demonstrate the competencies applicable to the area of licensure (PreK—Grade 3; Grades 1—6; Middle School or High School or both).
- B. Content Knowledge. The teacher candidate shall:
  - (1) Apply mathematics content knowledge for teaching within the candidate's area of licensure;
  - (2) Candidates prepared to teach elementary education shall apply content knowledge for each of the four essential topics: Numbers and Operations, Algebraic Thinking, Geometry

and Measurement, and Data Analysis and Probability;

- (3) Demonstrate conceptual understanding, proficiency with procedural skills, and the ability to solve real world problems;
- (4) Recognize the coherent progression of mathematical concepts both within an age/range/grade/course and across an age/range/grade/course;
- (5) Use mathematics to model real world problems; and
- (6) Use precise mathematical language.

C. Pedagogical Skills. The teacher candidate shall:

- (1) Identify the appropriate sequence of mathematical learning targets for both a unit of study and an individual lesson;
- (2) Construct collaborative and self-directed learning opportunities that reflect active student engagement in learning and a growth mindset;
- (3) Develop strategies for responding to anticipated and present student misconceptions;
- (4) Design rich mathematical tasks that help students develop the conceptual understanding, procedural skills, and the ability to apply the mathematics associated with learning targets;
- (5) Integrate instructional strategies and teaching aids that enhance the learning of mathematics, such as multiple representations, manipulatives, calculators, and other technological aids; and
- (6) Recognize productive struggles and unproductive struggles to promote perseverance and thinking flexibly.

D. The teacher candidate shall use multiple assessment tools and evidence-based instructional strategies to guide the mathematics instructional process.

- E. The teacher candidate shall identify the cognitive process, learning theories, and developmental strategies related to the teaching and learning of mathematics.

## .15 Teacher Preparation Competencies: Cultural Responsiveness.

- A. Culturally Responsive Teaching. Teacher candidates seeking licensure shall demonstrate the following competencies:
- (1) Preparation to support culturally, racially, linguistically, and otherwise diverse populations of students through providing culturally responsive instruction to increase academic achievement, critical consciousness, and cultural competence; and
  - (2) Required knowledge and skills to include application of competencies that support various racial, ethnic, linguistic, socioeconomic groups through teaching that promotes social justice and equity, including restorative practices and practices to develop racial literacy.
- B. Cultural Competencies. The teacher candidate shall:
- (1) Identify and apply the elements of culturally responsive teaching, including academic achievement, critical consciousness, and knowledge of self and at least one other culture;
  - (2) Identify and assess how issues such as racism, sexism, socioeconomic status, immigration, and gender impact marginalized students, families, and educators on multiple levels by:
    - (a) Acknowledging their own biases and inequitable actions; and
    - (b) Assessing how their own assumptions, values, and biases may impact their responses to students and families and result in inequitable actions and practices, and identify equitable actions and practices;
  - (3) Demonstrate respect for students' cultures by:
    - (a) Learning about students' cultural backgrounds;
    - (b) Seeking purposeful immersion experiences within groups different from their own;

- (c) Communicating high expectations for students of all identities, including gender, race, ethnicity, language, socioeconomics, and disability;
  - (d) Incorporating a variety of culturally responsive materials that represent and support learning for diverse populations of children and families; and
  - (e) Differentiating instruction with consideration for cultural, linguistic, and academic diversity;
- (4) Examine curriculum and learning materials for bias and deliver instruction with materials that center the perspectives and lived experiences of historically marginalized people;
- (5) Build a safe and accessible environment, respectful of all individuals, by:
- (a) Providing strategies to support students with responses to discrimination and negative attitudes associated with cultural or other differences;
  - (b) Creating learning environments that facilitate the active engagement of diverse populations of students; and
  - (c) Co-constructing the values and expectations of the school to incorporate different perspectives, including those of students, families, and colleagues; and
- (6) Build relationships with families and communities by:
- (a) Incorporating families' perspectives about school culture to create an environment that is inclusive and respects their values, beliefs, and hopes for their children;
  - (b) Providing opportunities for families to be involved in their children's educational experiences by communicating regularly, in multiple ways, and including them in the curriculum;
  - (c) Integrating family and community-based funds of knowledge into teaching and learning; and
  - (d) Providing information regarding school and community resources that are available for students, educators, and families, including multilingual resources reflecting students

and families' heritage languages.

**Cross References**

[13A.07.06.08C\(1\)\(b\)](#)

[13A.07.06.08C\(1\)\(d\)](#)

[13A.07.06.09C\(2\)](#)

## Chapter 07 Tuition Reimbursement for Retraining Teachers in Mathematics or Science

**Administrative History**

Effective date:

[Regulation .01](#) adopted as an emergency provision effective May 31, 1985 (12:13 Md. R. 1275); emergency status expired November 1, 1985; adopted permanently effective January 27, 1986 (13:2 Md. R. 138)

**Authority**

[Education Article, §18-1501](#), [Annotated Code of Maryland](#)

### .01 Eligibility Criteria and Standards for Reimbursement.

- A. Eligibility Criteria. To be eligible for the program of tuition reimbursement for retraining, an applicant shall:
- (1) Be currently employed as a teacher in a Maryland public school system;
  - (2) Be presently certified in a field other than mathematics or science;

- (3) Declare an interest in being certified in mathematics or science in a Maryland public school system; and
  - (4) Agree, with the consent of the local board of education, as specified in §C, of this regulation, to teach mathematics or science in a Maryland public school system for at least 2 years following certification in mathematics or science.
- B. Standards for Reimbursement. An individual accepted in the tuition reimbursement program shall:
- (1) Obtain from the State Department of Education an evaluation of the individual's credentials to determine what requirements the applicant shall complete to become certified in mathematics or one of the five certification fields of science;
  - (2) Provide this evaluation to the State Scholarship Board for use in determining when the individual has completed the certification requirements and is eligible for reimbursement; and
  - (3) Complete either the courses remaining for certification or not less than 12 semester hours per year toward the certification field.
- C. Consent of the Local Board of Education. Before acceptance into the program by the State Scholarship Board, the applicant's local board of education shall:
- (1) File a letter of consent with the State Scholarship Board indicating approval for the individual to participate in the program; and
  - (2) Assure in the letter of consent that the funds for this program may not be used to supplant funds of any other program.
- D. Surety Bond. Before reimbursement by the State Scholarship Board, a teacher shall execute a surety bond to this State which shall:
- (1) Be in the total amount of tuition reimbursement;
  - (2) Guarantee to the satisfaction of the State Scholarship Board that the teacher will teach in a Maryland public school for at least 2 years after certification; and

(3) Provide a basis for reimbursement in the case of default.

# Chapter 08 Incentive Program for Certification by the National Board for Professional Teaching Standards

## Administrative History

Effective date: June 1, 1998 (25:11 Md. R. 821)

[Regulation .01](#) amended effective September 22, 2008 (35:19 Md. R. 1717); March 3, 2025 (52:4 Md. R. 219)

[Regulation .02B](#) amended effective September 22, 2008 (35:19 Md. R. 1717); April 9, 2018 (45:7 Md. R. 346); March 3, 2025 (52:4 Md. R. 219)

[Regulation .03](#) amended effective September 22, 2008 (35:19 Md. R. 1717); March 3, 2025 (52:4 Md. R. 219)

[Regulation .03C](#) amended effective April 9, 2018 (45:7 Md. R. 346)

[Regulation .04](#) amended effective January 20, 2003 (30:1 Md. R. 26); September 22, 2008 (35:19 Md. R. 1717); April 9, 2018 (45:7 Md. R. 346); March 3, 2025 (52:4 Md. R. 219)

[Regulation .05](#) amended effective September 22, 2008 (35:19 Md. R. 1717); March 3, 2025 (52:4 Md. R. 219); March 3, 2025 (52:4 Md. R. 219)

[Regulation .06](#) amended effective September 22, 2008 (35:19 Md. R. 1717); April 9, 2018 (45:7 Md. R. 346); March 3, 2025 (52:4 Md. R. 219)

Regulation .07 amended effective September 22, 2008 (35:19 Md. R. 1717)

Regulation .07 repealed effective March 3, 2025 (52:4 Md. R. 219)

Regulation .08 adopted effective January 20, 2003 (30:1 Md. R. 26); September 22, 2008 (35:19 Md. R. 1717)

Regulation .08 repealed effective March 3, 2025 (52:4 Md. R. 219)

**Authority**

Education Article, §§[6-1001](#), [6-1012](#) and [6-1013](#), Annotated Code of Maryland

## .01 Scope.

This chapter establishes the criteria for the selection of public school teachers and non-classroom teachers who are eligible to receive financial aid, subject to annual appropriation by the Maryland General Assembly, to pursue initial certification or maintenance of certification by the National Board for Professional Teaching Standards.

## .02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

- (1) “Completion of the National Board certification process” means the candidate submits the requisite number of scoreable components, as defined by National Board for Professional Teaching Standards (NBPTS), for initial certification or maintenance of certification within the time frame allowed by the NBPTS.
- (2) “National Board certificate” means a credential issued by the NBPTS which attests that a candidate has been judged by peers as one who is accomplished, makes sound professional judgments about student learning, and acts effectively on those judgments.
- (3) “National Board certification fee” means the component fee charged by the NBPTS.
- (4) “National Board certification process for initial certification” means the process designed to collect standards-based evidence of accomplished practice that requires the candidate to complete four components, including an assessment and portfolio-based activities.
- (5) “National Board maintenance of certification” means the process that requires the National Board certified candidate to complete two components that contain evidence of

connections between the candidate's continued professional growth and student learning to extend their certification.

- (6) “National Board for Professional Teaching Standards (NBPTS)” means a private, nonprofit organization whose primary purpose is to advance the teaching profession and to improve student learning.
- (7) “Non-classroom teacher” means a position in a school for which, if the individual earns National Board Certification, the individual is eligible to join the career ladder, including:
- (a) Administrators;
  - (b) Assistant principals;
  - (c) Instructional specialists; and
  - (d) Principals.
- (8) “Retake” means the process offered by the NBPTS, which allows candidates, during their initial attempt, to resubmit any combination of portfolio entries, assessment center exercises, or both, for which they did not achieve a passing score.
- (9) “Teacher” means a licensed public school employee who is primarily responsible and accountable for teaching the students in the class and, unless otherwise provided, does not include:
- (a) Curriculum specialists;
  - (b) Instructional aides;
  - (c) Attendance personnel;
  - (d) Psychologists;
  - (e) Social workers;
  - (f) Clerical personnel;

(g) An individual with a Resident Teacher Certificate; or

(h) An individual with a certification for career professionals.

### .03 Eligibility Criteria.

A. To be eligible to receive financial aid to pursue initial NBPTS certification, a candidate shall:

- (1) Have completed 3 years of successful teaching as defined by the NBPTS;
- (2) Hold a valid Maryland professional license;
- (3) Affirm voluntary participation in the NBPTS certification process;
- (4) Have access to a class of students of the age and in the content area of the National Board certificate being pursued;
- (5) Comply with the deadlines as specified by the Department and NBPTS; and
- (6) ) If completing a World Language certificate, provide a qualifying score on the American Council on the Teaching of Foreign Languages (ACTFL) speaking and writing proficiency assessments, as determined by the NBPTS.

B. To be eligible to receive financial aid to pursue maintenance of certification of the NBPTS certificate, a candidate shall:

- (1) Hold a valid Maryland professional license; and
- (2) Comply with the deadlines as specified by the Department and NBPTS.

C. Except as provided in [§D of this regulation](#), to be eligible to receive financial aid to pursue a retake of a component, a candidate shall:

- (1) Hold a valid Maryland professional license; and
- (2) Comply with deadlines as specified by the Department and the NBPTS.

- D. A candidate may only receive payment for one retake of each component on the National Board for Professional Teaching Standards.

**Cross References**

[13A.07.08.04A\(1\)](#)

[13A.07.08.04A\(2\)\(i\)](#)

## .04 Selection Procedures.

- A. Each participating local school system shall:

- (1) Publicize the written criteria identified in [Regulation .03 of this chapter](#) for the selection of candidates; and
- (2) Forward names of candidates for the financial incentive program to the Department in accordance with the timelines established by the Department, with the following information:
  - (a) Name;
  - (b) NBPTS candidate code;
  - (c) Race, ethnicity, and gender;
  - (d) Contact information;
  - (e) Subject assignment or assignments;
  - (f) School assignment or assignments;
  - (g) Local education agency identification number;
  - (h) Signed memorandum of understanding that specifies the candidate's financial responsibility if the candidate does not complete the process; and

(i) Confirmation of verification of eligibility as identified in [Regulation .03 of this chapter](#).

B. Funding for the National Board Incentive Program is contingent upon appropriations by the General Assembly, and individual participation is not guaranteed.

## .05 Credits.

A. A candidate who receives a National Board certificate shall earn six continuing professional development credits toward the renewal of the Maryland professional certificate.

B. A candidate who completes the National Board certification process, but who does not receive a National Board certificate, shall earn three continuing professional development credits toward the renewal of the Maryland professional certificate.

## .06 Costs.

A. Costs for the fee charged by NBPTS shall be shared in the following manner:

(1) The State Board of Education shall pay 2/3 of the National Board certification fee, and the local school system shall pay 1/3 of the National Board certification fee for an initial or maintenance of certification candidate; and

(2) Subject to the annual appropriation by the Maryland General Assembly, the State Board of Education shall pay 2/3 of the National Board certification fee, and the local school system shall pay 1/3 of the National Board certification fee, for a candidate to pursue one retake of each component of the National Board certification process.

B. Reimbursement.

(1) A candidate who does not complete all four components of the initial National Board certification process within the first 3 years of their candidacy shall reimburse the State Board of Education the full amount of the aid, and the State Board of Education shall reimburse the local school system its share.

(2) A candidate who completes the certification process but does not achieve National Board Certification, is not required to reimburse the amount of the aid.

# Chapter 09 Evaluation of Teachers and Principals

## Administrative History

Effective date: July 23, 2012 (39:14 Md. R. 839)

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Regulations [.01](#)—.09 repealed and new Regulations [.01](#)—.08 adopted effective October 27, 2014 (41:21 Md. R. 1260)

## Authority

Education Article, §§[2-205](#) (b) and (g) and 6-202, Annotated Code of Maryland

## .01 Applicability.

The minimum general standards set forth in [Regulation .04 of this chapter](#) shall apply to evaluations of all teachers and principals.

## .02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

- (1) “Evaluation” means an appraisal of professional performance for a school year based on written criteria and procedures that result in a written evaluation report.
- (2) “Principal” means an individual who serves in the position as a principal and who is certificated under COMAR 13A.12.04.04 or certificated as a resident principal under COMAR 13A.12.04.05.
- (3) “State assessments” means the tests in mathematics and English/language arts developed or adopted by the Department that are aligned with the Maryland College and

Career Ready standards and measure a student's skills and knowledge as set forth in the content standards for those subjects.

- (4) "Student growth" means student progress assessed by multiple measures and from a clearly articulated baseline to one or more points in time.
- (5) Teacher.
  - (a) "Teacher" means any individual certificated under COMAR 13A.12.02 as a teacher and who delivers instruction and is responsible for a student's or group of students' academic progress in a Pre-K–12 public school setting, subject to local school system interpretation.
  - (b) "Teacher" may include an individual certificated by the Maryland State Department of Education (MSDE) under COMAR 13A.12.03 if the individual delivers instruction and is responsible for a group of students' academic progress in a Pre-K–12 public school setting, subject to local school system interpretation.

### .03 Incorporation by Reference.

In this chapter, the following documents are incorporated by reference:

- A. Maryland Instructional Leadership Framework, February 2005;
- B. Educational Leadership Policy Standards: ISLLC 2008; and
- C. InTASC Model Core Teaching Standards: A Resource for State Dialogue, April 2011.

### .04 Local Education Agency Evaluation System.

- A. An evaluation system for teachers and principals developed by a local education agency in mutual agreement with the exclusive employee representatives shall include performance evaluation criteria, at a minimum, based on multiple measures, and on the general standards set forth in §§B and C of this regulation.
- B. General Standards: Teacher Evaluation System.

- (1) An evaluation system shall be based on standards, such as the INTASC Model Core Teaching Standards or other Department-approved or nationally recognized standards for teaching, and those standards shall be explained to teachers and communicated to the school community. The selected standards shall be used to evaluate the teacher's professional practice and student growth.
  
- (2) A teacher's evaluation shall include at least five components:
  - (a) Planning and preparation;
  - (b) Classroom environment;
  - (c) Instruction;
  - (d) Professional responsibility; and
  - (e) Student growth.
  
- (3) An evaluation system shall provide, at a minimum, for an overall rating of highly effective, effective, or ineffective.
  
- (4) Classroom observations shall play a role in the evaluation system, at a minimum, in the following ways:
  - (a) Classroom observations of teachers' professional practice shall be conducted by certificated individuals who have completed training that includes identification of teaching behaviors that result in student growth and the use of the selected standards in the observation;
  - (b) An evaluation of a teacher's professional practice, including planning and preparation, classroom environment, and instruction shall be based on at least two observations during the school year;
  - (c) An evaluation report that evaluates a teacher as ineffective shall include at least one observation by an individual other than the immediate supervisor;

- (d) An observation, announced or unannounced, shall be conducted with full knowledge of the teacher;
  - (e) A written observation report shall be shared with the teacher and a copy provided to the teacher within a reasonable period of time;
  - (f) A teacher shall sign the observation report to acknowledge receipt;
  - (g) An observation shall provide for written comments and reactions by the teacher being observed, which shall be attached to the observation report; and
  - (h) An observation shall provide specific guidance in areas needing improvement and supports as well a reasonable timeline to demonstrate improvement in areas marked as ineffective.
- (5) Claims and evidence of observed instruction that substantiate the observed behavior or behaviors in a classroom observation shall be a part of the teacher's evaluation and may be identified by either the teacher or the evaluator or both and may include:
- (a) Student work;
  - (b) Teacher-developed initiatives;
  - (c) Portfolios;
  - (d) Projects;
  - (e) Student test data;
  - (f) Artifacts; and
  - (g) Other statements.
- (6) A local education agency's evaluation system shall include rigor, which shall be demonstrated, in part, by:
- (a) The establishment of student growth as a significant component of the evaluation;

- (b) For the school years 2014–2015 and 2015–2016, the use of student learning objectives (SLOs) informed by the data resulting from the State assessments, which shall be represented on a teacher’s evaluation; and
  - (c) The Department shall review and approve mutually agreed-on evaluation systems to ensure compliance with the minimum general standards.
- (7) The Department’s approval of an agreed-on evaluation system after the 2015–2016 school year will be based, in part, on the Department’s analysis of the evaluation data obtained in the 2014–2015 and 2015–2016 school years, including an analysis of the use of State assessment data as a direct measure of student growth.
  - (8) The evaluation system shall provide focused professional development, resources, and a mentoring component for teachers who are evaluated as ineffective and for all nontenured teachers.
  - (9) Until school year 2016–2017, student growth data based on or derived from State assessments may not be used to make personnel decisions.
- C. General Standards: Principal Evaluation System. A principal’s evaluation system shall be based on:
- (1) The outcomes contained in the Maryland Instructional Leadership Framework, February 2005, and in the Interstate Leadership Licensure Consortium; and
  - (2) The standards set forth in §B(3), (6)(a)–(b), and (9) of this regulation.

**Cross References**

[13A.07.09.01](#)

## .05 Default Model.

- A. If the school system and the exclusive employee representative do not reach agreement on an evaluation system, the default model shall be adopted by the school system.

B. The default model shall include:

- (1) A student growth component that comprises at least 50 percent of the teacher's and principal's evaluation in the following ways:
  - (a) For school years 2014—2015 and 2015—2016, for elementary and middle school teachers providing instruction in State-assessed content areas, 20 percent of the evaluation shall be based on SLOs based on and informed by the data obtained from the State assessments and 30 percent on other SLOs or other locally determined measures;
  - (b) For school years after 2015—2016, for elementary and middle school teachers providing instruction in State-assessed content areas, based on an analysis conducted by the Department of evaluation data obtained in school years 2014—2015 and 2015—2016, including and analysis of the use of State Assessment data as a direct measure of student growth, aggregate class growth scores for State-assessed content areas being taught may comprise at least 20 percent of the teacher's evaluation;
  - (c) For school years 2014—2015 and 2015—2016, elementary and middle school teachers providing instruction in non-State-assessed grades or content areas, SLOs or other locally determined measures in the content areas being taught shall comprise 50 percent of the evaluation;
  - (d) For school years after 2015—2016, for elementary and middle school teachers providing instruction in non-State-assessed grades or content areas, based on an analysis conducted by the Department of evaluation data obtained in school years 2014—2015 and 2015—2016, SLOs or other locally determined measures may comprise up to 30 percent of the evaluation and a school-wide index may comprise up to 20 percent; and
  - (e) For high school teachers, SLOs informed by the data obtained from the High School Assessments shall comprise 50 percent of the teacher's evaluation;
- (2) A professional practice component that comprises at least 50 percent of the teacher's evaluation in the following ways:
  - (a) Planning and preparation — 12.5 percent;

- (b) Classroom environment — 12.5 percent;
  - (c) Instruction — 12.5 percent; and
  - (d) Professional responsibility — 12.5 percent;
- (3) Measures of student growth for principals as follows:
- (a) For elementary and middle school principals, student growth shall be measured by SLOs, in part, based on and informed by State assessment data, aggregate school-wide growth scores in State-assessed content areas, and the school-wide index;
  - (b) For high school principals, student growth shall be measured by SLOs, in part, based on and informed by the high school assessment data and the school-wide index; and
  - (c) For principals of other types of schools, student growth shall be measured by SLOs and the school-wide index;
- (4) A professional practice component for principals which:
- (a) Shall count for 50 percent of a principal's evaluation; and
  - (b) Shall include, but not be limited to, the outcomes in the Maryland Instructional Leadership Framework, and other outcomes based on Interstate School Leaders and Licensure Consortium (ISLLC); and
- (5) A provision that, until school year 2016—2017, student growth data based on or derived from State assessments may not be used to make personnel decisions.

## .06 Evaluation Cycle.

- A. Tenured Teachers. On the 3-year evaluation cycle, tenured teachers shall be evaluated once annually in the following ways:
- (1) In the first year of the evaluation cycle conducted under these regulations, tenured teachers shall be evaluated on both professional practice and student growth;

- (2) If in the first year of the evaluation cycle a tenured teacher is determined to be highly effective or effective, then in the second year of the evaluation cycle the tenured teacher shall be evaluated using the professional practice rating from the previous year and the student growth based on the most recent available data;
  - (3) If in the second year of the evaluation cycle a tenured teacher is determined to be highly effective or effective, then in the third year of the evaluation cycle the tenured teacher shall be evaluated using the professional practice rating from the previous year and student growth based on the most recent available data;
  - (4) At the beginning of the fourth year, the evaluation cycle shall begin again as described in §A(1)–(3) of this regulation; and
  - (5) In any year, a principal may determine or a tenured teacher may request that the evaluation be based on a new review of professional practice along with student growth.
- B. Nontenured Teachers and Teachers Rated as Ineffective. All nontenured teachers and all teachers rated as ineffective shall be evaluated annually on student growth and professional practice.
- C. Principals. Every principal shall be evaluated at least once annually based on all of the components set forth in Regulations .04 and .05 of this chapter.

## .07 Evaluation Report.

- A. The evaluation report shall be shared with the teacher or principal who is the subject of the evaluation.
- B. The teacher or principal shall receive a copy of and sign the evaluation report.
- C. The signature of the teacher or principal is for the purpose of acknowledging receipt only.
- D. An evaluation report shall provide for written comments and reactions by the individual being evaluated, which shall be attached to the evaluation report.

## .08 Appeal of an Evaluation.

- A. In the event of an overall rating of ineffective, the local school system shall, at a minimum, provide the teacher or principal with an opportunity to appeal in accordance with [Education Article, §4-205\(c\)\(4\), Annotated Code of Maryland](#).
- B. If an observation report is a component of an ineffective evaluation, the observation report may be appealed along with the ineffective evaluation.
- C. The burden of proof is on the individual appealing an overall rating of ineffective to show that the rating was arbitrary, unreasonable, illegal, or not in compliance with the adopted evaluation system of the local school system.

## Chapter 10 Comprehensive Principal Induction Program

### Administrative History

Effective date: April 1, 2013 (40:6 Md. R. 475)

### Authority

Education Article, §§[2-205](#) (b), (c), and (g) and 6-202(b), Annotated Code of Maryland

### .01 Scope.

This chapter applies to a comprehensive induction program for new principals. The purpose of this regulation is to provide guidance for local school systems to establish a high quality induction program that addresses critical professional learning needs of new principals, improves instructional quality, and helps inductees achieve success in their initial assignments, resulting in improved student learning and higher retention in the profession. The induction program that each local school system designs shall reflect coherence in structure and consistency in focus to ensure an integrated, seamless system of support. Recognizing that “one-size-fits-all” induction programs do not meet the needs of new principals, these regulations establish the components of an induction program, allowing local school systems to build on their current programs.

### .02 Incorporation by Reference.

In this chapter, the following document is incorporated by reference:

Maryland Instructional Leadership Framework, 2005, which has been incorporated by reference in COMAR 13A.07.09.03.

### .03 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

- (1) “Mentee” means a public school principal who is the recipient of the services of a mentor.
- (2) “Mentor” means an individual who possesses the attributes set forth in [Regulation .06 of this chapter](#).
- (3) “New principal” means a principal who is:
  - (a) New to the position; or
  - (b) A veteran who is new to the local school system.
- (4) “Executive officer” means a principal's supervisor who evaluates the principal in accordance with COMAR 13A.01.04.02.

### .04 General Requirements.

- A. Each local school system shall have a comprehensive induction program for new principals. Such programs should be differentiated based on the needs of the principal and should include such components as:
- (1) A locally designed orientation program for all principals new to the principalship and/or local school system;
  - (2) Ongoing support from a mentor; and
  - (3) Appropriate levels of staffing to plan and coordinate all induction activities.

- B. All principals new to the position or to the local school system shall participate in induction activities in year one. Beyond year one, participation in induction activities will be a local decision.
- C. To the extent practicable given staffing and fiscal concerns, local school systems shall consider minimizing system-wide responsibilities in the new principal's first year.

### **.05 Mentoring Component of the Comprehensive Induction Program.**

- A. A local school system shall identify full-time or part-time mentors to support principals during their comprehensive induction period.
- B. In collaboration with the mentor, the new principal shall identify areas for focus of his/her professional growth.
- C. Mentors shall:
  - (1) Demonstrate a knowledge base and skills to address the performance evaluation criteria and outcomes to be met by each mentee; and
  - (2) Have been a principal and have been rated as satisfactory or effective or be a retiree from a local school system and have been rated as a satisfactory or effective principal.
- D. Local school systems shall provide ongoing training for mentors as appropriate.

### **.06 Evaluation of the Comprehensive Induction Program.**

Local school systems shall evaluate the effectiveness of the comprehensive induction program.

#### **Cross References**

[13A.07.10.03B\(2\)](#)

### **.07 Date of Compliance.**

Local school systems shall be in full compliance with this chapter by July 1, 2014.

## .08 Reporting Requirements.

By September 1, 2014, and each 5 years after, each local school system superintendent shall certify to the State Superintendent of Schools that the Comprehensive Principal Induction Program meets the minimum requirements set forth in this chapter.

# Chapter 11 Student Suicide Prevention and Safety Training

### Administrative History

Effective date: August 27, 2018 (45:17 Md. R. 804)

[Regulation .02](#) amended effective March 21, 2022 (49:6 Md. R. 405)

[Regulation .03A](#) amended effective March 21, 2022 (49:6 Md. R. 405)

### Authority

Education Article, §§[2-205](#), [6-122](#), and [6-704](#), Annotated Code of Maryland

## .01 Scope.

This chapter establishes a program of training in suicide prevention and student safety for all certificated school personnel who have direct contact with students on a regular basis.

## .02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) “Behavioral Health” means:

(a) Promotion of mental health, resilience, and well-being;

- (b) Treatment of mental and substance use disorders; and
  - (c) Support for individuals who experience these conditions or are in recovery from these conditions, and for their family and community.
- (2) “Certificated school personnel” means an individual who holds a certificate from the Maryland State Department of Education in:
- (a) Early childhood education;
  - (b) Elementary education;
  - (c) Middle school education;
  - (d) General secondary content areas;
  - (e) Special education;
  - (f) Specialty areas, such as art, dance, English for Speakers of Other Languages, environmental education, and health;
  - (g) Administrative or supervisory areas;
  - (h) Specialist areas; and
  - (i) Student support personnel.
- (3) “Trauma” means when an individual is exposed to an overwhelming event, or series of events, and is rendered helpless in the face of intolerable danger, anxiety, or instinctual arousal.

### .03 Required Training.

- A. All certificated school personnel who have direct contact with students on a regular basis shall complete training on or before December 1 of each year, by a method determined by each county board, in the skills required to:

- (1) Understand and respond to youth suicide risk;
  - (2) Understand and respond to student mental health, student trauma, student safety and other topics related to student social and emotional well-being;
  - (3) Identify professional resources to help students in crisis;
  - (4) Recognize student behavioral health issues;
  - (5) Recognize a student experiencing trauma or violence out of school and refer the student to behavioral health services, which includes, but is not limited to, the school counselor, school psychologist, school nurse, school social worker, and student support team; and
  - (6) If the school is a community school, support any students needing the services at a community school.
- B. The training required by [§A of this regulation](#) shall be:
- (1) Provided to certificated school personnel during an in-service program; or
  - (2) A professional development requirement that may be met during time designated for professional development.

#### Cross References

[13A.07.11.04A](#)

[13A.07.11.04B](#)

[13A.07.11.04B\(1\)](#)

[13A.07.11.04B\(2\)](#)

[13A.07.11.05](#)

**.04 No Duty of Care.**

- A. The training requirement set forth in [Regulation .03 of this chapter](#) may not be construed to impose a duty of care on certificated school personnel who complete the training.
- B. Unless the acts or omissions of a certificated school employee who completed the training required by [Regulation .03 of this chapter](#) are willful, wanton, or grossly negligent, a person may not bring an action against a county board for personal injury or wrongful death caused by an act or omission resulting from:
- (1) Any training or lack of training of certificated personnel under [Regulation .03 of this chapter](#); or
  - (2) The implementation of the training under [Regulation .03 of this chapter](#).

## .05 Documentation of Training.

The training requirement set forth in [Regulation .03 of this chapter](#) shall be monitored through documentation submitted annually to the State Superintendent from the local superintendents by school on the type of training, the number of certificated school personnel trained, the dates of the training, and the materials used for the training.

# Chapter 12 Disqualification Criteria for Substitute Teachers

### Administrative History

Effective date: December 30, 2019 (46:26 Md. R. 1167)

[Regulation .01A](#) amended effective October 27, 2025 (52:21 Md. R. 1025)

### Authority

[Education Article, §2-205, Annotated Code of Maryland](#) 

## .01 Disqualification Criteria for Substitute Teachers.

## A. Disqualification Causes.

- (1) A local school system shall disqualify a substitute teacher from employment in any local school system if the individual:
  - (a) Pleads guilty or nolo contendere with respect to, receives probation before judgment with respect to, or is convicted of a crime involving:
    - (i) Contributing to the delinquency of a minor;
    - (ii) Moral turpitude if the offense bears directly on the individual's fitness for employment in education;
    - (iii) Sexual offense in the third or fourth degree;
    - (iv) A controlled dangerous substance offense if the offense occurred on school property or during a school event or if the individual has been convicted and the clerk of the court has certified and reported the controlled dangerous substance conviction to the Department;
    - (v) Child abuse or neglect as defined in Criminal Law Article, §§[3-601](#) — [3-603](#), Annotated Code of Maryland, or a comparable crime in another state;
    - (vi) A crime of violence as defined in [Criminal Law Article, §14-101, Annotated Code of Maryland](#), or a comparable crime in another state;
    - (vii) Sexual solicitation of a minor; or
    - (viii) Possession, distribution, receipt, or production of child pornography;
  - (b) Knowingly fails to report suspected child abuse in violation of [Family Law Article, §5-701, Annotated Code of Maryland](#);
  - (c) Is dismissed after notice of allegation of misconduct involving a student in any school system or any minor is substantiated;

(d) Resigns after notice of allegation of misconduct involving a student in any school system or any minor;

(e) Is dismissed or resigns after notice of allegations of sexual child abuse.

(2) This regulation does not prevent a local school system from terminating, declining to hire, or declining to use the services of a substitute teacher based on any of the disqualifying causes or for any other lawful reason not listed as a disqualifying cause.

#### B. Notice of Disqualification and Right to Appeal.

(1) Prior to disqualifying a substitute teacher, a local school system shall send the individual notice of the proposed action, including the specific cause or causes for disqualification, and provide an opportunity to challenge the disqualification.

(2) A challenge to disqualification is limited to whether a substitute should be added to the Disqualified Substitute Teacher Database.

(3) An individual may appeal the disqualification in writing to the State Superintendent of Schools within 30 days of the final decision of the local school system. An individual shall remain on the disqualified list while an appeal to the State Superintendent of Schools is pending.

#### C. Disqualified Substitute Teacher Database.

(1) The Maryland State Department of Education shall maintain an electronic database of substitute teachers who have been disqualified by a local school system under §§A and B of this regulation.

(2) The local school system shall notify the Maryland State Department of Education of a substitute teacher's disqualification within 10 days of the final action.

(3) The notification to the Maryland State Department of Education shall be in the format prescribed by the Department.

(4) Within 10 days of receipt of notification, the Maryland State Department of Education shall enter the individual into an electronic database established under this regulation.

- (5) Prior to employing an individual as a teacher, a local school system shall check whether the individual is listed in the Disqualified Substitute Teacher Database.
- (6) The Maryland State Department of Education shall provide a list of those individuals in the Disqualified Substitute Teachers Database to each local school system on a monthly basis.
- D. If a decision to disqualify an individual from being able to serve as a substitute is based on [§A\(1\)\(a\) of this regulation](#) and if the plea, probation before judgment, or conviction is overturned or expunged and there is no subsequent proceeding leading to a plea, probation before judgment, or conviction, the individual who has been disqualified may file a written request with the Maryland State Department of Education to be removed from the Disqualified Substitute Teacher Database.
- E. If an individual who is disqualified from being able to serve as a substitute in Maryland based on [§A of this regulation](#) holds a valid Maryland Educator Certificate, the local superintendent of schools shall notify the State Superintendent of Schools in writing of charges against the certificate holder pursuant to COMAR 13A.12.05.02.

## Chapter 13 State Board of Education

### Teacher Member Election

#### Administrative History

Regulations [.01–.07](#) adopted as an emergency provision effective October 24, 2019 (46:23 Md. R. 1062); adopted permanently effective March 23, 2020 (47:6 Md. R. 342)

#### Authority

Education Article, §§[2-205](#), [6-122](#), and [6-704](#), Annotated Code of Maryland

#### .01 Scope.

This chapter establishes the process for electing the teacher member to the State Board of Education whenever there is a vacancy in that position.

## .02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) “Actively teaching” means an individual is:

(a) Employed full-time;

(b) Not employed as a substitute;

(c) Not on extended leave; and

(d) Teaching for at least 30 percent of the work week.

(2) “Candidate” means a teacher actively teaching in Maryland and certified in Maryland who has met the nomination requirements to stand for election to a seat on the State Board of Education.

(3) “Certificate” means an educator credential issued by the Department, which allows the holder to practice the area or areas of certification noted.

(4) “Department” means the Maryland State Department of Education.

(5) “Immediate family member” means a:

(a) Parent;

(b) Sibling;

(c) Child by blood, adoption, or marriage;

(d) Spouse;

(e) Grandparent; or

(f) Grandchild.

(6) “Teacher member-elect” means the teacher candidate who received the highest number of votes from certified teachers in the State in an election conducted by the Department.

(7) “Vacancy” means a teacher member:

(a) Has resigned as the “teacher member” on the State Board of Education, or the teacher member’s designated term has ended;

(b) Has been removed from office;

(c) Is no longer certified to teach in the State; or

(d) Is no longer actively teaching in the State.

### .03 General Provisions.

- A. The Department shall conduct an election to determine the teacher member-elect, whose name shall be presented to the Governor for appointment to the State Board of Education, with the advice and consent of the Senate.
- B. The teacher member elect shall be selected from a list of candidates provided by the Department to all certified teachers in the State.
- C. A teacher member’s seat on the State Board of Education shall become vacant if the teacher fails to hold certification in Maryland or stops actively teaching.

### .04 Election Schedule.

- A. The Department shall conduct an election whenever there is a vacancy of a teacher member of the State Board of Education.
- B. The Department shall prepare a schedule for conducting the election that conforms to the requirements of [§C of this regulation](#).
- C. The election schedule shall include the following information:

- (1) The time period during which an eligible teacher may obtain a nomination form from the Department;
  - (2) The date by which a teacher shall be certified in order to qualify as a candidate or be an eligible voter in the election;
  - (3) The date completed nomination forms shall be submitted to the Department;
  - (4) The date the Department shall certify the names of all candidates on the ballot;
  - (5) The dates the Department shall conduct the online election; and
  - (6) The date that election results shall be announced publicly.
- D. The election schedule shall be posted online and transmitted by email to all certified teachers in the State using the email addresses provided by those educators to the Department.

#### .05 Election Notice.

- A. The Department shall provide notice of a teacher member vacancy and election to all certified teachers in the State.
- B. The notice shall include:
- (1) The election schedule set by the Department;
  - (2) An explanation of the eligibility requirements to serve as a teacher member on the State Board of Education and how to become a candidate;
  - (3) Information on how to vote for a teacher candidate to the State Board of Education; and
  - (4) Any other information the Department considers necessary for eligible voters to fully understand the purpose and procedures of the election.
- C. The Department shall circulate the election notice by:

- (1) Sending a copy to all certified teachers in Maryland via the email address registered with the Department's Educator Information System; and
- (2) Posting the information to the Department's website.

## .06 Nomination of Candidates.

A. The name of an eligible teacher shall be placed on the ballot as a candidate if the Department certifies that they have met the criteria set by this regulation.

B. Eligibility Requirements. To be placed on the ballot, a teacher:

- (1) Shall be a resident of Maryland;
- (2) Shall be certified to teach in Maryland;
- (3) Shall be actively teaching in a public or nonpublic school in Maryland;
- (4) Shall have been actively teaching for at least 5 years;
- (5) May not have:
  - (a) Had a certificate suspended or revoked by the Department; or
  - (b) Been convicted of or entered a plea of guilty or nolo contendere for any criminal violation other than a minor traffic offense;
- (6) Shall be current on all federal, state, or local debt, without any delinquencies for income, property, or other taxes;
- (7) Shall provide all of the information required by the nomination form; and
- (8) Shall complete an ethics disclosure form.

C. Nomination Form.

- (1) A teacher shall submit a complete nomination form in order to be considered for placement on the ballot.
- (2) Teachers shall only nominate themselves as candidates.
- (3) All nomination forms shall include the following:
  - (a) The teacher's name, current school, and assignment area;
  - (b) The teacher's mailing address, email address, and phone number;
  - (c) A brief biography of not more than 500 words and a resume, which shall include the teacher's prior teaching assignment or assignments and the length of time at each;
  - (d) A personal statement of not more than 500 words explaining why the teacher should be elected to the State Board of Education;
  - (e) Confirmation from the human resources director, or equivalent position, of the teacher's current school verifying that the teacher is actively teaching and has completed a criminal background check;
  - (f) Three letters of support, not from an immediate family member, recommending the teacher for election to the State Board of Education, which may be from any combination of the following:
    - (i) An administrator at the teacher's current or former school;
    - (ii) A teacher at the teacher's current or former school; or
    - (iii) A parent of a current or former student;
  - (g) Documentation showing that a letter from the teacher to the local school system superintendent or head of a nonpublic school's legal authority was submitted informing them of their intent to nominate themselves to serve on the State Board of Education; and
  - (h) A completed ethics disclosure form.

D. The Department shall provide teachers with at least 30 days in which to submit a nomination form after the Department sends notice of a teacher member vacancy.

E. Selection or Rejection as Candidate.

- (1) The Department shall add a teacher's name as a candidate to the election ballot if the teacher meets all of the eligibility requirements and submits all of the information required by the nomination form.
- (2) The Department shall reject teachers as candidates if they fail to meet the eligibility requirements or fail to submit all of the information required by the nomination form.
- (3) Upon request of a teacher, the Department shall provide the teacher the reasons for rejecting the teacher as a candidate for election.
- (4) The name of a candidate shall be removed from the election ballot if:
  - (a) The teacher requests in writing that the teacher's name be withdrawn;
  - (b) A local school system, a nonpublic school, or the Department files charges against the teacher's certificate;
  - (c) The teacher is arrested for a cause that could lead to the suspension or revocation of the teacher's certificate;
  - (d) The teacher no longer holds a certificate in the State;
  - (e) The teacher is no longer actively teaching in the State; or
  - (f) The teacher has made false statements or presented false documents in connection with the teacher's nomination.
- (5) The Department's determination of whether a teacher shall be added, removed, or rejected as a candidate on the election ballot shall be final.

F. Only One Eligible Teacher as Candidate. If the Department certifies that only one eligible teacher qualifies as a candidate, the Department shall:

- (1) Forward the name of the single candidate to the Governor for appointment; and
  - (2) Notify all certified teachers in the State of the cancelation of the election and the name of the teacher member-elect.
- G. No Eligible Teacher as Candidate. If the Department is unable to certify any teachers as candidates, the Department shall:
- (1) Cancel the election; and
  - (2) Prepare a new election schedule.
- H. More than 25 Eligible Candidates.
- (1) If more than 25 teachers meet the qualifications to be placed on the ballot as candidates, the Department shall automatically schedule two rounds of voting.
  - (2) The first round of voting shall include all candidates who meet the requirements to be placed on the ballot.
  - (3) The second round of voting shall include the five candidates who received the most votes during the first round of voting.
  - (4) The candidate who receives the most votes after the second round of voting shall win the election.

## .07 Election.

- A. The Department shall conduct an online election.
- B. Ballots.
- (1) Candidates shall be listed in alphabetical order on the ballot.
  - (2) Each certified teacher in the State shall receive access to a ballot through notice provided by the Department's Education Information System.

- (3) The ballot shall, at a minimum, have the name of each candidate and the candidate's current school and teaching assignment.
- (4) The Department may include additional relevant biographical information about the candidates on the ballot, including a candidate's personal statement, resume, biography, and other information submitted as part of the nomination form.

### C. Voting.

- (1) The Department shall designate one week during which votes may be cast.
- (2) In the event that more than 25 candidates are on the ballot, the Department shall schedule a second round of voting that includes the five candidates who received the most votes during the first round of voting.
- (3) The Department shall extend the voting period for a run-off election in the event that the final two candidates receive the same number of votes.
- (4) The Department may extend the voting period for up to an additional week at its discretion.
- (5) Each certified teacher in the State may cast one vote.
- (6) Voiding Ballots. The Department may void a teacher's ballot if:
  - (a) The teacher loses certification during the election period; or
  - (b) The teacher attempts to manipulate election results, cast multiple votes, or otherwise interfere with the integrity of the election process.
- (7) Technical Assistance.
  - (a) The Department or election vendor shall provide technical assistance to teachers who experience technical problems in casting a ballot if the problems are reported during the voting period.
  - (b) Technical problems that are reported after the end of the voting period may not be grounds to cast a new ballot or otherwise delay the election results.

#### D. Reporting the Results.

- (1) The candidate receiving the highest number of votes shall win the election.
- (2) In the event of a tie, the Department shall conduct a run-off election.
- (3) The Department shall notify all candidates of the preliminary results of the election, including the total number of votes received by each candidate.
- (4) The Department shall report to the public the total number of votes received by each candidate and the Department's final determination of the winner within 30 days after the end of the voting period.

#### E. Challenging the Results.

- (1) An unsuccessful candidate may challenge the election results by filing a formal protest in writing to the Department within 5 days of being informed of the preliminary results.
- (2) The Department shall decide all protests within 10 days of receiving them.

## Chapter 14 Child Sexual Abuse and Sexual Misconduct History

### Administrative History

Effective date: September 21, 2020 (47:19 Md. R. 850)

[Regulation .02B](#) amended effective February 21, 2022 (49:4 Md. R. 301)

[Regulation .03](#) amended effective February 21, 2022 (49:4 Md. R. 301)

### Authority

Education Article, §§[2-205](#)(c) and [6-113](#).2, Annotated Code of Maryland

## .01 Scope.

This chapter establishes the general provisions to comply with the child sexual abuse and sexual misconduct background history review established by [Education Article, §6-113](#).2, Annotated Code of Maryland. Included in the chapter are definitions, reporting violations of the general provisions, penalties for entities that fail to comply with the provisions, and the establishment of an appeals process.

## .02 Definitions.

A. In this subtitle, the following terms have the meanings indicated.

B. Terms Defined.

- (1) “Child sexual abuse” means an act by an adult involving a minor or a student that constitutes a sexual offense under the laws of the State, or any sexual contact between an adult and a minor.
- (2) “Contracting agency” means an entity that contracts with a county board or nonpublic school to provide a service to a school or the students of a school.
- (3) “Current or former employer” means a county board, nonpublic school, or any other entity through which an individual had direct contact with minors.
- (4) “Department” means the Maryland State Department of Education.
- (5) “Direct contact with minors” means the care, supervision, guidance, or control of or routine interaction with a minor.
- (6) “Emergent employee” means an employee hired by a county board or nonpublic school without completing the employment history review required under [Regulation .03 of this chapter](#).
- (7) “Prospective employer” means a county board, nonpublic school, or contracting agency that is considering hiring an applicant for a position involving direct contact with minors.
- (8) “School” means a public or nonpublic school.

- (9) “Sexual misconduct” means an act by an adult, including an oral, nonverbal, written, or electronic communication, or a physical activity directed toward or with a minor that is designed to promote a romantic or sexual relationship with the minor, including:
- (a) Sexual or romantic invitation;
  - (b) Dating or soliciting dates;
  - (c) Engaging in sexualized or romantic dialogue;
  - (d) Making sexually suggestive comments;
  - (e) Grooming behaviors;
  - (f) Self-disclosure or physical exposure of a sexual, romantic, or erotic nature; and
  - (g) A sexual, indecent, romantic, or erotic contact with the minor.

## .03 General Provisions.

### A. Employer Requirements for Employment History Review.

- (1) A county board, nonpublic school, or contracting agency shall follow the requirements of [Education Article, §6-113](#).2, Annotated Code of Maryland, to obtain information on an applicant’s child sexual abuse and sexual misconduct history from current and former employers before hiring that individual for a position involving direct contact with minors.
- (2) Current employers, former school employers, and former employers where the applicant had direct contact with minors within the last 10 years shall complete and return the employment history review form to a prospective employer within 20 days of receiving the employment history review form.
- (3) Employers shall provide the information required by [Education Article, §6-113](#).2, Annotated Code of Maryland, unless an exception provided for in the law does not require disclosure of the information.

### B. Applicant Requirements for Employment History Review.

- (1) An applicant for a position involving direct contact with minors shall submit to a county board, nonpublic school, or contracting agency both the contact information and a signed written consent form authorizing the release of all records relating to child sexual abuse or sexual misconduct from the following employers:
  - (a) The current employer;
  - (b) All former school employers, including employers for which the applicant was an emergent employee; and
  - (c) Former employers where the applicant had direct contact with minors within the last 10 years.
- (2) An applicant for a position involving direct contact with minors shall also submit to a county board, nonpublic school, or contracting agency a written statement of whether the applicant:
  - (a) Has been the subject of a child sexual abuse or sexual misconduct investigation by any employer, arbitrator, county board, State licensing agency, law enforcement agency, or child protective services agency, unless the investigation resulted in a finding by:
    - (i) The employer that allegations that the applicant engaged in sexual misconduct lacked sufficient evidence according to the policies of the county board or nonpublic school;
    - (ii) An arbitrator or a county board to reject any disciplinary action in response to allegations that the applicant engaged in sexual misconduct;
    - (iii) A State licensing agency that allegations that the applicant engaged in sexual misconduct lacked sufficient evidence according to either State law or the policies of the county board or nonpublic school;
    - (iv) A law enforcement agency that allegations that the applicant engaged in child sexual abuse were unfounded; or
    - (v) A child protective services agency that allegations that the applicant engaged in child sexual abuse were ruled out; or



- (b) While allegations of child sexual abuse or sexual misconduct were pending or under investigation, or due to an adjudication or findings of child sexual abuse or sexual misconduct, has ever:
  - (i) Been disciplined, discharged, nonrenewed, asked to resign, or otherwise separated from any employment; or
  - (ii) Had a license, professional license, or certificate suspended, surrendered, or revoked.

### C. Sharing Employment History Reviews.

- (1) A county board or nonpublic school may:
  - (a) Share an employment history review with other county boards and nonpublic schools; and
  - (b) Use an employment history review completed by a current or former employer that is a county board or nonpublic school if the applicant swears or affirms that the completed employment history review includes all prior employment required to be reported and provides information about any subsequent employment.
- (2) A contracting agency may:
  - (a) Share an employment history review with other contracting agencies; and
  - (b) Use an employment history review completed by a current or former employer that is a contracting agency if the applicant swears or affirms that the completed employment history review includes all prior employment required to be reported and provides information about any subsequent employment.

### D. Emergent Employees.

- (1) Applicants may be hired by a county board or nonpublic school as emergent employees for a period not to exceed 60 days pending the employment history review if:
  - (a) The applicant has provided all required information and supporting documentation;

- (b) An employer has no knowledge of information that would disqualify the applicant from employment;
  - (c) The applicant swears or affirms that the applicant is not disqualified from employment; and
  - (d) The applicant is not authorized to work alone with minors unless the applicant:
    - (i) Works in the immediate vicinity of a permanent employee; or
    - (ii) Is a school vehicle driver subject to audio and video monitoring and recording that is promptly reviewed by school administrators.
- (2) The county board or nonpublic school may rescind the offer of employment or complete the hiring process at any time within 60 days of hiring the applicant as an emergent employee.
- (3) A county board's decision to dismiss an applicant hired as an emergent employee for any reason other than child sexual abuse or sexual misconduct may be appealed within 60 days of hiring in accordance with:
- (a) [Education Article, §4-205, Annotated Code of Maryland](#) ;
  - (b) [Education Article, §6-202, Annotated Code of Maryland](#) ; or
  - (c) The collective bargaining agreement applicable to the emergent employee.

**Cross References**

[13A.07.14.02B\(6\)](#)

## .04 Reporting Violations.

- A. Except as provided in [§D of this regulation](#), a prospective employer shall report to the Department if a current or former employer does not complete and return the employment history review form within 20 days of its receipt.

- B. The prospective employer shall make the report immediately to the Department using a form specified by the Department.
- C. The report shall include:
- (1) The name, address, phone number, fax number, and email address for the current or former employer;
  - (2) A detailed list of all attempts made by the prospective employer to contact the current or former employer, including method of contact, date of attempted contact, and any response;
  - (3) Any supporting documentation or other information relevant to the report; and
  - (4) The name of the individual making the report, along with the individual's title, employer, address, phone number, and email address.
- D. The prospective employer may not make a report to the Department if:
- (1) The current or former employer has no record of employing the applicant, no longer retains records for the applicant, or otherwise has no records available about the applicant;
  - (2) The current or former employer is no longer in business and no other entity has records for the closed business;
  - (3) The current or former employer did not complete the form because:
    - (a) The laws of the state in which the current or former employer is located prohibit the release of the information or records requested; or
    - (b) The disclosure of the information and records requested is restricted by the terms of a contract entered into on or before June 30, 2019; or
  - (4) The prospective employer did not make three attempts to obtain the form.
- E. A current or former employer shall report to the Department if it learns that a certificated employee has knowingly provided false information in connection with an employment

history review form or deliberately withheld information concerning past incidents of child sexual abuse or sexual misconduct.

## .05 Penalties.

- A. Subject to §§B—D of this regulation, the Department may impose a fine against any current or former employer that does not provide the information required by the employment history review form within 20 days of its receipt.
- B. Prior to imposing a fine, the Department shall send a warning letter to the current or former employer that explains:
- (1) The requirements of the law; and
  - (2) How the current or former employer failed to comply with the law.
- C. The Department shall provide the current or former employer with 10 additional days in which to complete the employment history review form or explain why it is exempt from the reporting requirements.
- D. If, after the 10 additional days have passed, the current or former employer has not returned a completed employment history review form or provided a legal exemption from the reporting requirements, the Department may impose a fine.
- E. Fine Schedule. The fine imposed under [§D of this regulation](#) shall be:
- (1) \$1,000 for a first offense;
  - (2) \$2,500 for a second offense; and
  - (3) \$5,000 for a third or subsequent offense.
- F. Penalties Against Applicants or Employees.
- (1) An applicant or employee who provides false information to or deliberately withholds information regarding current or past employment from an employer as part of the child

sexual abuse and sexual misconduct background history review may be denied employment or terminated from employment, if consistent with the employer's policies.

- (2) For professionally certificated personnel, the Department may take action to deny, suspend, or revoke an educator's certificate based on providing false information or deliberately withholding information, in addition to any discipline imposed by an employer.

## .06 Appeal.

- A. A current or former employer may appeal a fine in writing to the State Superintendent of Schools within 15 days of the Department imposing the fine.
- B. The appeal shall include the reasons for taking the appeal, along with any supporting documentation.
- C. The State Superintendent of Schools shall forward the appeal to the Office of Administrative Hearings for a proposed decision, including findings of fact and conclusions of law.
- D. An employer or the Department may file exceptions to the Administrative Law Judge's proposed decision within 15 days of the decision being issued.
- E. The State Superintendent of Schools may affirm, reverse, or modify the Administrative Law Judge's proposed decision.
- F. The decision of the State Superintendent of Schools is the final decision of the agency.