
TO: Members of the Education Policy Committee

FROM: Carey M. Wright, Ed.D., State Superintendent of Schools

DATE: August 13, 2026

SUBJECT: **Permission to Adopt**
COMAR 13A.12.06.02 *Grounds for Disciplinary Action*
COMAR 13A.12.06.03 *Petition for Disciplinary Action or Denial*

STRATEGIC PLAN ALIGNMENT:

Pillar 2: High-Quality and Diverse Teachers and Leaders

Goal: Every school has high-quality and diverse teachers and leaders.

Outcome: n/a

Purpose

The Maryland State Department of Education (MSDE) is requesting permission to adopt amendments to the Code of Maryland Regulations (COMAR) 13A.12.06.02 *Grounds for Disciplinary Action* and COMAR 13A.12.06.03 *Petition for Disciplinary Action or Denial*.

Background

Under Maryland law, the Professional Standards and Teacher Education Board (PSTEB) shares joint authority with the State Board of Education (SBOE) to develop regulations governing teacher licensure and preparation. When the PSTEB initiates a regulatory change, the SBOE must also review the proposed regulation. If a majority of the SBOE members approve of the regulation, the regulation promulgation process continues.

After the PSTEB and SBOE vote to approve a regulation, the proposed regulation is sent to the Administrative, Executive, and Legislative Review Committee (AELR) for a 15-day review period. If the AELR Committee does not hold up the proposed regulation for further review, it will be published in the Maryland Register for a 30-day public comment period. At the end of the comment period, the Maryland State Department of Education (MSDE) staff reviews and summarizes the public comments, which are presented to both boards. Thereafter, MSDE staff will present a recommendation to both the PSTEB and SBOE to either: (1) adopt the regulation in the form it was proposed; or (2) revise the regulation and adopt it as final because the suggested revision is not a substantive change; or (3) withdraw the regulation and re-propose it because the suggested revision is a substantive change. At any time during this process, the AELR Committee may stop the promulgation process and hold a hearing. Thereafter, it may recommend to the Governor that the regulation not be adopted as a final regulation, or the AELR Committee may release the regulation for final adoption. The PSTEB and SBOE would then vote to formally adopt the regulation.

On April 9th and April 28, 2026, the PSTEB and SBOE, respectively, granted permission to publish COMAR 13A.12.06.02 Grounds for Disciplinary Action and COMAR 13A.12.06.03 Petition for Disciplinary Action or Denial for public comment. The regulations were published in the Maryland Register on June 26, 2026. MSDE received one public comment in support of the amendments. PSTEB granted permission to adopt the regulations on August 6, 2026.

Executive Summary

The proposed amendments to the Code of Maryland Regulations (COMAR) serve two primary objectives:

1. Alignment of Licensure and Contract Regulations

Regulation: COMAR 13A.12.06.02

The current regulation contains a procedural misalignment regarding license disciplinary actions for breach of contract. Specifically, it cites a fixed resignation deadline of July 1st. However, the Regular Teacher's Contract (COMAR 13A.07.02.01B) utilizes various notice deadlines depending on an individual's hire date and tenure status.

This amendment removes the specific date from the licensure regulation and instead incorporates a direct cross-reference to the contract regulation. This ensures that disciplinary standards remain consistent with the actual contractual obligations of the educator.

2. Discretionary Authority for Reciprocal Discipline

Regulation: COMAR 13A.12.06.03

Under existing language, the State Superintendent is mandated to impose disciplinary action in Maryland whenever an educator has been sanctioned by another state's licensing authority for conduct that would also warrant action in Maryland.

This amendment transitions this requirement from mandatory to discretionary. It grants the State Superintendent the authority to decline further disciplinary action after reviewing the specific circumstances of a sanction imposed by another jurisdiction.

Action

The Maryland State Department of Education (MSDE) is requesting permission to adopt amendments to COMAR 13A.12.06.02 *Grounds for Disciplinary Action* and COMAR 13A.12.06.03 *Petition for Disciplinary Action or Denial*.

Attachments

COMAR 13A.12.06.02 Grounds for Disciplinary Action
COMAR 13A.12.06.03 Petition for Disciplinary Action or Denial

COMAR 13A.12.06.02 Grounds for Disciplinary Action or Denial.

A. The State Superintendent of Schools shall suspend, deny, or revoke a license and all specific license areas issued under this subtitle for the grounds set forth in this regulation.

B. Suspension Only. A license may be suspended by the State Superintendent of Schools under the following conditions:

(1) Breach of Contract. A license may be suspended for not more than 365 days if the license holder leaves the employment of a local school system **[after July 15]** in the absence of an emergency and without the consent of the local board of education in violation of the provisions of the Regular State Teacher's Contract set forth in COMAR 13A.07.02.01B. If an emergency arises, the local board may not unreasonably withhold its consent.

(2) Failure to Pay Child Support.

(a) The State Superintendent of Schools shall suspend a license on notification by the Department of Human Services, Child Support Enforcement Administration, that the license holder's failure to pay child support meets the criteria for suspension of a license under [Family Law Article, §10-119.3](#), Annotated Code of Maryland.

(b) Before suspending the license, the State Superintendent shall send written notice to the license holder of the proposed suspension and the right to contest the identity of the individual whose license will be suspended.

(c) An individual may appeal the decision to suspend a license based on failure to pay child support in accordance with [State Government Article, Title 10, Subtitle 2, Annotated Code of Maryland](#). At the appeal hearing, the administrative law judge shall limit the issue to whether the Department of Human Services, Child Support Enforcement Administration, has mistaken the identity of the individual whose license was suspended.

(d) The State Superintendent shall immediately reinstate any license suspended for failure to pay child support if notified by the Department of Human Services, Child Support Enforcement Administration, that the license should be reinstated and the individual otherwise qualifies for the license.

C. Suspension, Revocation, or Denial. The State Superintendent of Schools shall suspend, deny, or revoke a license if the license holder or applicant:

(1) Pleads guilty or nolo contendere with respect to, receives probation before judgment with respect to, or is convicted of, a crime involving:

(a) Contributing to the delinquency of a minor;

- (b) Moral turpitude if the offense bears directly on the individual's fitness for employment in education;
- (c) Sexual offense in the third or fourth degree; or
- (d) A controlled dangerous substance offense if:
 - (i) The offense occurred on school property or during a school event; or
 - (ii) The individual has been convicted and the clerk of the court has certified and reported the controlled dangerous substance conviction to the Department consistent with [Criminal Law Article, §5–810](#), Annotated Code of Maryland, based on a finding by the court that a relationship exists between the conviction and the license;
- (2) Willfully and knowingly:
 - (a) Makes a material misrepresentation or concealment as part of any licensure request;
 - (b) Files a false report or record, or makes any false document, as part of any licensure request;
 - (c) Presents a false license or misrepresents one's licensure status to the Department or an employer; or
 - (d) Commits a violation of the test security and data reporting policy and procedures set forth in COMAR 13A.03.04;
- (3) Fraudulently or deceptively obtains a license;
- (4) Knowingly fails to report suspected child abuse in violation of [Family Law Article, §5-701](#), [Annotated Code of Maryland](#);
- (5) Is dismissed after an allegation of misconduct involving a student in any school system or any minor is substantiated;
- (6) Resigns after notice of allegation of misconduct involving a student in any school system or any minor;
- (7) Is dismissed after notice of allegation of misconduct involving any grounds for denial, suspension or revocation of a license provided in this regulation is substantiated;
- (8) Resigns after notice of allegation of misconduct involving any grounds for denial, suspension or revocation of a license provided in this regulation; or
- (9) Has had a license suspended, revoked, denied, or voluntarily surrendered in another state for a cause which would be grounds for suspension or revocation under this regulation.

D. Revocation or Denial. The State Superintendent of School shall revoke or deny a license if the license holder or applicant:

(1) Pleads guilty or nolo contendere with respect to, receives probation before judgment with respect to, or is convicted of, a crime involving:

(a) 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;

(b) Possession, distribution, receipt, or production of child pornography;

(c) Sexual solicitation of a minor; or

(d) A crime of violence as defined in [Criminal Law Article, §14-101, Annotated Code of Maryland](#), or a comparable crime in another state;

(2) Is dismissed after an allegation of sexual child abuse is substantiated; or

(3) Resigns after notice of allegations of sexual child abuse.

COMAR 13A.12.06.03 Petition for Disciplinary Action or Denial.

A. Except as provided in Regulation .02B(2) of this chapter, the following individuals shall file a petition notifying the State Superintendent of Schools in writing of grounds against a license holder or applicant under Regulation .02 of this chapter:

(1) The local superintendent of schools or a state agency employer if the:

(a) Individual is currently employed or was employed by the local school system or state agency employer when the conduct occurred; or

(b) Conduct is reported to the local school system in a criminal background investigation required under Family Law Article, §§5-550—5-559, Annotated Code of Maryland;

(2) The administrator of a nonpublic school if the:

(a) Individual is currently employed or was employed by the nonpublic school when the conduct occurred; or

(b) Conduct is reported to the nonpublic school in a criminal background investigation required under Family Law Article, §§5-550—5-559, Annotated Code of Maryland; or

(3) The Assistant State Superintendent of Educator Effectiveness, or the superintendent's designee.

B. The petition shall include all of the following:

(1) Name and current or last known address, e-mail, and phone number of the individual against whom the petition is being filed;

(2) Type of license or licenses held by the individual against whom the petition is being filed;

(3) Specific grounds as set forth in Regulation .02 of this chapter and any evidence, documentation, or other information supporting the grounds for denial, suspension, or revocation;

(4) Confirmation that the employee has foregone an appeal or exhausted appeal rights if any employment-related discipline was issued; and

(5) A recommendation on the type of disciplinary action that should be issued, including the following considerations:

(a) The parties may agree to a joint recommendation to the State Superintendent of Schools on the resolution of the case;

(b) The joint recommendation is not binding; and

(c) The State Superintendent of Schools may accept or reject the recommendation, as follows:

(i) Where the State Superintendent of Schools rejects the recommendation of the petitioner under §A of this regulation, the State Superintendent shall recommend the appropriate disciplinary action; and

(ii) The petitioner under §A of this regulation shall adopt the State Superintendent's recommendation in all proceedings related to the licensing action.

C. The State Superintendent of Schools shall deny, suspend, or revoke a license upon receipt of a proper petition by a local superintendent of schools, an administrator of a nonpublic school, or the Assistant Superintendent of Educator Licensure and Program Approval identifying the grounds against the license holder.

D. Before denying, suspending or revoking a license, the State Superintendent of Schools shall:

(1) Send the applicant or license holder written notice of the petition; and

(2) Advise the applicant or license holder of the right to request a hearing within 30 calendar days of the date of the written notice.

E. The State Superintendent of Schools shall e-mail and mail one copy of the written notice and the procedures applicable to the denial, suspension, or revocation of a license by certified mail to the current or last known address of the license holder.

F. The license holder against whom the petition has been filed may request a hearing in writing within 30 calendar days of the date of the written notice specified in §D of this regulation.

G. If the license holder does not request a hearing in writing on the petition within the 30-day period set forth in §D(2) of this regulation, the State Superintendent of Schools shall deny, suspend or revoke the license.

H. Voluntary Surrender.

(1) An educator who is under investigation for, or facing a petition identifying, grounds for disciplinary action or denial as listed in Regulations .02C and D of this chapter may voluntarily surrender his or her license.

(2) The State Superintendent of Schools shall treat a license that is voluntarily surrendered as a revocation, and it may not be reinstated except as described in Regulation .09 of this chapter.

I. Placing an Alert on an Educator's Record.

(1) The Department may place an alert on a licensure record on the request of a local school system, nonpublic school, state agency, or on its own accord, if an educator:

(a) Has had action taken on a license by another state; or

(b) Is facing the suspension or revocation of a license after being informed of charges by the State Superintendent of Schools.

(2) An alert does not affect the validity of an educator's license.

(3) The local school system, nonpublic school, or state agency shall immediately inform the Department if grounds no longer exist to suspend, deny, or revoke an educator's license.

(4) The Department shall immediately remove the alert from an educator's record if it becomes aware that grounds no longer exist to deny, suspend or revoke an educator's license.

J. Action on an Expired License. The Department may take action against an educator's license even if the license has expired as long as the basis for the action occurred while the license was active.

K. Denial.

(1) The Department shall deny a license, permanently or for a fixed period of time, to an individual who does not currently hold a license and has committed grounds listed under Regulation .02C of this chapter.

(2) The Department shall deny a license permanently to an individual who does not currently hold a license and has committed grounds listed under Regulation .02D of this chapter.

(3) An individual who has been denied a license may appeal the decision through the process outlined in Regulations .03—.07 of this chapter.

(4) An individual under investigation for grounds under Regulation .02 of this chapter shall remain ineligible for a license pending the result of the investigation.

(5) Denial Because of a Failure to Pay Child Support.

(a) An individual whose failure to pay child support meets the criteria for denial of a professional license under Family Law Article, §10-119.3, Annotated Code of Maryland, following written notification to the State Superintendent of Schools by the Department of Human Services, Child Support Enforcement Administration, is ineligible for a license.

(b) Before denial of a license, the State Superintendent shall send written notice to the individual, including the right to contest the identity of the individual whose license the Superintendent seeks to deny.

(c) An individual may appeal the decision to deny a license based on failure to pay child support in accordance with State Government Article, Title 10, Subtitle 2, Annotated Code of Maryland. At the appeal hearing, the issue is limited to whether the Department of Human Services, Child Support Enforcement Administration, has mistaken the identity of the individual whose license was denied.

(d) The State Superintendent shall immediately withdraw the denial of an application for a license if notified by the Department of Human Services, Child Support Enforcement Administration, that the individual is eligible for a professional license and the individual otherwise qualifies for a license.

L. Reciprocal Discipline and Denial

(1) If a licensing authority in another jurisdiction has sanctioned or taken final disciplinary action against a Maryland licensee or applicant based on grounds for disciplinary action set forth in .02C of this chapter, the State Superintendent may nevertheless deny, suspend, or revoke the licensee's or applicant's Maryland license.

(2) The State Superintendent may adopt the other jurisdiction's sanction or impose an independent sanction consistent with this chapter.

(3) If the sanction has been fully satisfied for all grounds set forth in .02C of this chapter, the State Superintendent may decline to take further disciplinary action in Maryland.

BALTIMORE COUNTY PUBLIC SCHOOLS

COMAR 13A.12.06, *Disciplinary Actions and Denials*

COMAR: [COMAR Attachment- 13A.12.06](#)

Synopsis: By copy of the Maryland Register of June 26, 2026, the State Board of Education proposed to adopt amendments to COMAR 13A.12.06 during the April 28, 2026, meeting. If adopted, the amendments will (1) align licensure and contract regulations and (2) provide discretionary authority for reciprocal discipline. Comments will be accepted through July 27, 2026. A public hearing has not been scheduled.

Recommended Position:

☒ SUPPORT ☐ OPPOSE ☐ NO POSITION

Importance to BCPS:

☒ SIGNIFICANT ☐ MINIMAL ☐ NONE

Potential Impact on BCPS:

1) Alignment of licensure and contract regulations – COMAR 13A.12.06.02B(1):

Current regulation permits the State Superintendent to suspend a license for up to 365 days when a licensee breaches the Regular State Teacher's Contract by leaving employment without consent after July 15, absent an emergency. The proposal deletes the "after July 15" qualifier, so the suspension ground would apply to an unconsented, non-emergency departure as of July 1 when contracts renew. This would allow schools the ability to stabilize staffing sooner having a higher likelihood of being fully staffed when the school year begins.

2) Reciprocal discipline – new COMAR 13A.12.06.03L:

The proposal adds discretionary authority for the State Superintendent to deny, suspend, or revoke a Maryland license based on another jurisdiction's final disciplinary action, without having to independently establish grounds under .02C. This should benefit BCPS by making it less likely that an educator disciplined in another state is licensed or retained in Maryland, and by reducing the burden on BCPS to independently substantiate out-of-state conduct during licensure application review (consistent with the criminal history and employment history reviews BCPS already conducts under Family Law Article §§ 5-550–559 and Education Article § 6-113.2). No BCPS action appears required to implement this provision as it operates at the State level.

Potential Financial Impact on BCPS:

The Maryland Register notice states the proposed action has no economic impact and minimal or no impact on small businesses or individuals with disabilities. No direct cost to BCPS appears to be mandated by either amendment, other than possibly the potential cost, time and effort to fill the vacancy. Any indirect cost would likely be limited to existing HR and Office of Law staff time to (a) track and evaluate mid-year, pre-July 15 contract-breach departures that would newly qualify for a suspension referral under .02B(1), and (b) prepare petitions where warranted. The reciprocal discipline provision

(.03L) is more likely to reduce BCPS costs, since it shifts reliance onto other states' disciplinary findings rather than requiring BCPS to independently investigate out-of-state conduct.