



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

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**TO:** Members of the State Board of Education

**FROM:** Karen B. Salmon, Ph.D.

**DATE:** September 25, 2018

**RE:** COMAR 13A.12.04.03  
*Superintendents*  
**REPEAL AND REPLACE – PERMISSION TO PUBLISH**

COMAR 13A.12.01.06-1  
*Extraordinary Career Leader Certificate*  
**PROMULGATION - PERMISSION TO PUBLISH**

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**PURPOSE:**

The purpose of this item is to request permission to publish amendments to the Code of Maryland Regulations (COMAR) 13A.12.04.03 *Superintendents* (Attachment I) and to publish the promulgation of COMAR 13A.12.01.06-1 *Extraordinary Career Leader Certificate* (Attachment II).

Amendments to *Superintendents* 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.

Promulgation of a new regulation for the *Extraordinary Career Leader Certificate* is being proposed to create the new Extraordinary Career Leader Certificate, as recommended by the Joint Conference Committee, for those individuals with an exceptional background and skills to be considered for a Superintendent position.

**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 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. The workgroup was comprised of representatives/designees from the following constituent organizations:

- Dr. Justin Hartings, State Board of Education
- Dr. Alysissa James, Professional Standards and Teacher Education Board
- Dr. Emily Dow, Maryland Higher Education Commission
- Dr. Jennifer Rice, University of Maryland System
- Dr. Teresa Alban, Public School Superintendents' Association of Maryland
- Mr. William Middleton, Maryland Association of Boards of Education
- Sr. Sharon Slear, Maryland Independent College and University Association
- Ms. Megan Quinn, Maryland Association of School Personnel Administrators

On April 24, 2018, the MSDE presented the workgroup's recommendations to the SBOE which established two, distinct superintendent certificates, as well as provided multiple pathways for certification. Members of the SBOE expressed concern that the proposed regulations were too restrictive and asked the MSDE to provide the following additional information:

- Draft regulatory language for superintendent that mirrors the qualification requirements outlined in Education Article §4-201; and
- Information regarding superintendent requirements in other states.

On May 2, 2018, the PSTEB reviewed the proposed regulation presented to the SBOE, Education Article §4-201, and the draft language reflective of the aforementioned statute. The PSTEB expressed their concerns regarding the alignment of the draft regulatory language to Education Article §4-201. In response to those concerns, the PSTEB requested a conference committee meeting with the SBOE.

On May 22, 2018, the MSDE presented draft regulatory language that mirrors the requirements outlined in Education Article §4-201 and shared potential issues with that language, provided a 50-state review of the superintendent qualifications across the nation, and shared feedback regarding the PSTEB's concerns regarding the prospect of aligning the superintendent qualification to Education Article §4-201. Members of the SBOE requested that the MSDE provide new draft regulatory language that incorporates the proposed language from the workgroup, addresses reciprocity, and allows for an individual with an exceptional background and skills to be considered for the superintendent position.

On June 20, 2018, the MSDE presented draft regulatory language that incorporates the proposed language from the workgroup, addresses reciprocity, and includes new language for the Extraordinary Career Leadership Certification. Members of the SBOE agreed to the conference committee meeting with members from the PSTEB and identified their participants.

On July 20, 2018, a Joint Conference Committee meeting was held. Participants included:

SBOE Members

Ms. Stephanie Izsard, Vice President  
Dr. David Steiner  
Brigadier General Warner Sumpter, Ret.  
Mr. Bryce Awono

PSTEB Members

Dr. Alyssia James, Chair  
Mr. Darren Hornbeck  
Dr. John Mayo

Participants reviewed the June 20, 2018 version of the proposed regulatory language and agreed on the requirements for the Superintendent I and II certificate and the traditional and reciprocal certification requirements. Discussion focused on the Extraordinary Career Leadership Certificate requirements for an individual serving as a county superintendent. The joint committee requested that the MSDE provide new draft regulatory language including language to:

- Incorporate coursework requirements from Education Article §4-201 into the Traditional and Extraordinary Career Leadership Certificate requirements
- Align the degree requirement found in Education Article §4-201 with the language in the proposed regulatory language.
- Create two certificates for the Extraordinary Career Leadership route:
  - Provisional Extraordinary Career Leadership Certificate
    - Require a mentoring experience to include, as determined by the Local Board of Education:
      - Instruction/Curriculum
      - Communication
      - Budget
      - Administration
      - Education law and regulation
    - One (1) year validity period
    - Non-renewable
    - Non-transferable
  - Extraordinary Career Leadership Certificate
    - Four (4) year validity period
    - Non-transferrable
    - Renewable at the request of the Local Board of Education for which they are employed

On August 28, 2018, the MSDE provided an update to the SBOE regarding the Joint Conference Committee Meeting. Discussion focused on the Extraordinary Career Leadership route. Members of the SBOE requested classroom observation be included in the mentoring experience.

On September 13, 2018, the MSDE provided an update to the PSTEB regarding the Joint Conference Committee meeting. The PSTEB members support the Superintendent I and II certificate and the traditional and reciprocal certification routes. Discussion focused on the Extraordinary Career Leadership Certificate during which members expressed significant concern regarding the lack of teaching and educational experience required.

The MSDE is providing regulatory language for the Superintendent I, Superintendent II and the Extraordinary Career Leader Certificate. After further review and consultation with legal counsel, the MSDE recommends requiring Extraordinary Career Leadership candidates to complete a one-year appointment as interim superintendent with a local school system before receiving Extraordinary Career Leadership Certification. This would conform the new certificate requirements to State law, which requires that a county superintendent may not be appointed unless the individual meets the requirements to be issued a certificate for the office by the state superintendent [Education Article §4-201(c) (1)(i)]. Because the Extraordinary Career Leadership certificate requires professional development (and possibly the acquisition of additional graduate coursework depending on

the individual), the MSDE recommends this approach, rather than issuing a provisional or interim certificate that would expire after a year.

**PROPOSED AMENDMENTS:**

The proposed amendments:

- Delineate the requirements set forth for certification as a superintendent (Superintendent II) and the requirements set forth for certification as a deputy, associate, and assistant superintendent (Superintendent I);
- Expand the pathways to become a Maryland Superintendent to include traditional preparation; from in-state and out-of-state Institutions of Higher Education and reciprocity for those that hold a Superintendent Certificate from another state; and
- Create a new certificate called the Extraordinary Career Leader Certificate that allows an individual with an exceptional background and skills to be considered for a Superintendent position in a local education agency.

**SUMMARY:**

A workgroup comprised of multiple constituent organizations recommended proposed amendments to COMAR 13A.12.04.03 *Superintendents* to establish two, distinct superintendent certificates, as well as provide multiple pathways for certification. The SBOE and the PSTEB through a Joint Conference Committee meeting expanded the recommendations of the workgroup to include reciprocity and the creation of the Extraordinary Career Leader Certificate that allows an individual with an exceptional background and skills to be considered for a Superintendent position.

**ACTION:**

Request permission to repeal, replace, and publish amended regulatory language to COMAR 13A.12.04.03 *Superintendents*.

Request permission to promulgate and publish new regulatory language COMAR 13A.12.01.06-1 *Extraordinary Career Leader Certificate*.

Attachments (2)

**Title 13A**

**STATE BOARD OF EDUCATION**

**Subtitle 12 Certification**

**Chapter 04 Administrators and Supervisors**

.01 Purpose: This regulation explains the two options available to qualify for a Superintendent I certificate and three options available to qualify for a Superintendent II certificate.

.02 Superintendent I. This certificate qualifies an individual to be assigned as a county deputy superintendent, assistant superintendent or associate superintendent.

A. Traditional Certification.

(1) 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(1)(a) may be applied toward the 45 required semester hours.

(2) Experience. The applicant shall have:

(i) 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

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

B. Reciprocal Certification.

(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.

.03 Superintendent II. This certificate qualifies an individual to be a county superintendent.

A. Traditional Certification.

(1) 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 to include coursework covering public school administration, supervision, and methods of teaching;

(ii) A program offered by an IHE leading to certification as a superintendent in the state in which the institution is located to include coursework covering public school administration, supervision, and methods of teaching;

(iii) Sixty (60) semester hours of graduate coursework, including a minimum of 24 semester hours in education administration taken at an IHE, to include public school administration, supervision, and methods of teaching. Graduate coursework earned under §A(1)(a) may be applied toward the 60 required semester hours.

(2) 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. Reciprocal Certification.

(1) 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:

(a) Verification of at least 36 months of satisfactory performance as a superintendent during the past 7 years; and

(b) Two years of graduate work at an IHE to include coursework covering public school administration, supervision, and methods of teaching.

C. Extraordinary Career Leader Certification

(1) At the request of a local school board, the State Superintendent of Schools may issue an Extraordinary Career Leader Certificate to an individual who has demonstrated extraordinary career leadership expertise, but who has not met all the requirements in .03§A(1) or (2) of this regulation.

(2) To obtain an Extraordinary Career Leader Certificate, the candidate must serve a one-year period as interim superintendent during which time the candidate will complete the requirements set forth in §.03(C)(4) of this regulation.

(3) The local board must submit a formal request to the State Superintendent to award Extraordinary Career Leader Certificate to the candidate contingent on the candidate completing the requirements set forth in §e of this section. The request must include:

- (a) The local board's approval of the request for Extraordinary Career Leader Certification;
- (b) An explanation of the reasons why the local board expanded its search for a superintendent to exceptional career leaders;
- (c) A statement identifying the exceptional qualifications of the individual demonstrating extraordinary career leadership that compensate for lack of experience in prekindergarten-12 schools;
- (d) Vitae and official transcripts of the candidate demonstrating a minimum of two years of graduate work in any field;
- (e) A professional development plan to be completed within one year which includes:
  - (i) A minimum of six credits of graduate course work in public school administration, supervision, and methods of teaching;
  - (ii) Other professional development experiences addressing:
    - (a) Instruction and curriculum, to include classroom observations;
    - (b) Community relations;
    - (c) Budget;
    - (d) Administration; and
    - (e) Education law and regulations.
- (f) A request to the State Superintendent to appoint the candidate as a one year interim superintendent.

(4) Prior to the completion of the year of interim superintendency, the candidate must apply for the Extraordinary Career Leadership certificate. The application must include in the application verification of completion of the course work required in §.03(C)(3)(e)(i) and verification from the local board that the candidate has completed the professional development plan required under §.03(C)(3)(e)(ii).

(5) The MSDE will issue the Extraordinary Career Leadership Certificate after review of the documentation submitted pursuant to §.03(C)(4) of this regulation.

**Title 13A**

**STATE BOARD OF EDUCATION**

**Subtitle 12 Certification**

**Chapter 01 General Provisions**

***.06-1 Extraordinary Career Leader Certificate***

- A. The Maryland State Department of Education may issue an Extraordinary Career Leader certificate upon the request of the local county board of education.*
- B. An individual must meet the requirements of COMAR 13A.12.04.03C in order to be eligible for the certificate.*
- C. The Extraordinary Career Leader certificate is valid for a 4-year period and may be renewed upon the request of the local county board of education.*
- D. The Extraordinary Career Leader certificate shall not be transferred between local school systems.*