



Nancy S. Grasmick
State Superintendent of Schools

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TO: Members of the Maryland State Board of Education
FROM: Nancy S. Grasmick *Nancy*
DATE: October 26, 2010
SUBJECT: COMAR 13A.06.03.04 (AMEND)
Interscholastic Athletics: Operational Guidelines
ADOPTION

PURPOSE:

The purpose of this action is to request adoption of amendments to COMAR 13A.06.03.04 to require coaching education for long term emergency coaches in Maryland high school athletic programs and to create the classification of Credentialed Coach that would provide equivalent hiring consideration for continuing in the same coaching assignment to that of a certificated educator.

BACKGROUND/ HISTORICAL PERSPECTIVE:

In 1981, the position of emergency coach was established in COMAR 13A.06.03.04 B(2) in order to fill coaching vacancies in Maryland public high schools. It was considered a temporary remedy for the continuation of school athletic teams rather than disband programs because a certified educator could not be found to coach the school team. The requirements for an emergency coach are: 21 years old, possess a high school diploma, and completion of a one-credit course in the care and prevention of athletic injuries.

In the ensuing years, with the proliferation of athletic offerings, school systems continued to find it difficult to fill their coaching staffs with certified teachers. Today one third of Maryland high school coaches are emergency coaches. As a result, there is a need to address two significant issues. First, because emergency coaches are now serving for multiple seasons, there is a need to provide them with a coach's education program. Secondly, many emergency coaches have performed their duties admirably and schools are seeking ways to retain their continuing services.

Upon recommendation from its strategic planning committee, The Maryland Public Secondary Schools Athletic Association (MPSSAA) has proposed revisions to regulations to address these concerns. In December, 2009, the MPSSAA Board of Control voted to endorse the revisions. In accordance with the athletic amendment process, the local Superintendents of schools unanimously endorsed the proposed amendments on April 16, 2010.



The proposed amendments provide for:

- 1) Emergency coaches to complete a coaching education program prior to beginning their fourth season.
- 2) The position of Credentialed Coach. A coach who completes a Coach Certification program, successfully completes two years as an emergency coach, and serves the previous one year as an emergency coach at the school of hire in the position of hire can be considered for retaining his/her current position equally with a certified teacher.
- 3) Emergency coaches to be appointed by the local Superintendent of schools.
- 4) Local school systems to allow volunteers that possess a GED to coach. Current wording requires a high school diploma.

EXECUTIVE SUMMARY:

One third of all coaches in Maryland high schools are not certified teachers. Providing an education program to persons serving in these highly visible roles will help to further the concept of education-based athletics. In addition, the proposed regulation provides schools the opportunity to retain quality coaches who have a proven educational perspective as it relates to interscholastic athletics.

In July, the Board granted permission to amend the regulation for Interscholastic Athletics: Operational Guidelines in the Maryland Register, Attachment I. The 30 day open comment has ended. No comments were received.

ACTION:

I am requesting the adoption of the proposed amendments to COMAR 13A.06.03.04.

NSG/ns

Attachment

comprehensive health education curriculum documents for the elementary and secondary schools under its jurisdiction that:

(1) Include the content standards set forth in §§C — I of this regulation; and

(2) Are aligned with the State Curriculum, as developed by the Maryland State Department of Education in collaboration with the local school systems.

K. The local school system shall develop guidelines and procedures for the selection of qualified teachers, and, because the teacher is a vital factor in the program, qualifications such as the following shall be considered:

(1) Health Education certification; and

(2) Appropriate specialized training.

L. The local school system shall develop guidelines and procedures for the support of qualified teachers. Each local school system shall establish planned and continuous programs as required to adequately train its personnel (teachers, administrators, and supervisors) in order to update knowledge, instructional materials, and methodology in health education.

M. Student Participation. Each student shall have the opportunity to participate in the comprehensive health education program required by this chapter.

.02 Certification Procedures.

By September 2015 and each 5 years after that, each local superintendent of schools shall certify to the State Superintendent of Schools that the instructional programming within grades prekindergarten — 12 meets, at a minimum, the requirements set forth in Regulation .01 of this chapter.

NANCY S. GRASMICK
State Superintendent of Schools

Subtitle 06 SUPPORTING PROGRAMS

13A.06.03 Interscholastic Athletics in the State

Authority: Education Article, §§2-205 and 2-303(k), Annotated Code of Maryland

Notice of Proposed Action

[10-261-P]

The Maryland State Board of Education proposes to amend Regulation .04 under COMAR 13A.06.03 Interscholastic Athletics in the State. This action was considered at the Maryland State Board of Education meeting on July 20, 2010.

Statement of Purpose

The purpose of this action is to require coaching education for long-term emergency coaches in Maryland high school athletic programs and to create the classification of Credentialed Coach that would provide equivalent hiring consideration for continuing in the same coaching assignment to that of a certificated educator.

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 Edward Sparks, Executive Director, Athletics Programs, Division of Instruction, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, MD 21201, or call 410-767-0555, or email to nsparks@msde.state.md.us, or fax to 410-333-3111. Comments will be accepted through October 12, 2010. 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 October 26—27, 2010, at 200 West Baltimore Street, Baltimore, MD 21201.

.04 Operational Guidelines.

The regulations given below are established for all MPSSAA interscholastic sports:

A. — A-1. (text unchanged)

B. MPSSAA Coaching Eligibility.

(1) Member MPSSAA schools shall employ as coaches [only teachers or certificated professional educator employees of the local Board of Education for a specific coaching assignment.]:

(a) Teachers or certificated professional educator employees of the local Board of Education for a specific coaching assignment.

(b) Persons certifiable as a professional educator by the State Department of Education according to 13A.12.01.

(c) Credentialed Coaches who meet the following requirements:

(i) Is eligible to hold a Maryland certificate under COMAR 13A.12.01.04;

(ii) Possesses a MPSSAA/MSDE Coach Certification;

(iii) Has completed two years of successful coaching as an emergency coach; and

(iv) Has spent the previous one year as a successful emergency coach at the school of hire in the position of hire.

(2) If no acceptable and qualified coaches are available from the teachers or certifiable professional [educator teachers] educators employed by the local board of education, temporary emergency coaches may be employed if the following procedures are followed:

[(a) With no acceptable professional staff members available to fill the coaching vacancy, the local school system shall attempt to locate as a coach a person certifiable as a professional educator by the State Department of Education according to COMAR 13A.12.01;

(b) With no acceptable and certifiable professional educator available, a person acceptable to the local school system may be employed as an emergency coach;

(c) Any person employed as a coach under the emergency provision shall comply with the following:

(i) The person shall be officially appointed by the local Board of Education on a 1-season basis for a specific coaching assignment,

(ii) The coaching salary of the appointed emergency coach shall be paid exclusively by the local school system;]

(a) The person shall be officially appointed by the local superintendent of schools on a one-season basis for a specific coaching assignment;

(b) The coaching salary of the appointed coach shall be paid exclusively by the local school system;

(c) After July 1, 2010, an emergency coach is required to possess an MPSSAA/MSDE coach certification prior to the start of his or her fourth year as an emergency coach;

(d) — (e) (text unchanged)

(3) (text unchanged)

PROPOSED ACTION ON REGULATIONS

1306

(4) Member MPSSAA schools may permit volunteer athletic coaches to assist their coaching staff. The volunteer coaches may not serve as head coaches at any level and shall work only under the direction of the head coach. The volunteer coach may be used if the following procedures are followed:

(a) The volunteer coach is at least 21 years old and possesses a high school diploma or equivalent;

(b) — (c) (text unchanged)

C. — J. (text unchanged)

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State Superintendent of Schools

Subtitle 07 SCHOOL PERSONNEL

13A.07.02 Terms of Employment

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

Notice of Proposed Action

[10-262-P]

The Maryland State Board of Education proposes to amend Regulation .01 under COMAR 13A.07.02 School Personnel. This action was considered at the Maryland State Board of Education meeting on June 22, 2010.

Statement of Purpose

The purpose of this action is to align the regular employment contract for teachers in Maryland with legislation enacted by the General Assembly and signed May 4, 2010 by the Governor as part of The Education Reform Act, 2010 extending the period of tenure in Maryland to 3 years.

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, MD 21201, or call 410-767-0385, or email to jsatterfield@msde.state.md.us, or fax to 410-333-8963. Comments will be accepted through October 11, 2010. 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 October 26—27, 2010, at 200 West Baltimore Street, Baltimore, MD 21201.

.01 Contracts.

A. Contracts to Be in Writing. (text unchanged)

B. Regular (Teacher's) Contract.

(1) (text unchanged)

(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 certificated 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 certificated 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 certificated 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 certificated 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 certificated 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 certificated 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 certificated employee in a local school system shall be three years from the date of employment.

[(a)] (b) [Except as provided in subparagraphs (b)—(e) below, either] Either of the parties to this contract may terminate it at the end of the first, [and] 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 [of that year or of the second year];

(ii) In the case of employees employed on or after January 1 following the commencement of a school year, not later than June 15 [of that year or of the second year], 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.

[(b)] The probationary period of a certificated employee in a public school system hired on or after July 1, 1999, may be extended for a third year from the date of employment if the certificated employee does not qualify for tenure at the end of the second year based on established performance evaluation criteria, and the employee demonstrates a strong potential for improvement.