

**OFFICE OF CHIEF ACCOUNTABILITY OFFICER**  
**Summary of State Board of Education Agenda Items**  
**Consent Agenda**  
**June 21, 2018**

**OFFICE OF TEACHING AND LEADING**

- K. Approval to revise Part 4: *Licensure Guidelines K-12* to include revisions to the Alternative Qualifications for Prospective Local Superintendents of Education (Has cleared the Administrative Procedures Act process with public comments)

Background Information: Senate Bill No. 2398 of the 2017 legislative session charged the State Board of Education with the development of alternative qualifications for prospective district superintendents. As a result, the Office of Teaching and Leading, Division of Educator Licensure convened a group of stakeholders for the purpose of developing alternative qualifications. On December 14, 2017, the State Board of Education approved the proposed alternative qualifications as recommended by the Commission on Teacher and Administrator Education, Certification and Licensure and Development.

The Office of Teaching and Leading is seeking approval to revise current alternative qualifications for prospective district superintendents. Proposed changes include a modification to the current title and inclusion of prospective candidates inadvertently excluded at the time the policy was initially adopted.

The current title is being interpreted in a literal sense to mean the policy only applies to prospective candidates who have never served in the field of education. The qualifications outlined therein, should be interpreted to include not only individuals new to the profession, but also those who might have once served as an educator, changed professions, and now desire to return to service at the local district level.

The proposed revisions to the Alternative Qualifications for Prospective Local Superintendents of Education was approved by the Commission on Teacher and Administrator Education, Certification and Licensure and Development on May 4, 2018.

On May 17, 2018, the State Board of Education granted approval of a temporary rule to revise Part 4: *Licensure Guidelines K-12* to include revisions to the Alternative Qualifications for Prospective Local Superintendents of Education. Administrative Procedure Act (APA) comments were received through June 14, 2018. One (1) APA comment was submitted. In response to the comment received,

the Office of Teaching and Leading is recommending clarification to the policy to ensure that the proposed changes to the language reflects its original intent to include district level senior/executive leadership positions currently/previously held by personnel who serve(ed) as a direct report to the local superintendent of education.

The temporary rule and final action was necessary to implement the policy revisions to Part 4: *Licensure Guidelines K-12* immediately upon its filing with the Secretary of State in accordance with Mississippi Code Annotated §25-43-3.113(2)(b)(ii). For a rule to become effective immediately upon its filing, the Board is required to make a finding that the rule only confers a benefit or removes a restriction on the public or some segment thereof.

This item references Goal 4 of the *Mississippi Board of Education 2016-2020 Strategic Plan*.

Recommendation: Approval

Back-up material attached

**Mississippi Department of Education  
Alternative Qualifications for  
Prospective District Superintendents of Education**

**Initial Three-Year District Superintendent License Criteria:**

1. Holds at least a Master's degree or higher from an institution of higher education that was accredited at the time the degree was conferred;

**AND**

2. Have a minimum of six (6) years of documented successful leadership experience, as determined and verified by the appointing local school board. Examples include, but are not limited to, for profit or not for profit organizations, state agencies, business, industry, K-12 education – district level senior/executive leadership direct report to local superintendent of education, higher education or law, senior leadership position such as CEO, Commissioned Officers – Pay Grade 03 or above;

**AND**

3. Obtain a position as district superintendent and submit local board resolution of appointment to that position.

**Note:** The Initial Three (3) Year District Superintendent License is non-renewable but, may be converted to a Standard Five-Year District Superintendent License if the following pre-conditions are met.

**The Initial Three-Year District Superintendent License may be converted to the Standard Five-Year District Superintendent License upon completion of the following:**

4. Successful completion of ongoing professional learning aligned to the responsibilities of Mississippi local school district superintendents as outlined in Miss. Code Ann. § 37-9-14. The professional learning activities must be completed during the three (3) year validity of the license while actively employed as district superintendent. This would include the completion of Mississippi Department of Education approved professional growth opportunities such as Superintendent's Academy or Executive Leadership Institute or Educational Administration/Leadership degree program or any other professional growth opportunity approved by the Mississippi Department of Education. If one or more of the specific aforementioned professional growth opportunities were completed prior to obtaining the initial District Superintendent License, the district superintendent shall not be required to complete again;

**AND**

5. Demonstrate evidence that the district increased its accountability rating by a minimum of one performance classification during the three (3) year period in which the license holder was employed as district superintendent if placed in a local school district that was rated a "C" or lower at the time of appointment as district superintendent or maintained the "A" or "B" rating in a local school district rated as such at the time of appointment;

**AND**

6. The district superintendent shall earn a successful evaluation rating consistent with the assessment components defined in Miss. Code Ann. § 37-7-301 and as outlined in the current edition of the *Mississippi Public School Accountability Standards*.

**Note: The Standard Five (5) Year District Superintendent License is renewable. Five-Year District Superintendent License holders must meet current State Board approved license renewal requirements prescribed for the Standard Career Level Administrator License. Current license renewal requirements may be found in the Licensure Guidelines K-12 document.**

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 2398

1 AN ACT TO AMEND SECTION 37-9-13, MISSISSIPPI CODE OF 1972, TO  
2 REVISE THE QUALIFICATIONS FOR SELECTION OF SUPERINTENDENTS OF  
3 SCHOOL DISTRICTS; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 SECTION 1. Section 37-9-13, Mississippi Code of 1972, is  
6 amended as follows:

7 37-9-13. (1) Each school district shall have a  
8 superintendent of schools, selected in the manner provided by law.  
9 No person shall be eligible to the office of superintendent of  
10 schools unless such person shall hold a valid administrator's  
11 license issued by the State Department of Education and shall  
12 have \* \* \* classroom or administrative experience of not less than  
13 six (6) years which shall include at least three (3) years of  
14 administrative experience as a school building principal (a) in a  
15 school with an "A" or "B" accountability rating, or (b) in a  
16 school that increased its accountability rating by a letter grade  
17 during the period in which the principal was employed as principal  
18 at the school, or (c) in a school with comparable accountability



19 rating or improvement in another state which shall be verified by  
20 the Mississippi Department of Education.

21 (2) From and after January 1, 2019, in all public school  
22 districts, the local school board shall appoint the superintendent  
23 of schools of such district. At the expiration of the term of any  
24 county superintendent of education elected at the November 2015  
25 general election, the county superintendent of education of said  
26 county shall not be elected but shall thereafter be appointed by  
27 the local school board in the manner provided in Section 37-9-25.  
28 However, in the event that a vacancy in the office of the  
29 superintendent of schools elected at the November 2015 general  
30 election shall occur before January 1, 2019, the office of  
31 superintendent of schools shall immediately become an appointed  
32 position, and the local school board shall appoint the  
33 superintendent of the school district. The superintendent of  
34 schools shall have the general powers and duties to administer the  
35 schools within his district as prescribed in Section 37-9-14 et  
36 seq., Mississippi Code of 1972.

37 (3) As an alternative to the qualifications prescribed in  
38 subsection (1) of this section, the State Board of Education is  
39 authorized and directed to issue regulations by January 1, 2018,  
40 which include minimum credentials, educational prerequisites, and  
41 relevant best practice experience requirements that will qualify a  
42 person to serve as a superintendent without having the direct



43 experience or certification as an educator specified in subsection  
44 (1) of this section.

45 (4) The provisions of this section shall be applicable to  
46 any superintendent of schools selected on or after July 1, 2017,  
47 who has not previously served as a superintendent or assistant  
48 superintendent within the last five (5) years.

49 **SECTION 2.** This act shall take effect and be in force from  
50 and after July 1, 2017.



**Summary of Administrative Procedures Act (APA) Comments**  
**Revisions to Part 4: *Licensure Guidelines K-12***

The Office of Teaching and Leading received the following APA comments regarding revisions to Part 4: *Licensure Guidelines K-12* to include modifications to the Alternative Qualifications for Prospective Local Superintendents of Education. Comments are summarized; complete submissions follow this table.

<b>Summary of Comment</b>	<b>MDE Response</b>
In most small school districts principals report directly to the superintendent. Does this change in the language mean any principal, regardless of school accountability, qualifies to serve as a superintendent?	All school principals, regardless of district size, shall adhere to criteria as outlined in subsection one (1) of Miss. Code Ann. §37-9-13. The intent of the proposed changes to the language only includes district level senior/executive leadership positions currently/previously held by personnel who serve(ed) as a direct report to the local superintendent of education.
<p>Does this language mean that curriculum directors, special education directors, transportation directors, vocational directors, and other director positions at the central office level which report directly to the superintendent qualify to be superintendents? If so,</p> <p>a. Does this apply to A and B school districts only or all school districts?</p> <p>b. Does this override the AG Opinion that states that only central office positions entitled “Assistant Superintendent” qualify candidates to be superintendent?</p> <p>c. Is the MDE’s MSIS system’s personnel component the way to accurately verify an employee’s title/position?</p>	<p>The proposed changes to the language is intended to include a district level senior/executive direct report to the local superintendent of education.</p> <p>a. Miss. Code Ann. §37-9-13 does not make reference to district level accountability ratings. Only school accountability rating is mentioned in the law. Therefore, the proposed language is not intended to apply to A and B school districts only.</p> <p>b. According to the author of the bill, the proposed language in this policy is still in the spirit of the law.</p> <p>c. The candidate/applicant would be required to have experience/position verified by the local school board or their designee (LEA Human Resources office personnel) using the <a href="#">experience verification form</a>.</p>

Summary of Comment	MDE Response
<p>How are we to know which positions in the state department are considered senior/executive positions? Do we go by the MDE organizational chart and/or check MSIS to see how the MDE enters personnel?</p>	<p>Current and former employees of the Mississippi State Department of Education are included as part of those candidates who have served at a state agency(ies). Successful leadership experience is to be determined and verified by the appointing local school board. MDE personnel are not entered into MSIS.</p>



Mon 5/21/2018 10:18 AM  
Mike Waldrop [mwaldrop@msbaonline.org](mailto:mwaldrop@msbaonline.org)  
MDE Alternative Qualifications for Prospective District Supt of Ed

Dear Dr. Murphy:

The Mississippi School Boards Association assists school boards with superintendent searches. A part of this assistance is helping school boards qualify candidates (i.e.: certifying that candidates meet the requirements as specified in law and/or MDE alternative qualifications). The proposed changes in the *“Mississippi Department of Education Alternative Qualifications for Prospective District Superintendents of Education”* raises several questions that must be clarified. Understand that our questions are not an indication that we disagree with the proposed changes, but rather from a need to clarify the intent of the language. School boards that disqualify candidates face possible legal challenges and therefore must have clear criteria when making a decision on who does or who does not qualify to be a superintendent in Mississippi. School boards also face personal liability if they hire someone they think qualifies and then find out through a legal challenge that the candidate does not qualify.

The proposed language change under Initial Three-year License Criteria (**point number 2**): *“K-12 education—direct report to state/local superintendent (senior/executive leadership position)”* is where our questions arise.

1. In most small school districts principals report directly to the superintendent. Does this change in the language mean any principal, regardless of school accountability, qualifies to serve as a superintendent?
2. Should the language be “directly reports” rather than direct report?
3. Does this language mean that curriculum directors, special education directors, transportation directors, vocational directors, and other director positions at the central office level which report directly to the superintendent qualify to be superintendents? If so,
  - a. Does this apply to A and B school districts only or all school districts?
  - b. Does this override the AG Opinion that states that only central office positions entitled “Assistant Superintendent” qualify candidates to be superintendent?
  - c. Is the MDE’s MSIS system’s personnel component the way to accurately verify an employee’s title/position?
4. How are we to know which positions in the state department are considered senior/executive positions? Do we go by the MDE organizational chart and/or check MSIS to see how the MDE enters personnel?

Thanks,

Michael Waldrop, Ph.D.  
Executive Director  
Mississippi School Boards Association