

Chapter 328

(House Bill 715)

AN ACT concerning

**Institutions of Higher Education – Teacher Preparation Programs –
Accreditation and Approval**

FOR the purpose of authorizing the State Department of Education to approve the offering of certain teacher preparation programs by certain institutions of higher education under certain circumstances and in addition to certain approval by the Maryland Higher Education Commission; requiring certain institutions of higher education to make certain determinations; requiring the Department and the Commission to consider certain factors when making certain determinations regarding certain accrediting agencies and to jointly agree on certain standards used for certain purposes, and to adopt certain protocols for certain purposes; specifying that a certain program of technical support is available on request; providing for the application of this Act; making certain stylistic and conforming changes; defining certain terms; and generally relating to the accreditation and approval of teacher preparation programs offered by institutions of higher education in the State.

BY repealing and reenacting, without amendments,
Article – Education
Section 1–101(a) and (f)
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 11–208
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Preamble

WHEREAS, Current law requires certain institutions of higher education that offer undergraduate and graduate programs that would certify a recipient to teach to be nationally accredited by an accrediting agency recognized by the United States Department of Education and endorsed by the Maryland State Department of Education; and

WHEREAS, As of September 2016, the United States Department of Education no longer recognizes an accrediting agency for teacher preparation programs; and

WHEREAS, Institutions of higher education in the State may no longer offer undergraduate or graduate programs that certify teachers since there is no accrediting agency that meets the requirements of current law; and

WHEREAS, The United States Department of Education is not expected to recognize an accrediting agency for teacher preparation programs for at least 2 years; and

WHEREAS, Graduating from an undergraduate or graduate program that certifies a recipient to teach allows an individual to quickly obtain a teaching certificate in Maryland because those programs meet all certification requirements set by the Maryland State Department of Education; and

WHEREAS, Unless current law is changed to alter the accreditation requirements for programs that certify a recipient to teach, graduates of these programs would have to go through a lengthier review process with the Maryland State Department of Education, which would place additional burdens on the local school districts hiring those graduates to submit certification requests; and

WHEREAS, In order to ensure that our institutions of higher education can continue to offer teacher preparation programs that would certify a recipient to teach and protect students who are currently in those programs that certify teachers, it is necessary to alter the law concerning accreditation of undergraduate and graduate programs that certify a recipient to teach; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Education

1–101.

(a) In this article, unless the context requires otherwise, the following words have the meanings indicated.

(f) “Department” means the State Department of Education.

11–208.

(a) In this section, “national accreditation” means teacher education accreditation by an accrediting agency recognized [by the U.S. Department of Education and endorsed] by the Department **AND THE COMMISSION.**

(b) (1) [After July 1, 2004, an] **AN** institution of higher education in this State may not offer a program of undergraduate or graduate studies that would certify a recipient to teach unless the institution has received:

(i) ~~A CERTIFICATE OF APPROVAL ISSUED BY THE COMMISSION UNDER § 11-202 OF THIS SUBTITLE~~ APPROVAL TO OPERATE BY THE COMMISSION OR UNDER OPERATION OF LAW; AND

[(i)] (II) 1. National accreditation; or

[(ii)] 2. [A waiver under paragraph (2) of this subsection]
APPROVAL BY THE DEPARTMENT.

(2) [The State Superintendent may grant a waiver from the national accreditation requirements to:

(i) Any liberal arts college with a full-time equivalent enrollment of not more than 2,000 students; and

(ii) Any nationally recognized professional school of fine arts specializing in music or art] **AN INSTITUTION OF HIGHER EDUCATION SHALL DETERMINE WHETHER TO SEEK NATIONAL ACCREDITATION OR APPROVAL BY THE DEPARTMENT AS DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

(c) [(1) By July 1, 2000, an institution of higher education in the State that offers a program of undergraduate or graduate studies that would certify a recipient to teach must:

(i) File its intent to seek national accreditation;

(ii) Certify to the Department that it has national accreditation; or

(iii) Have received a waiver under subsection (b)(2) of this section] **WHEN DETERMINING WHETHER AN ACCREDITING AGENCY IS RECOGNIZED, THE DEPARTMENT AND THE COMMISSION SHALL CONSIDER WHETHER THE NATIONAL ACCREDITING AGENCY USES NATIONAL PROFESSIONAL STANDARDS THAT ARE COMPARABLE TO THE STANDARDS THAT ARE USED BY THE DEPARTMENT WHEN APPROVING A TEACHER PREPARATION PROGRAM.**

(D) THE DEPARTMENT AND THE COMMISSION SHALL JOINTLY AGREE ON THE STANDARDS USED BY THE DEPARTMENT TO DETERMINE APPROVAL UNDER SUBSECTION (B)(1)(II) OF THIS SECTION.

[(2)] (E) The NATIONAL accreditation process for an institution of higher education subject to this section shall be conducted in accordance with the protocol established by a [nationally recognized] NATIONAL accrediting agency and the Department.

[(d)] (F) (1) In conjunction with accrediting agencies, the Department shall develop and administer a program of technical support, **AVAILABLE ON REQUEST**, to assist institutions of higher education in the State that seek NATIONAL accreditation **OR APPROVAL BY THE DEPARTMENT** under **SUBSECTION (B) OF** this section.

(2) In addition to the technical support provided to an institution of higher education under paragraph (1) of this subsection, the Department shall pay:

(i) Any fee that **[an] A NATIONAL** accrediting agency charges an institution of higher education in connection with the accreditation process;

(ii) Any training fee that **[an] 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

(iii) One-half of the expenses incurred by an institution of higher education in connection with the accreditation visit of a review team of **[an] A NATIONAL** accrediting agency.

[(e)] (G) The Department shall adopt regulations to implement this section.

[(f)] (H) The Governor shall provide sufficient funds in the Department's annual budget for the additional costs incurred by the Department under this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply prospectively and an institution of higher education that was in compliance with the provisions of § 11–208 of the Education Article as of July 1, 2016, shall be deemed to have remained in compliance unless and until the institution receives notification from the State Department of Education, in consultation with the Maryland Higher Education Commission, that it is in violation of Section 1 of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That the State Department of Education and the Maryland Higher Education Commission shall adopt written protocols for carrying out the provisions of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2017.

Approved by the Governor, April 18, 2017.