



Karen B. Salmon, Ph.D.
State Superintendent of Schools

TO: Members of the State Board of Education
FROM: Karen B. Salmon, Ph.D.
DATE: April 24, 2018
RE: COMAR 13A.12.04.03
Superintendents
PERMISSION TO PUBLISH – REPEAL AND REPLACE

PURPOSE:

The purpose of this item is to request permission to publish the repeal and replacement of amendments to Code of Maryland Regulation (COMAR) 13A.12.04.03 *Superintendents* (Attachment I). Amendments are being proposed to provide additional pathways for certification in the area of superintendent as well as to establish two, distinct superintendent certificates: Superintendent I for Deputy, Assistant, and Associate Superintendent and Superintendent II for Superintendents.

REGULATION PROMULGATION PROCESS:

Under Maryland law, a state agency, such as the State Board of Education (SBOE), may propose a new regulation whenever the circumstances arise to do so. The SBOE shares joint authority with the Professional Standards and Teacher Education Board (PSTEB) to develop regulations governing teacher certification and preparation. When the SBOE initiates a regulatory change concerning certification, the PSTEB must review the proposed regulation. If a majority of the PSTEB members approve of the regulation, the regulation promulgation process continues. If a majority of the PSTEB members disapprove of the proposed regulation, the regulation will not move forward unless approved by a super-majority of the SBOE (three-fourths of its members).

After the PSTEB has voted to approve the regulation (or three-fourths of the State Board has voted to approve the regulation despite the PSTEB's disapproval), 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 is 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 the PSTEB and the State Board. Thereafter, MSDE staff will present a recommendation to the State Board 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) revise 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 State Board, as the originating board, would then vote to formally adopt the regulation.

HISTORICAL BACKGROUND:

In 2011, the then sitting superintendent established and charged a workgroup to study the superintendent certification regulations to determine if a background in education should be a requirement. In addition to maintaining the existing teaching and educational administrative experience requirements, the workgroup made several additional recommendations, resulting in significant changes. Most significantly, the amended regulation specified that an individual must have a minimum of 24 credits of post-master's, graduate coursework in educational administration and supervision, to include a balance of course work in five areas aligned with the 2011 Educational Leadership Constituent Council (ELCC) Standards.

Since the adoption of these amendments in October 2014 several challenges have been associated with the current regulation (Attachment II). These issues include:

- Inability to complete an approved program in Maryland because there are currently no Maryland approved educator preparation programs leading to the superintendent certification;
- Denial of acceptable coursework for individuals with post Master's coursework and terminal degrees in educational administration because credits earned prior to the release of the 2011 ELCC standards are not aligned to the ELCC standards. Furthermore, these courses are typically not offered outside of a doctoral or administrative program;
- Prevention of individuals who have completed an educator preparation program leading to certification as a superintendent in another state from becoming certified in Maryland; and
- Elimination of individuals who have 24 credits of post-master's graduate course work but have earned the required educational administration courses during their master's program.

Furthermore, the ELCC Standards, to which the current regulation is aligned, will soon be replaced with the National Educational Leadership Preparation Standards. Given the continuous revision of national standards, embedding these standards into regulatory transcript analysis requirements inevitably leads to difficulty finding coursework. Furthermore, these preparation standards are not designed to be implemented in isolation but rather to guide educator preparation program design, accreditation review, and state program approval.

In November 2017, the State Superintendent charged a new workgroup with reviewing COMAR 13A.12.04.03 *Superintendents* to determine if the regulation requires amendments to meet the needs of Maryland. The workgroup, facilitated by the MSDE, convened on November 28, 2017, January 24, 2018, February 20, 2018, and March 26, 2018, and was comprised of representatives from the following constituent organizations:

- State Board of Education
- Professional Teacher Standards Education Board
- Maryland Higher Education Commission
- University of Maryland System
- Public School Superintendents' Association of Maryland
- Maryland Association of Boards of Education
- Maryland Independent College and University Association
- Maryland Association of School Personnel Administrators

To facilitate the work, the initial meeting focused on the historical background of the regulation, the recommendations of the 2011 workgroup, and the challenges observed since the 2014 amendment was adopted. During subsequent meetings, the workgroup identified minimum requirements associated with teaching experience, administrative/supervisory experience, and coursework, as well as considered multiple pathways to certification as a superintendent in Maryland. Additionally, the workgroup made the decision to amend the regulation in such a way that an educator may be eligible to hold a certificate as a Deputy, Associate, and Assistant Superintendent prior to becoming eligible for a certification as a superintendent.

PROPOSED AMENDMENTS:

The proposed amendments (Attachment III):

- Delineate the requirements set forth for certification as a superintendent and the requirements set forth for certification as a Deputy, Associate, and Assistant Superintendent;
- Creates a professional pathway for individuals to become certified as a Superintendent;
- Expands the pathways to include out of state programs leading to Superintendent certification in that state;
- Establishes coursework requirements; and
- Increases the minimum years of experience required to be eligible as an individual who holds a Superintendent certificate from another state.

SUMMARY:

A workgroup comprised of multiple constituent organizations is recommending proposed amendments to COMAR 13A.12.04.03 *Superintendents* to establish two, distinct Superintendent certificates, as well as provide multiple pathways for certification.

ACTION:

I request permission to publish the repeal and replacement of amended regulatory language to COMAR 13A.12.04.03 *Superintendents*.

Attachments (3)

Title 13A

STATE BOARD OF EDUCATION

Subtitle 12 Certification

Chapter 04 Administrators and Supervisors

.03 Superintendents.

A. Superintendent I.

(1) This certificate qualifies an individual to be assigned as a county deputy superintendent, assistant superintendent or associate superintendent.

(2) Education. The applicant shall have:

(a) A master's degree from an IHE;

(b) Have completed one of the following:

(i) An MSDE-approved program which leads to certification as a superintendent;

(ii) A program offered by an IHE leading to certification as a superintendent in the state in which the institution is located;

(iii) Forty-five (45) semester hours of graduate coursework, including a minimum of 15 semester hours in education administration taken at an IHE. Graduate coursework earned under §A(2)(a) may be applied toward the 45 required semester hours.

(3) Experience. The applicant shall have:

(a) 27 months of satisfactory teaching performance or satisfactory performance as a certified specialist as defined in COMAR 13A.12.03 in a PreK-12 setting; and

(b) 24 months of satisfactory administrative or supervisory experience in a PreK-12 setting.

B. Superintendent II.

(1) This certificate qualifies an individual to be assigned as a county superintendent.

(2) Education. The applicant shall have:

(a) A master's degree from an IHE;

(b) Have completed one of the following:

- (i) An MSDE-approved program which leads to certification as a superintendent;
- (ii) A program offered by an IHE leading to superintendent certification in the state in which the institution is located;
- (iii) Sixty (60) semester hours of graduate coursework, including a minimum of 24 semester hours in education administration taken at an IHE. Graduate coursework earned under §B(2)(a) may be applied toward the 60 required semester hours.

(3) Experience. The applicant shall have:

- (a) 27 months of satisfactory teaching performance or satisfactory performance as a certified specialist as defined in COMAR 13A.12.03 in a PreK-12 setting; and
- (b) 24 months of satisfactory administrative or supervisory experience in a PreK-12 setting.

C. Exceptions.

(1) A deputy, associate, or assistant superintendent who enters Maryland from another state may obtain a Superintendent I certification if that individual holds a valid professional state certificate in a like or comparable area and presents verification of at least 36 months of satisfactory performance as a deputy, associate, or assistant superintendent during the past 7 years.

(2) A superintendent who enters Maryland from another state may obtain a Superintendent II certification if that individual holds a valid professional state certificate in a like or comparable area and presents verification of at least 36 months of satisfactory performance as a superintendent during the past 7 years.

Title 13A

STATE BOARD OF EDUCATION

Subtitle 12 Certification

Chapter 04 Administrators and Supervisors

13A.12.04.03

.03 Superintendents.

[The requirements for certification as a superintendent, deputy superintendent, associate superintendent, assistant superintendent or equivalent position are that the applicant shall:

- A. Have a master's degree from an IHE;
- B. Have 3 years of satisfactory teaching experience and 2 years of satisfactory administrative or supervisory experience in a PreK-12 school setting; and
- C. Submit a minimum of 24 credits of post-master's, graduate coursework in educational administration and supervision to include a balance of course work in the following:

- (1) Developing and Articulating Shared Vision;
- (2) Organizational Management;
- (3) Promoting and Maintaining a Positive School Culture and Instructional Program for Learning;
- (4) Demonstrating Values and Ethics of Leadership; and
- (5) Collaboration with Diverse Stakeholders.

D. A superintendent who enters Maryland from another state may obtain superintendent certification if that superintendent held a valid professional state certificate and presents verification of at least 27 months of satisfactory performance as a superintendent during the past 7 years on the basis of which application is being made for a like or comparable Maryland certificate.]

COMAR 13A.12.04.03 Superintendents

Certificate Area	Superintendent - Deputy, Assistant, Associate, Superintendent (current)	Superintendent I- Deputy, Assistant, Associate, (proposed)	Superintendent II- Superintendent (proposed)
Degree Requirements	Master's	Master's	Master's
Experience Requirements	3 years satisfactory teaching; 2 years satisfactory administrative/supervisory in PreK-12	27 months satisfactory teaching or performance as a specialist; 24 months satisfactory administrative/supervisory exp. in PreK-12	27 months satisfactory teaching or performance as a specialist; 24 months satisfactory administrative/supervisory exp. in PreK-12
Test Requirements	No	No	No
Coursework Requirements	A balance of 24 credits of post-master's, graduate coursework in the following areas: (1) Developing and Articulating Shared Vision (2) Organizational Management (3) Promoting and Maintaining a Positive School Culture and Instructional Program for Learning (4) Demonstrating Values and Ethics of Leadership (5) Collaboration with Diverse Stakeholders	Forty-five (45) semester hours of graduate coursework, including a minimum of 15 semester hours in education administration taken at an IHE. Graduate coursework earned as part of the master's may be applied toward the 45 required semester hours.	Sixty (60) semester hours of graduate coursework, including a minimum of 24 semester hours in education administration taken at an IHE. Graduate coursework earned as part of the master's may be applied toward the 60 required semester hours.
MD Approved Program	Yes, but none currently exist	Yes, but none exist	Yes, but none currently exist
Out of State Program Option	No	Yes	Yes
Experienced Professional Route	Yes- 27 months as a superintendent during past 7 years with a valid out of state professional superintendent certificate	Yes- Valid of state certificate (in a comparable area) and 36 months of experience as a deputy, associate, or assistant superintendent in the last 7 years	Yes- Valid out of state superintendent certificate and 36 months of experience as a superintendent in the last 7 years