



Lillian M. Lowery, Ed.D.
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • MarylandPublicSchools.org

TO: Members of the State Board of Education (Revised 1/17/13)
FROM: Lillian M. Lowery, Ed.D. *Lillian M. Lowery*
DATE: January 22, 2013
SUBJECT: Summary of Public Comments Related to COMAR13A.12.01.02, Definitions, COMAR 13A.12.06E, Advanced Professional Certificate, and COMAR13A.12.01.11, Renewal

PURPOSE:

The purpose of this item is to provide a summary of the public comments received in response to proposed changes to COMAR13A.12.01.02, Definitions, COMAR 13A.12.01.06E, Advanced Professional Certificate, and COMAR13A.12.01.11, Renewal, which the State Board approved for publication at its meeting on August 28, 2012 (Attachment I).

BACKGROUND:

At your June 26, 2012 meeting, you granted permission to publish proposed changes to the certification requirements related to the achievement and retention of the Advanced Professional Certification (APC). These amendments included a fourth option for achieving the APC based on a demonstrated evaluation rating of "Highly Effective" in the new evaluation system.

At the August 2, 2012 meeting of the Professional Standards and Teacher Education Board (PSTEB), the PSTEB voted unanimously to oppose permission to publish the amendments as proposed by the State Board. Opposition to the addition of this fourth option appeared to be primarily based on fact that the new teacher evaluation system had yet to be implemented.

Based on the discussion by PSTEB and other stakeholders, the previously proposed amendments to COMAR 13A.12.01, General Provisions, were revised to include the dates when the new fourth option for achieving the APC would be implemented and when it is available for use. The State Board granted permission to publish the revised regulatory proposal at its meeting in August 2012.

EXECUTIVE SUMMARY:

Thirty-three (33) comments were received in response to the publication of proposed changes to COMAR13A.12.01.06E, Advanced Professional Certificate, and 13A.12.01.11, Renewal. Of the thirty-three comments, thirty-two were unanimously opposed; one comment in favor was withdrawn. No comments were received on proposed changes to COMAR13A.12.01.02, Definitions. The comments are attached for your review (Attachment II).

Following the State Board meeting on December 17, 2012, I received a letter from Senator Pinsky, Presiding Chair of the Joint Committee on Administrative, Executive, and Legislative Review (AELR), notifying me of the Committee's intent to hold the regulations to conduct a more detailed study of the Board's regulatory proposal and requesting that the State Board delay final adoption.

While the hold is on, the State Board cannot adopt the regulation as final.

At this point, the Board's options are to withdraw the regulation, modify the regulation, or notify the AELR Committee that the Board intends to adopt the regulations as they are written. If you decide to so notify the Committee you must by law provide the Committee with a further period of review that terminates on the later of:

- 30 days after the State Board notifies AELR of its intent to publish the regulation as final (The State Board has sent no notice as of yet). If, for example, a notice is sent on January 23, the 30 days end on February 22, 2013; or
- The 105th day after the initial publication of the regulation- which is February 11, 2013.
- The later date is then, February 22, 2013 or thereafter.

Before that date, AELR can call for a hearing. They can vote to oppose adoption. The usual reasons for opposition are:

- that the regulation not in conformity with the State Board's statutory authority;
- or that the regulation does not comply with the intent of the statute under which the regulation was promulgated.

If the AELR votes to oppose, it must provide notice to the Governor and the State Board. Thereafter, the State Board has three options:

- withdraw the regulations;
- modify the regulations and republish;
- submit the regulations to the Governor explaining why the State Board refuses to withdraw or modify.

The Governor then consults with AELR and the State Board to discuss the options. Thereafter, the Governor provides written notice to AELR and the presiding officers of the General Assembly that he has instructed the State Board:

- to withdraw the regulations;
- modify the regulations; or
- adopt the regulations.

Members of the State Board of Education
January 22, 2013
Page 3

ACTION:

For your information and consideration.

Attachments

PROPOSED ACTION ON REGULATIONS

1458

[(4)] (3) Suspension for More than 10 Days or Expulsion.**(a) — (b) (text unchanged)**

(c) If after the investigation the local superintendent or designated representative finds that [a longer] *an extended suspension or an expulsion is warranted*, the superintendent or designated representative promptly shall arrange a conference with the student and the student's parent or guardian.

(d) The process described in §C(3)(a)—(c) of this regulation shall be completed by the 10th school day of the initial suspension. If additional time is necessary to complete the process, the student shall be allowed to return to school, unless the local superintendent or designated representative determines that the conduct at issue was violent, dangerous, or a threat to the safety of the school.

[(d)] (a) If after the conference the local superintendent or designated representative finds that *an extended suspension [of more than 10 school days] or an expulsion is warranted*, the student or the student's parent or guardian may[:]

[(i)] [Appeal] *appeal to the local board within 10 days after the determination[.];*

[(ii)] Be heard before the local board or its designated committee; and

[(iii)] Bring counsel and witnesses to the hearing.]

(f) If an appeal is filed, it shall be heard before the local board or its designated committee or hearing officer and completed within 30 days of the date of appeal was received by the local board.

(g) The student or the student's parent or guardian:

(i) Shall be provided the school system's witness list and a copy of the documents that the school system will present at the hearing 5 days before hearing; and

(ii) May bring counsel and witnesses to the hearing.

(h) The local board shall issue its decision within 10 days after the close of the hearing.

[(e)] (i) — [(g)] (h) (text unchanged)

[(5)] (4) A student expelled [under] or suspended from school shall remain away from the school premises during those hours each school day when the school the student attends is in session, and may not participate in school-sponsored activities. The expelled or suspended student may return to the school premises during the prohibited hours only for attendance at a previously scheduled appointment, and if the student is a minor then only if accompanied by the student's parent or guardian.

(5) A student suspended or expelled from school shall be allowed to return to school on the day that the terms and conditions of the suspension or expulsion are met whether or not the student, parent, or guardian has filed an appeal of the suspension.

(6) — (7) (text unchanged)

(8) A local superintendent may deny attendance to a student who is currently expelled or on extended suspension from another school system for a length of time equal to that expulsion or extended suspension. A school system shall forward information to another school system relating to the discipline of a student, including information of an expulsion or extended suspension of the student, on receipt of the request for information.

D. — E. (text unchanged)

F. Minimum Education Services. In order to establish accountability and to keep suspended or expelled students on track with classroom work, as is reasonably possible, each local board shall institute education services that at minimum provide that:

(1) Each student suspended or expelled out-of-school who is not placed in an alternative education program shall receive daily classwork and assignments from each teacher which shall be reviewed and corrected by teachers on a weekly basis and returned to the student; and

(2) Each principal shall assign a school staff person to be the liaison between the teachers and the various students on out-of-

school suspension or expulsion and to communicate weekly about classwork assignments and school-related issues by phone or email with those out-of-school suspended/expelled students and their parents.

.12 Arrests on School Premises.

A. — B. (text unchanged)

F. Beginning in the 2013-2014 school year, data on school arrests shall be reported in a manner and format developed by the Department and approved by the State Board.

.15 Reporting Delinquent Acts.

A. — B. (text unchanged)

C. Beginning in the 2013—2014 school year, the local school systems shall report data to the Department on school arrests and referrals to law enforcement agencies or to the juvenile justice system in a form and manner developed by the Department and approved by the State Board.

.21 Reducing and Eliminating Disproportionate/Discrepant Impact.

A. The Department shall develop a method to analyze local school system discipline data to determine whether there is a disproportionate impact on minority students.

B. The Department may use the discrepancy model to assess the impact of discipline on special education students.

C. If the Department identifies a school's discipline process as having a disproportionate impact on minority students or a discrepant impact on special education students, the local school system shall prepare and present to the State Board a plan to reduce the impact within 1 year and eliminate it within 3 years.

D. The local school system will report its progress annually to the State Board.

LILLIAN M. LOWERY, Ed.D.
State Superintendent of Schools

Subtitle 12 CERTIFICATION**13A.12.01 General Provisions**

Authority: Education Article, §§2-205, 2-303(g), 6-202, and 6-701—6-705; Family Law Article, §10-119.3, Annotated Code of Maryland

Notice of Proposed Action
[12-299-F]

The Maryland State Board of Education proposes to amend Regulations .02, .06, and .11 under COMAR 13A.12.01 General Provisions. This action was considered at the Maryland State Board of Education meeting on August 28, 2012.

Statement of Purpose

The purpose of this action is to provide a fourth option for issuance of an Advanced Professional Certificate which is independent of course work.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

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

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Jean Satterfield, Assistant State Superintendent, Certification and Accreditation, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, Maryland 21201, or call 410-767-0385 (TTY 410-333-6442), or email to jsatterfield@msde.state.md.us, or fax to 410-333-8963. Comments will be accepted through December 3, 2012. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Maryland State Board of Education during a public meeting to be held on January 22, 2013, at 9 a.m., at 200 West Baltimore Street, Baltimore, Maryland 21201.

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) (text unchanged)

(2) "Accredited" has the meaning stated in §B[(17)] (19) of this regulation.

(3) — (12) (text unchanged)

(13) "Equivalent credit" means Department-approved professional growth activities designed by the local school system.

[(13)] (14) — [(15)] (16) (text unchanged)

(17) "Highly effective teaching" means, beginning with the 2013-2014 school year, receiving a highly effective rating under the Local Education Agency Evaluation System or the Model State Performance Evaluation Criteria in accordance with COMAR 13A.07.09.

[(16)] (18) — [(25)] (27) (text unchanged)

[(26)] (28) "Professional development plan" means a plan to describe the employee's continued professional growth collaboratively designed by the certificate holder and his or her supervisor or designee, which describes the certificate holder's continued professional growth, including specified needs, strengths and interests.

[(27)] (29) — [(38)] (40) (text unchanged)

.06 Professional Certificates.

A. — D. (text unchanged)

B. Advanced Professional Certificate.

(1) An Advanced Professional Certificate shall be issued to an applicant who:

(a) (text unchanged)

(b) [Presents] *Submits* 6 semester hours of acceptable credit as set forth in Regulation .05C of this chapter; and

[(c) Presents verification of 3 years of satisfactory school-related experience; and]

[(d)] (c) Meets one of the following standards:

(i) Earned a master's or higher degree from an IHE in a certification area directly related to public school education, including 6 semester hours related to the [teacher's] applicant's specific discipline or [the specialist's specific] job assignment, and verification of 3 years of satisfactory school-related experience; or

(ii) Earned at least 36 semester hours of approved content or professional education course work directly related to public school education, earned after the conferral of the bachelor's or higher degree, including at least 21 graduate credits, of which at least six credits shall be related to the [teacher's] applicant's specific discipline or [the specialist's specific] job assignment, and verification of 3 years of satisfactory school-related experience; or

(iii) Obtained National Board Certification and earned a minimum of 12 semester hours of approved graduate course work[, earned after the conferral of the bachelor's or higher degree and] related to the [teacher's] applicant's specific discipline or [the

specialist's specific] job assignment[, and verification of 3 years of satisfactory school-related experience; or

(iv) Beginning with the 2016-2017 school year, submits evidence of highly effective teaching for a minimum of 3 of the last 5 years immediately preceding the issuance of the Advanced Professional Certificate.

(2) — (3) (text unchanged)

.11 Renewal of Certificates.

A. General.

(1) — (7) (text unchanged)

B. Professional Certificates.

(1) — (4) (text unchanged)

(5) The Advanced Professional Certificate shall be renewed for 5 years if an applicant [is] *submits*:

[(a) Continuously employed as a professional in a Maryland school during the validity period of the certificate upon the request of the local superintendent of schools and upon presenting all of the following:]

[(i)] (a) A professional development plan for the subsequent Advanced Professional Certificate [designed by the employee and reviewed by the local superintendent of schools] that includes at least 6 semester hours of acceptable credit or equivalent credit under Regulation .05C of this chapter and §A(5) of this regulation, [or the equivalent once the required semester hours of reading course work are completed] and verification of 3 years of satisfactory school-related experience immediately preceding the issuance of the renewed Advanced Professional Certificate; or

[(ii) 6 semester hours of acceptable credit under Regulation .05C of this chapter and §A(5) of this regulation, or verification by the local superintendent of schools that the employee has earned the equivalent of 6 semester hours of credit in professional growth activities during the validity period of the current certificate once the required semester hours of reading course work are completed; and

[(iii) Verification of 3 years of satisfactory school-related experience completed within the 5 years immediately preceding the issuance of the renewed Advanced Professional Certificate; or]

(b) [Not continuously employed as a professional in a Maryland school during the validity period of the certificate, upon the request of the applicant and upon the applicant presenting 6 semester hours of acceptable credit under Regulation .05C of this chapter and §A(5) of this regulation] *A professional development plan for the subsequent Advanced Professional Certificate and evidence of highly effective teaching for a minimum of 3 years within the 5 years immediately preceding the issuance of the renewed Advanced Professional Certificate.*

C. — D. (text unchanged)

LILLIAN M. LOWERY, Ed.D.
State Superintendent of Schools

ATTACHMENT II

**SUMMARY OF WRITTEN TESTIMONY
CONCERNING PROPOSED CHANGES TO COMAR 13A.12.01.02, DEFINITIONS;
13A.12.01.06E, ADVANCED PROFESSIONAL CERTIFICATE; AND
13A.12.01.11, RENEWAL**

Thirty-three (33) comments were received in response to the publication of proposed changes to COMAR13A.12.01.06E, Advanced Professional Certificate, and 13A.12.01.11, Renewal. Of the thirty-three comments, thirty-two were unanimously opposed; one comment in favor was withdrawn. No comments were received on proposed changes to COMAR13A.12.01.02, Definitions.

Comments in opposition consistently reiterated the following points:

1. The new evaluation system is in the early stages of development and implementation; the “highly effective” rating has not yet been adequately defined. “Highly effective” is a subjective term (as yet untested) and its interpretation may vary within districts and among districts.
2. There are many critical changes occurring simultaneously both at the State and in local school systems: transition to the Common Core curriculum, transitions to new assessments, increased accountability for student growth. These changes focus on moving the State forward to better educate children and accurately measure their growth. However, at this point, we have no substantive evidence that these changes will accomplish this goal.
3. The need to continue professional development can be circumvented in the proposed changes.

TOPIC: Disagree with COMAR 13A. 12.01.06E and 13A.12.01.11 (AMEND)

Writer: Rose Adams, St, Mary’s County Public Schools

Comments: If this option for recertification is to be considered, fine. However, to implement it is too early since it’s not yet verified that it’s a valid and fair measure of teacher have too many excellent teachers who instruct students who don’t test well, who don’t attend regularly, or who come from backgrounds that no not support or enrich their child’s education. Test scores will not indicate how valuable these teachers are.

Writer: Kathryn Orndorf, Senior Manager of Records Management and Quality Control, Office of Human Resources, Anne Arundel County Public Schools

Comments: Anne Arundel County Public Schools opposes the proposed changes to 13A.12.01.06E Advanced Professional Certificates for the following reasons:

1. In response to RTTT, MSDE is in the process of restructuring MD certification. It is presumptive to change the language for the attainment of the Advanced Professional Certificate before the restructuring of certification statewide is finalized. If certification overall will change, then the 4th option for attaining the APC may impact other portions of the recommended changes. Local Education Agencies (LEAs) must see the entire restructuring proposal in order to fully determine the total impact and viability of proposed changes to 13A.12.01.06E.

2. The “highly effective” rating, which is a cornerstone of the proposed changes for APC attainment, has not yet been adequately defined by MSDE.

3. “Highly effective” is a subjective term. As such, the criteria for attainment of a highly effective rating and may vary from principal to principal, and school system to school system. Working within specified guidelines, each LEA may design an evaluation tool unique to that LEA. Teachers often move between Maryland school systems. As a result, there may be a lack of consistency with implementing the “highly effective” evaluation across the state.

4. The 4th option for the APC could negatively impact a teacher’s professional certification status. If a teacher were to focus solely on the rating component for attainment of the APC, they could jeopardize the renewal of their certificate. For example, a new teacher who receives effective evaluations in the first 2 years of a 5-year Standard Professional I Certificate (SPC), then receives 2 years of highly effective evaluations in the 3rd and 4th years of teaching may anticipate earning a highly effective rating in their 5th year and not complete 6 acceptable credits for the issuance of the SPC II. What happens to that teacher’s professional certification if only an effective evaluation is received at the end of the fifth year?

5. All teachers should be striving to become “highly effective” and so what purpose is served by option 4? Teacher certification requirements should be based on satisfactory/effective standards. Rewards for achieving “highly effective” evaluations may be best left to the local school system.

6. Most school systems tie the teachers’ salary scale to the APC. Options 1, 2 and 3 for earning an APC are based on academic achievement. (Option 3 includes recognition as a Nationally Board Certificated Teacher.) Once completed, the course work remains on the teacher’s professional resume and will not change. The 4th option however, allows a teacher to receive an APC based on “highly effective” evaluations within his/her first 3 years of teaching. That

teacher may never receive a “highly effective” rating again. Does this seem equitable? We recognize salary scales are negotiated locally but the potential financial impact on school budgets cannot be ignored. More information is needed.

7. “Specialists” (ex: guidance counselors, PPWs, etc) are not “teachers” and are not addressed by the proposed changes for the issuance of the APC. “Highly effective” does not apply to them. If “satisfactory” remains as the standard for specialists, then it seems they will not have the option of renewing an APC via 3 years of “highly effective” experience. Is this creating differing standards?

8: If a teacher receives the initial APC via “highly effective” experience and renews it by “highly effective” experience, then no professional development would be required. If RTT emphasizes professional development, then the 4th option for the issuance of the APC and new option for renewal of the APC seem to contradict the focus of RTT. In this situation, what does the teacher include in their Professional Development Plan?

Writer: Cheryl Bachman, History teacher, Kent County Public Schools

Comments: This option circumvents the need of teachers to pursue the professional development that will help them to improve their craft. Tying a teacher’s certification to student growth is a good way to drive people out of the profession or to keep good teachers from entering the profession. The highly effective rating may be impacted by a change in assignment, grade level, content areas, new administrative staff, and the accuracy and validity of the evaluation system itself. Evaluators are going to be subjective when scoring teachers, making the final ranking dependent not on effectiveness but rather on likability.

Writer: Abby Beytin, President, Teachers Association of Baltimore County (TABCO)

Comments: At a time when we are trying to attract the best, most highly skilled teachers in our classrooms, why would we want to allow an alternative pathway to allow teachers a backdoor into those very classrooms? It would make sense to work on the current certification procedures by beefing up college preparatory program and professional development options available to undergraduate and current teachers.

Writer: Ellen Beckstrom, ESOL teacher, Baltimore County Public Schools

Comments: This is not a good option for teachers to renew their certification. Rigorous instruction requires teachers who have undergone and are expected to continue to undergo, rigorous course requirements and continuing professional development. It is unwise and perhaps unfair to tie a teacher’s certification to student growth and evaluations when the variables may be beyond his/her

control and the revised evaluation process has not yet been clearly tested for validity and accuracy..

Writers: **Tina M. Bjarkull, President, Maryland Independent College and University Association, William E. Kirwan, Chancellor, University System of Maryland**

Comments: While the higher education community is not opposed to adding an alternative pathway for APC certification, the lack of on-going professional development for the proposed fourth option raises questions about rigor, consistency, and validity.

The standards proposed for the initial APC or renewal are premature, lack rigor, and are untested. Teachers who receive “unsatisfactory” performance evaluations in two of the most recent five years could obtain an APC based on the proposed regulations. Moreover, there is no minimum requirement for graduate course work or equivalent professional development credits for the issuance of the initial APC or renewal.

A stakeholder work group convened by MSDE developed recommendations concerning teacher certification in Maryland. The work group did not receive, discuss, or endorse alternative standards for the issuance or renewal of an advanced certificate solely based on a “highly effective teacher” performance rating by a local education agency.

The higher education community is not suggesting that the only pathway to the APC is a master's degree. However, we oppose an outcomes-based performance rating as the sole criteria for certification unless the State establishes minimum and uniform standards to protect the integrity of the certification credential.

Writer: **Elizabeth Brown, President, Charles County Education Association**

Comments: Option 4 circumvents the need for critical professional development which is paramount to the on-going learning process needed to attract and retain highly qualified educators in our local schools.

Furthermore, tying educator certification to student growth and teacher evaluations is premature since our new evaluation systems are still being piloted and have not been tested for accuracy and validity.

Writer: **Ryan Burbey, President, Harford County Education Association**

Comments: Quite simply, option four is no option at all. This misguided idea will drive our education reform into full reverse. Acquiring a master's degree and continuing our education is key to the success of educators.

Our students deserve to have teachers who continue to pursue their education, embracing new theories, pedagogy and practices. Our teachers deserve their profession to be honored, respected, and acclaimed; not reduced to an algorithm of student achievement.

Writer: Linda Butters, Teacher, Montgomery County Public Schools

Comments: I worry about new teachers not being exposed to seasoned teachers. I am also concerned with the amount of stress someone might take on to please an evaluator or the stress that will be incurred if someone falls short of the mark with not enough time to recover.

Writer: Ilene Cohen, Teacher, St. Mary's County Public Schools

Comments: Option four is reliant on an evaluation system that has not been tested for accuracy and validity and lacks a training component for evaluators the final rating dependent. All the other professions require continuing education. Shouldn't teaching require this too?

Writer: Carole C. Goodman, Associate Superintendent, Office of Human Resources and Development, Montgomery County Public Schools

Comments: Montgomery County does not support this proposal primarily because the State's model for evaluation, its own model for evaluation, and other recommendations with the Reconfiguration of Certificates [sic] are all still pending finalization.

1. Currently, regulation requires evidence of only satisfactory experience which takes into account the variety of evaluation tools being used across the State. Since the State system is still pending and local school systems can also develop their own teacher evaluations, different interpretations will likely exist for the definition of highly effective.
2. With the new probationary period of three years for new educators and educators new to Maryland, is it even possible for these educators to complete three years "highly effective" teaching if the three of their first five is probationary?
3. Since the focus of RTTT is also to imbed "rigorous and relevant professional development is the focus of highly effective performance going to discourage professional development?
4. Since the definition of "teacher" excludes most specialists, will this create perceptions of inequities between educator types?

Montgomery County believes that there are suggestions that deserve consideration if developing another option for ht initial APC or renewal is truly a valuable pursuit.

1. In regard to professional development, currently we cannot use options outside of academic credit to obtain the initial APC. Developing an option that allows educators more flexibility in professional development may be more valuable.
2. Giving the educators the option of pursuing or not pursuing the APC depending on their career goals.

Writer: Karen Frison, Teacher, Kent County Public Schools

Comments: I am opposed to Option Four for a few reasons. One reason is that it does not support teachers getting the professional development and course work needed to stay abreast of new developments and to stay current with the practices in our field. I also do not feel certification should be tied to student growth and teacher evaluations. This can lower standards for professional development. Finally, the evaluation system for Option Four has not been tested for accuracy, [sic] or validity and does not include a training component for evaluators.

Writer: Louise Gilley, Math & Business teacher, Kent County High School

Comments: Option four is reliant on an evaluation system that has not been tested for accuracy and validity and lacks a training component for evaluators the final rating dependent.

Furthermore, other professions requiring certification (doctors, lawyers, engineers, realtors, etc.) have no component related to an employees' evaluation by his/her employer- this dependency if backwards. Having a certification component that includes an employee's performance evaluation by an employer is not reasonable nor can it be efficiently, effectively enforced/managed.

Writer: Kenneth B. Haines, President, Prince George's County Education Association

Comments: As new evaluation processes continue to be negotiated statewide, it is abundantly clear that we may never have a single "standard" for determining what constitutes an effective classroom instructor. Also, we have yet to determine whether more comprehensive, rigorous systems of evaluation can be accurately and justly executed on scale. So it seems premature, at best, to base the renewal of the APC on evaluation alone.

Furthermore, just as educators encourage their students to choose a path of becoming life-long learners; [sic] it is imperative that the Maryland State Department of Education establish its policies that lead classroom-based educators to life-long habits of adapting and improving their professional practice to meet the demands of the needs of the children they serve.

Writer: Sherri Hynes, Certification Specialist, Wicomico Public Schools

Comments: The change to add “evidence of highly effective teaching for a minimum of 3 years of the last 5 years” is simply too vague and leaves too much up in the air. There are several implementation questions which need to be addressed.

Also, many counties use the APC with Master’s or APC with equivalency as pay scale lanes and this change would cause a great deal of difficulty on our payroll scale in trying to establish new pay lanes.

Writer: Darren Hornbeck, Teacher, Frederick County Public Schools

Comments: The primary amendment which is the focus of my comments involves the controversial additional option of renewing an Advanced Placement Certificate (APC) based on a teacher’s attainment of a “highly effective” rating for three years during a five-year cycle.

One of the most important endorsements to come out of the Reconfiguration of Certification Structure Work Group was expressed in Recommendation #4—“Recommit to the importance of rigorous and relevant professional development as a *continued requirement* for certification and certificate renewal.” I could not agree more. As we enter into our next phase of education reform in Maryland, the paramount importance of life-long learning for our State’s teachers could not be of any greater significance than it is right now. Adding an additional track for APC recertification based *solely* on a teacher’s exemplary rating undermines the basic premise of life-long Learning—that even our best teachers need to continue to grow especially in an ever-changing, more rigorous teaching environment.

I believe that linking a teacher’s evaluation to certification renewal is premature at this point. We are only now nearing the half-way mark of the pilot year, in which our new three-tiered (ineffective, effective, and highly effective) rating system tied in part to student growth, is being tested. To change COMAR before the results of the pilot are even known, much less analyzed, is contradictory to the intent of the pilot and what we, as teachers, have been trained to do in our own classrooms—base our pedagogy and practice on collected “data-driven” analysis. The evaluation systems in our various LEA’s are still being constructed. They should be given the time to finish their work and fully disseminate the results before crafting policies that may well undermine our current professional development requirements.

In addition, we must also acknowledge that our teacher evaluation system will now rely much more heavily on the results of State-mandated testing. For many of our teachers, this is a time of flux. As we quickly move from our Maryland School Assessments (MSA) and High School Assessments (HSA) to the yet-to-be completed PARCC assessments, teachers will be faced with adapting to new and often more rigorous standards for their students. Furthermore, many of our teachers will face transitioning to our new Common Core Standards, and subsequently, new changes in local curriculums. It is yet to be determined how these new assessments, often tied to new curriculums, will impact teacher evaluations. Taken together, these changes are massive, and demand more teacher professional development over the next decade--not less, as the proposed additional route to APC certification permits.

Finally, my objection to the proposed COMAR change centers around a common sense argument. Under our current system, we tied our APC certification to successful teaching for a minimum of three of the five years of a certification cycle. In addition, teachers with two years of "ineffective" ratings under the current COMAR would be required to seek out six additional professional development credits/units during the renewal cycle. There exists a serious flaw within the new regulations. Under the proposed changes, *no such requirement exists to acquire the six additional credits*. Under the new COMAR, if a teacher is deemed "highly effective" for three years, he or she will automatically qualify for an APC renewal, *even if he or she is deemed "ineffective" for an additional two years*. How is it in the best interest of students to allow a teacher who is deemed "ineffective" for two years of a five-year cycle to renew his or her APC with *no required professional development*? While the new proposal appears to support rewarding teachers for advances in student achievement, in reality it will allow teachers who become ineffective to still qualify for our highest certification level without consequences. This scenario is of particular importance when we consider the potential use of our data-collection system to place our most skilled teachers within our most challenging school environments.

Writer: **Lori Hrinko, President, Cecil County Classroom Teachers Association**

Comments: I have grave concern over Option four which does not require any course work and links the APC to a highly effective teacher evaluation rating. We have been working on our pilot evaluation system in Cecil County for over a year with over a hundred hours in and many hands at work on our new evaluation system. It is [sic] however [sic] still a pilot and even when approved and agreed upon, we still have room for evaluator interpretation.

I am also concerned with the fact that Option four negates the need for ongoing professional development. Teachers should be required to continue professional development in order to renew their certificates.

Writer: Anna Laughlin, President, Education Association of St. Mary's County

Comments: Option four circumvents the need for teachers to pursue professional development. I am a 33 year veteran teacher and I can't begin to count the number of times I have needed to go back to school to improve my skills and keep up with the changes that have occurred in education since the middle 70's. This move that you are proposing devalues my profession,

It seems truly unbelievable to me that anyone would suggest that certification be tied to anything as volatile as the current teacher evaluation system. What constitutes a highly effective teacher is subjective and it looks different in every state, even in every county in this state!

Writer: Dan Lessard, Human Resources Officer, Queen Anne's County Public Schools

Comments: We are against the addition of this option for the following reasons:

1. The other three routes allow for a certain level of scholarship via course work or the process of obtaining NBC [sic] certification.
2. Even with exceptional training, there may be variations in evaluations from year to year from the same evaluator; changes in administration or supervision may result in variations in evaluations; or, variations in the makeup of a group or grade [sic] students from year to year could result in differences in evaluations.
3. If a teacher is depending on a highly effective rating for 3 of the 5 years, they [sic] may find themselves [sic] with one or two years until their SPC2 expires with up to 30 credits needed to earn the APC if they [sic] do to get the appropriate ratings.

Writer: Nancy W. Lewis, Teacher, St. Mary's County Public Schools

Comments: As a secondary teacher with over 40 years of experience, I can attest that "an old Dog can learn new tricks." Granted, during a class, a professional development seminar, or a conference session, I usually will not gain as much knowledge as a less experienced teachers but I almost always leave the presentation with a new idea for working with my students.

Furthermore, I believe my presence, and those of other effective teachers, in these types of sessions contribute [sic] to colleagues improving their skills.

Writer: Stella Malone, English teacher, Worcester County Public Schools

Comments: I find the proposed change to be counterintuitive to the promotion of education and teaching excellence. To permit a standard in which a teacher's career will be contingent upon a subjective "effectiveness evaluation" three years in a row is a precarious decision. To encourage good teachers to become more highly effective through course work and pedagogy is a more logical and prudent decision.

Writer: **Jean A. Mantegna, Assistant Superintendent for Human Resources, Harford County Public Schools**

Comments: The Reconfiguration of Certification Structure Work Group issued its final report in June 2011. The proposed APC option is one piece of the Work Groups' recommendations. Since there is not yet enough information provided on the total restructuring of certification, it seems premature to adopt the APC option.

"Highly effective" should be the standard or expectation for all teachers, not just an option for the APC.

Defining "highly effective" is very subjective and could be different depending on who the evaluator is and how many local school systems develop their own evaluation systems, resulting in inconsistency across the State.

Unless a specialist or other type of administrator delivers instruction and is responsible for a group of students' academic progress, this grouped of educators will be negligible to renew an APC via the highly effective teaching under the proposed regulation.

What type of professional development would be included in the PDP?

Time is needed to determine fiscal implications of this change on local school systems.

Writer: **T. Scott Miller, UniServe Director Washington County Teachers Association**

Comments: Option 4 circumvents the need for critical professional development, which is paramount to the ongoing learning process needed to attract and retain highly qualified educators in our local schools.

Furthermore, Washington County, like most Maryland counties, is in the process of developing a new evaluation process and instrument. Each county's model is different, and that passes for "highly effective" may vary from local to local, and frankly, from school to school. Tying educator certification to student growth and teacher evaluation is premature, since our new evaluations systems are still being piloted and have not been tested for accuracy, nor validity.

Option 4 devalues the profession and countermands our efforts to strengthen the profession [sic] with higher standards because it circumvents the rigorous evaluation standards needed, on a case-by-case basis, in order to certify any professional educator without an APC.

Writer: **Deborah Pappas, President, Allegany Teachers' Association**

Comments: Most concerning is the proposed Option 4 which may allow teachers to attain an APC without completing any course work and ties the APC to a rating of "highly effective" on the evaluation instrument.

Professional development is vital to maintaining the "highly effective" status of Maryland's teachers/s a constant stream of professional development is necessary to train teachers about innovations in educational strategies, best practices, curriculum and technology. Linking teacher certification to a highly effective rating on instruments that vary from district to district could become problematic, particularly when a new variable - student growth- has yet to be established.

Writer: **Natalie Ann Rebetsky (no affiliation identified)**

Comments: By our very definition, we are educators, honing a craft that requires extensive content area knowledge combined with an understanding of educational theory and practice. I would like to understand the reasoning behind the proposed regulations to eliminate the requirement for a master's degree.

By comparison, no other profession allows for learning to cease after the lowest Level of degree attainment. Any other professional group, lawyers and doctors, for example, must achieve the highest degrees in their area of study and must demonstrate on-going professional development.

Writer: **Christina Samblanet, Teacher, St. Mary's County Public Schools**

Comments: Option four circumvents the need for teachers to pursue the professional development which helps them continually improve their craft and ensure that we have a highly qualified educator in every classroom.

Distinct from the other three routes to an APC, Option four requires no professional development and on ongoing coursework. Unfortunately, teachers may choose Option four as a quick and less rigorous method to secure or renew an APC, unaware that it may be the most difficult route in the end.

Option four is reliant upon an evaluation system that has not been tested for accuracy and validity and lacks a training component for evaluators, making the final rating dependent.

Writer: Cynthia Stevens, Baltimore County Public Schools

Comments: Option Four does not require any coursework and links the APC to a highly effective teacher evaluation rating. Option four requires teachers to submit evidence of highly effective teaching for a minimum of three of the last five years immediately preceding the issuance or renewal of the APC. This new option would tie a teacher's certification to an evaluation system which has not been tested for accuracy and validity. Time needs to be taken with this decision.

Writers: Donald J. Bolger, Ph.D., University of Maryland; Christie Ground, Jeremy Koenig, Claudia Renehan, Sean Brosig, Christopher Ascienzo, and Phil Barnes, graduates of Master's in the Human Development program at University of Maryland

Comments: The writers unilaterally spoke of the value of their master's program in human development and its contributions to their professional career.

Writer: Dr. Margaret Trader, Education Department Chair, McDaniel College

Comments: While the college is not opposed to an alternative path to certification based on teacher performance and student achievement, the addition of such an option at this point is premature.

Maryland is in a state of transition in implementing the Common Core State standards in mathematics and English Language Arts; PARCC assessments; an out-come-based teacher evaluation structure. McDaniel College believes that the outcome of these transitions will move the State forward to better educate children and fairly and accurately measure their growth, but, not at this point, that belief has yet to be substantiated.

Amending the current credentialing system is a future step but not a step at this point amid the refinement of all the reform initiatives.

McDaniel College is opposed to the proposed revisions related to the issuance and renewal of the Advanced Professional Certificate.

Writer: Valerie S. Sharpe, Ed. S., Program Coordinator, Elementary Education/Special Education, Towson University

Comments: This is a time in the history of the nation's educational process where an emphasis is placed upon a Common Core of standards, teacher accountability, teacher effectiveness on student learning and data based decisions. The implementation

of a renewal process for an Advanced Professional Certificate (APC) that does not stringently align with the above mentioned criteria is unfathomable.

The writer mistakenly cites sections of the proposed regulation which have been deleted and asks a series of questions based on the deleted sections.

Writer: **Karen A. Verbeke, President, Maryland Association of Colleges for Teacher Education (MACTE)**

Comments: As the organization that represents all of Maryland's higher education institutions that have teacher preparation programs, we are extremely interested in any initiatives that impact the preservice and inservice teachers whom we train. While we do agree that there could be multiple ways that teachers seek advanced levels of certification, we believe the proposed option is vague and subjective.

The State faces enormous challenges and opportunities with the current educational reforms. We are implementing a new curriculum along with new assessments and at the same time attempting to create a new evaluation system for both teachers and principals, none of which has had time to be fully piloted. Therefore, to identify "highly effective" teaching for three of the five years as an option to be awarded an initial APC is a bit premature when we have not even finalized the tools for teacher assessment.

The other criteria needed to qualify for an APC, i.e., the master's or higher degree, 36 semester hours of approved content/professional course work or National Board Certification are standards-based and reflect a high degree professional development.

Writer: **Betty Weller, President, Maryland State Education Association**

Comments: In its considerations of the recommendation previously advanced by the Work Group on the Restructuring of Certification, the Professional Standards and Teacher Education Board (PSTEB) unanimously voted to reject Option Four.

MSEA strongly supports the strengthening of the current certification process but in so doing we believe that rigorous and relevant professional development must continue to be a requirement for renewal. As such, MSEA strongly supports the continuation of the other three options for receiving an initial APC.

This proposed option requires no professional development and no ongoing course work; it is extremely dependent upon the stroke of the evaluator's pen. We have been working hard with our locals and MSDE to develop a highly effective evaluation system. Yet this system still needs to be tested for validity and reliability. Creating a new certification route that is dependent upon an ambitious, but unproven, evaluation system invites subjectivity, unreliability, and

potentially lowered standards into a process that is critical to ensuring the ongoing high quality of our schools.

Option Four, as currently proposed, devalues the profession and lowers its standards which is clearly contrary to our goals.