

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulation
State Board of Education**
(DLS Control No. 18-312)

Overview and Legal and Fiscal Impact

This action repeals the current provisions establishing the education and experience requirements for certification as a superintendent, deputy superintendent, associate superintendent, assistant superintendent, or equivalent position in a local school system and substitutes provisions establishing two distinct certifications, Superintendent I and Superintendent II, and the qualifications for each of those certifications.

The regulation presents no legal issues of concern.

There is no fiscal impact on State or local agencies.

Regulation of COMAR Affected

State Board of Education:

Certification: Administrators and Supervisors: COMAR 13A.12.04.03

Legal Analysis

Summary of Regulation

This action repeals the current provisions establishing the education and experience requirements for certification as a superintendent, deputy superintendent, associate superintendent, assistant superintendent, or equivalent position and substitutes provisions establishing two distinct certificates and additional pathways for certification.

Specifically, the regulation creates the Superintendent I and Superintendent II certificates. The Superintendent I certificate qualifies an individual to be assigned as a county deputy superintendent, assistant superintendent, or an associate superintendent through either traditional or reciprocal certification. An applicant for traditional certification must have a master's degree and specified additional coursework, experience as a teacher or certified specialist, and administrative or supervisory experience. An individual may obtain reciprocal Superintendent I certification if the individual holds a valid professional certificate in a like or comparable area in another state and presents verification of at least 36 months of satisfactory performance as a deputy, associate, or assistant superintendent during the past 7 years.

The Superintendent II certificate qualifies an individual to be a county superintendent through either traditional or reciprocal certification. An applicant for traditional certification must have a master's degree and specified additional coursework, experience as a teacher or certified specialist, and administrative or supervisory experience. An individual may obtain reciprocal Superintendent II certification if the individual holds a valid professional certificate in a like or comparable area in another state, presents verification of at least 36 months of satisfactory performance as a superintendent during the past 7 years, and presents verification of 2 years of graduate work that includes specified coursework.

Legal Issues

The regulation presents no legal issues of concern.

Statutory Authority and Legislative Intent

The Maryland State Department of Education cites §§ 2-205, 2-303(g), and 6-701 through 6-705 of the Education Article as statutory authority for this regulation. Section 2-205 grants the State Board of Education broad authority to determine the elementary and secondary educational policies of the State and requires the State board to adopt regulations for the administration of public schools. Section 2-303(g) requires the State Superintendent of Schools to certify the professional personnel in each public school in accordance with the Education Article and the bylaws, rules, and regulations of the Professional Standards and Teacher Education Board (PSTEB). Section 6-704 requires the State board and PSTEB to develop regulations for the certification of teachers and other professional personnel in accordance with the Education Article and requirements for the preparation of teachers and other education personnel. This section also requires the State board to review regulations developed by the PSTEB and vice versa. The remaining cited authority is not relevant to this regulation.

The relevant cited authority is correct and complete. The regulation complies with the legislative intent of the law.

Fiscal Analysis

There is no fiscal impact on State or local agencies.

Agency Estimate of Projected Fiscal Impact

The regulation repeals current certification requirements for superintendent, deputy superintendent, associate superintendent, assistant superintendent, or an equivalent position and replaces the requirements with two distinct pathways for superintendent certifications. The department advises that the regulation has no impact on State or local governments. The Department of Legislative Services concurs.

Impact on Budget

There is no impact on the State operating or capital budget.

Agency Estimate of Projected Small Business Impact

The department advises that the regulation has minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

Contact Information

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