



Governance

State Boards/Chiefs/Agencies

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Qualifications for Chief State School Officers

By Michael Colasanti

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State education governance structures follow a number of different models, all of which include a chief state school officer (CSSO). In most states, the CSSO is in charge of the supervision of the state's public education system and is the head of the state's department of education. CSSOs are selected in a number of ways: appointed by the governor (12 states), appointed by the state board of education (24 states) and elected by voters (14 states).

A 1983 ECS Issuegram suggests that "Since the chief state school officer not only manages the state department of education but also represents the interests of education and the department to the governor and the legislature, he or she needs multiple talents... Leadership and convictions are valued in most states, but external factors affect the chief's ability to lead. The strength of the legislature and state board, the initiative and creativity of the governor, the political strength of various interest groups, and the nature of the state's economy are all key factors."

Qualifications for the CSSO vary widely, from academic and professional experience to residency to moral character. Some states do not have any statutory or constitutional qualifications for the CSSO (in most of these cases, the selection is based upon the decision of the standing state board of education). There is, of course, no right or wrong list of qualifications; each state must determine how to best serve its own educational needs.

Interesting facts...

- **Fourteen** states have an **age requirement** for the CSSO, ranging from 18 to 31 years (Arizona, California, Georgia, Idaho, Montana, Nevada, North Carolina, North Dakota, Oklahoma, Oregon, South Carolina, Washington, Wisconsin, Wyoming)
- **Four** states require that the CSSO has either **teacher or administrator certification** (Arkansas, Nebraska, North Dakota, Tennessee)
- **Sixteen** states require that the CSSO has **experience in education or administration** (Alabama, Alaska, Arkansas, Delaware, Iowa, Maryland, Minnesota, Mississippi, Nebraska, New Hampshire, New Mexico, South Dakota, Tennessee, West Virginia)
- **Twelve** states require that the CSSO attains a certain **level of education**, from a bachelor's degree to a master's degree (Alabama, Alaska, Arkansas, Delaware, Georgia, Idaho, Maryland, Mississippi, Montana, Nebraska, Nevada, West Virginia)
- **Thirteen** states require that the CSSO is a **resident** of that state (Arizona, California, Georgia, Idaho, Indiana, Missouri, Montana, North Carolina, North Dakota, Oklahoma, Oregon, Wisconsin, Wyoming)
- **Twelve** states require that the CSSO is a **U.S. citizen** (Arizona, California, Georgia, Idaho, Missouri, North Dakota, Oklahoma, Oregon, Texas, Washington, Wisconsin, Wyoming)

- **Ten** states delegate to the **state board of education** the setting of qualifications for each CSSO.
(Colorado, Florida, Illinois, Kentucky, Louisiana, Maine, Michigan, New Hampshire, Rhode Island, Utah)
- **Three** states have **no qualifications** for the CSSO
(Connecticut, Kansas, Massachusetts)

50- State Summary Table

State	U.S. citizen	Age	Residency	Determined by state board	Level of education	Experience in education	Experience in administration	Certification	Moral character	No conflict of interest
Alabama					X		X		X	
Alaska					X	X	X			
Arizona	X	X	X							
Arkansas					X	X	X	X	X	X
California	X	X	X							
Colorado				X						
Connecticut										
Delaware					X	X	X			
Florida				X						
Georgia	X	X	X		X				X	
Hawaii										
Idaho	X	X	X		X					
Illinois				X						
Indiana			X							
Iowa						X	X			
Kansas										
Kentucky				X						
Louisiana				X						
Maine				X						
Maryland					X	X	X			
Massachusetts										
Michigan				X						
Minnesota						X				
Mississippi					X		X			
Missouri	X		X							
Montana		X	X		X					
Nebraska					X	X	X	X		
Nevada		X			X					
New Hampshire				X		X				
New Jersey										
New Mexico						X				
New York										
North Carolina		X	X							
North Dakota	X	X	X					X		
Ohio										X
Oklahoma	X	X	X							
Oregon	X	X	X							
Pennsylvania										
Rhode Island				X						

State	U.S. citizen	Age	Residency	Determined by state board	Level of education	Experience in education	Experience in administration	Certification	Moral character	No conflict of interest
South Carolina		X								
South Dakota							X			
Tennessee						X	X	X		
Texas	X									
Utah				X						
Vermont						X				
Virginia						X				
Washington	X	X								
West Virginia					X	X	X		X	
Wisconsin	X	X	X							
Wyoming	X	X	X							

A State-by-State Look at Qualifications for Chief State School Officers

(Note: For states with no qualifications, the method of selection of the CSSO is referenced instead.)

Alabama

ALA. CODE § 16-4-1

The Superintendent of Education shall be a person of good moral character, with academic and professional education equivalent to graduation from a standard university or college, who is knowledgeable in school administration and has training and experience sufficient to qualify him to perform the duties of his office.

Alaska

ALASKA STAT. § 14.07.145

The commissioner shall be appointed without regard to political affiliation and shall have at least a master's degree with five years' experience in the field of education since receiving it, with at least three of the five years in an exclusively administrative position.

Arizona

United States citizen for 10 years; Arizona resident for five years; at least 25 years of age (*A Handbook for Arizona Candidates and Political Committees*, Arizona Secretary of State's Office, Election Services Division, http://www.azsos.gov/Election/2002/info/Candidates_and_Political_Committees/)

Arkansas

ARK. CODE ANN. § 6-11-102

The person selected as the commissioner must:

- Be a person of good moral character, recognized as a leader in the field of education, and qualified technically and by experience to direct the work of the department
- Hold a master's degree from an accredited institution
- Have had 10 years' experience as a teacher, five of which must be of an administrative or supervisory nature
- Hold a valid state teacher's certificate.

No person who is related within the fourth degree of consanguinity or affinity to any member of the board shall be eligible to serve as commissioner.

California

CAL. ELEC. CODE § 201

Unless otherwise specifically provided, no person is eligible to be elected or appointed to an elective office unless that person is a registered voter and otherwise qualified to vote for that office at the time that nomination papers are issued to the person or at the time of the person's appointment.

CAL. CONST. art. II § 2

A United States citizen 18 years of age and resident in this state may vote.

Colorado

COLO. REV. STAT. 22-2-110

The commissioner of education shall be the chief state school officer and executive officer of the department of education. He shall possess such professional qualifications as may be deemed appropriate for the office by the state board.

Connecticut

CONN. GEN. STAT. § 10-3a

There shall be a Department of Education which shall serve as the administrative arm of the State Board of Education. The department shall be under the direction of the Commissioner of Education, who shall be appointed by the State Board of Education for a term of four years to be coterminous with the term of the Governor.

Delaware

DEL. CODE ANN. tit. 14 § 102

The administrator and head of the Department shall be the Secretary of Education, who shall be a graduate of an accredited college and shall have not less than 5 years' experience in teaching and administration, with experience in each such category. The Secretary shall be appointed by the Governor, with the advice and consent of the Senate, and shall serve at the pleasure of the Governor.

Florida

Fla. Const. Art. IX, § 2

The state board of education shall appoint the commissioner of education. (According to the Florida Department of Education, the state board of education is in the process of drafting qualifications; this is the first time the board has appointed a CSSO.)

Georgia

GA. CODE ANN. § 20-2-31

To render a person eligible to hold the office of State School Superintendent, he or she shall hold a four-year degree from an accredited college or university. No person who has been convicted of any crime involving moral turpitude shall be eligible to hold the office of State School Superintendent.

GA. CONST. art. V, § 3, para. 2

No person shall be eligible to the office of the Secretary of State, Attorney General, State School Superintendent, Commissioner of Insurance, Commissioner of Agriculture or Commissioner of Labor unless such person shall have been a citizen of the United States for ten years and a legal resident of the state for four years immediately preceding election or appointment and shall have attained the age of 25 years by the date of assuming office.

Hawaii

HAW. REV. STAT. § 302A-1101

The board shall appoint, and may remove, the superintendent by a majority vote of its members. The superintendent:

- May be appointed without regard to the state residency provisions of section 78-1(b)
- May be appointed for a term of up to four years
- May be terminated only for cause.

Idaho

IDAHO CODE § 34-613

No person shall be elected to the office of superintendent of public instruction unless he shall have attained the age of 25 years at the time of his election, is a citizen of the United States, has a bachelor's degree from an accredited college or university, and shall have resided within the state two years next preceding his election.

Illinois

105 ILL. COMP. STAT. 5/1A-4

The Board shall determine the qualifications of and appoint a chief education officer, to be known as the State Superintendent of Education, who may be proposed by the Governor and who shall serve at the pleasure of the Board and pursuant to a performance-based contract linked to statewide student performance and academic improvement within Illinois schools.

Indiana

IND. CODE ANN. § 3-8-1-10.5

A candidate for the office of state superintendent of public instruction must have resided in Indiana for at least two years before the election.

Iowa

IOWA CODE § 256.8

The governor shall appoint a director of the department of education subject to confirmation by the senate. The director shall possess a background in education and administrative experience and shall serve at the pleasure of the governor.

Kansas

KAN. CONST. art. VI, § 4

The state board of education shall appoint a commissioner of education who shall serve at the pleasure of the board as its executive officer. (There are no regulations dictating qualifications, it is at the discretion of the state board of education.)

Kentucky

KY. REV. STAT. § 156.148

He shall possess the professional qualifications determined by the Kentucky Board of Education as appropriate for the office.

Louisiana

LA. REV. STAT. 17:21

The superintendent shall possess such qualifications as are adopted by rule by the board.

Maine

ME. REV. STAT. tit. 20-A § 251

The commissioner shall be appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over education and to confirmation by the Legislature:

- The Governor shall include the chairman of the State Board of Education in the selection process and shall ensure the state board has an opportunity to meet and interview the candidate or candidates
- Within 10 days of meeting with the candidate or candidates, the state board shall deliver to the Governor its written appraisal of the strengths and weaknesses of the candidate or candidates
- The Governor shall consider the appraisal of the state board prior to posting the nomination of a candidate.

Maryland

MD. CODE ANN., EDUC. § 2-302

The State Superintendent shall

- Be an experienced and competent educator
- Be a graduate of an accredited college or university
- Have at least two years of special academic and professional graduate preparation in an accredited college or university
- Have at least seven years of experience in teaching and administration.

Massachusetts

MASS. GEN. LAWS ANN. ch. 15, § 1F

The board of education shall by a two-thirds vote of all its members appoint a commissioner of education, in this chapter called the commissioner, and may in its discretion by majority vote of all its members remove him.

Michigan

MICH. CONST. art. VIII, § 3

The state board of education shall appoint a superintendent of public instruction whose term of office shall be determined by the board.

MICH. COMP. LAWS § 16.405

The principal executive officer of the department of education is the superintendent of public instruction. The state board of education shall appoint the superintendent of public instruction whose term of office shall be determined by the board.

Minnesota

MINN. STAT. § 119A.03

The department is under the administrative control of the commissioner. The commissioner is appointed by the governor with the advice and consent of the senate. The commissioner must possess broad knowledge and experience in strengthening children and families.

Mississippi

MISS. CODE ANN. § 37-3-9

The State Superintendent of Public Education shall have at least a master's degree in any field and a minimum of five years' experience in administration in the educational field.

Missouri

MO. CONST. art. IX, § 2(b)

The board shall select and appoint a commissioner of education as its chief administrative officer, who shall be a citizen and resident of the state, and removable at its discretion.

Montana

MONT. CODE ANN. § 20-3-101

A superintendent of public instruction for the state of Montana shall be elected by the qualified electors of the state at the general election preceding the expiration of the term of office of the incumbent.

Any person shall be qualified to assume the office of superintendent of public instruction who:

- Is 25 years of age or older at the time of his election
- Has resided within the state for the two years next preceding his election
- Holds at least a bachelor's degree from any unit of the Montana university system or from an institution recognized as equivalent by the board of public education for teacher certification purposes
- Otherwise possesses the qualifications for such office which are required by The Constitution of the State of Montana.

MONT. CONST. art. IV § 4

Any qualified elector is eligible to any public office except as otherwise provided in this constitution. The legislature may provide additional qualifications but no person convicted of a felony shall be eligible to hold office until his final discharge from state supervision.

MONT. CONST. art. IV § 2

Any citizen of the United States 18 years of age or older who meets the registration and residence requirements provided by law is a qualified elector unless he is serving a sentence for a felony in a penal institution or is of unsound mind, as determined by a court.

MONT. CODE ANN. § 13-1-111)

No person may be entitled to vote at elections unless he has the following qualifications:

- He must be registered as required by law
- He must be 18 years of age or older
- He must be a resident of the state of Montana and of the county in which he offers to vote for at least 30 days
- He must be a citizen of the United States.

Nebraska

NEB. REV. STAT. § 79-304

The Commissioner of Education shall:

- Be a person of superior educational attainments
- Have had many years of experience
- Have demonstrated personal and professional leadership in the administration of public education
- Be eligible to qualify for the highest grade of school administrator certificate currently issued in the state.

Nevada

NEV. REV. STAT. ANN. § 385.160

To be eligible to the office of superintendent of public instruction, a person shall:

- Have attained the age of 21 years at the time of his appointment
- Hold a master's degree in the field of education or school administration.

New Hampshire

RSA 21-N:3

The governor, after consultation with the board of education, shall appoint the commissioner and the deputy commissioner of the department of education with the consent of council. Each shall serve for a term of four years. The commissioner and the deputy commissioner may succeed himself or herself, if reappointed. The commissioner and deputy commissioner shall be qualified to hold their positions by reason of education and experience.

New Jersey

N.J. STAT. § 18A:4-21

The Commissioner of Education shall be appointed by the Governor, without regard to residence within or without the State, with the advice and consent of the Senate, and shall serve at the pleasure of the Governor during the Governor's term of office and until his successor is appointed and qualified.

New Mexico

N.M. CONST. art. XII, § 6

The department shall be a cabinet department headed by a secretary of public education who is a qualified, experienced educator who shall be appointed by the governor and confirmed by the senate.

New York

N.Y. EDUC. LAW § 302

The commissioner of education shall be elected by a majority vote of the regents. Residence without the state of New York shall not disqualify him from election.

North Carolina

N.C. CONST. art. VI, § 6

Every qualified voter in North Carolina who is 21 years of age, except as in this Constitution disqualified, shall be eligible for election by the people to office.

N.C. CONST. art. VI, § 2

Any person who has resided in the State of North Carolina for one year and in the precinct, ward or other election district for 30 days next preceding an election, and possesses the other qualifications set out in this Article, shall be entitled to vote at any election held in the state.

North Dakota

N.D. CENT. CODE § 15.1-02-01

The superintendent must be at least 25 years of age on the day of the election, have the qualifications of an elector for that office, and hold a valid North Dakota professional teaching license on the day of the election and at all times during the superintendent's term of office.

N.D. CONST. art II, § 1

Every citizen of the United States, who has attained the age of eighteen years and who is a North Dakota resident, shall be a qualified elector.

Ohio

OHIO REV. CODE ANN. 3301.08

The superintendent of public instruction, while holding such office, shall not hold any other office or position of employment, or be an officer or employee of any public or private school, or a public or private college, university or other institution of higher education. No one who is interested financially in any book publishing or book selling company, firm or corporation, shall be eligible to appointment as superintendent of public instruction.

Oklahoma

OKLA. CONST. art. VI, § 3

No person shall be eligible to the office of Governor, Lieutenant Governor, Secretary of State, State Auditor and Inspector, Attorney General, State Treasurer or Superintendent of Public Instruction except a citizen of the United States of the age of not less than 31 years and who shall have been 10 years next preceding his or her election, or appointment, a qualified elector of this state.

OKLA. CONST. art. III, § 1

Subject to such exceptions as the Legislature may prescribe, all citizens of the United States, over the age of 18 years, who are bona fide residents of this state, are qualified electors of this state.

Oregon

All Candidates must be U.S. citizens and electors; resident of Oregon. (2006 State Candidate's Manual: Nonpartisan, <http://www.sos.state.or.us/elections/publications/np.pdf>)

ORE. CONST. art. II, § 2

Every citizen of the United States is entitled to vote in all elections not otherwise provided for by this Constitution if such citizen:

- Is 18 years of age or older
- Has resided in this state during the six months immediately preceding the election, except that provision may be made by law to permit a person who has resided in this state less than 30 days immediately preceding the election, but who is otherwise qualified under this subsection, to vote in the election for candidates for nomination or election for President or Vice President of the United States or elector of President and Vice President of the United States
- Is registered not less than 20 calendar days immediately preceding any election in the manner provided by law.

Pennsylvania

PA. CONST. art. 4, § 8

The Governor shall appoint a Secretary of Education and such other officers as he shall be authorized by law to appoint. The appointment of the Secretary of Education and of such other officers as may be specified by law, shall be subject to the consent of two-thirds or a majority of the members elected to the Senate as is specified by law.

Rhode Island

R.I. GEN. LAWS § 16-60-6

The regents shall appoint a commissioner of elementary and secondary education who shall serve at the pleasure of the regents, provided that the commissioner's initial engagement by the regents shall be for a period of not more than three years.

South Carolina

S.C. CONST. art. XVII, § 1A

Every qualified elector is eligible to any office to be voted for, unless disqualified by age, as prescribed in this Constitution.

S.C. CONST. art. II, § 4

Every citizen of the United States and of this State of the age of 18 and upwards who is properly registered is entitled to vote as provided by law.

South Dakota

S.D. CODIFIED LAWS § 1-45-3

The secretary of the department of education shall be qualified by training and experience to administer the programs of the department of education and shall have such other qualifications as may be specified by statute.

Tennessee

TENN. CODE ANN. § 4-3-802

The commissioner shall be a person of literary and scientific attainments and of skill and experience in school administration. The commissioner shall also be qualified to teach in the school of the highest standing over which the commissioner has authority.

Texas

TEX. EDUC. CODE § 7.054

The commissioner must be a citizen of the United States.

Utah

UTAH CODE ANN. § 53A-1-301

The board shall appoint the state superintendent on the basis of outstanding professional qualifications.

Vermont

16 VT. STAT. ANN. § 211

Subject to the approval of the governor, the state board shall employ a competent executive officer who shall have had special training and experience in educational work.

Virginia

VA. CODE ANN. § 22.1-21

The Superintendent of Public Instruction shall be an experienced educator.

Washington

WASH. CONST. art. III, § 25

No person, except a citizen of the United States and a qualified elector of this state, shall be eligible to hold any state office.

WASH. CONST. art. VI, § 1

All persons of the age of 18 years or over who are citizens of the United States and who have lived in the state, county and precinct 30 days immediately preceding the election at which they offer to vote, except those disqualified by Article VI, section 3 of this Constitution, shall be entitled to vote at all elections.

West Virginia

W. VA. CODE § 18-3-1

He or she shall be a person of good moral character, of recognized ability as a school administrator, holding at least a master's degree in educational administration, and shall have had not less than five years of experience in public school work.

Wisconsin

Candidates must be a qualified elector of the state at the time of taking office. (Wisconsin State Elections Board, Nonpartisan Offices, <http://elections.state.wi.us/subcategory.asp?linksubcatid=415&linkcatid=526&linkid=295&locid=47>)

Wis. CONST. art. III, § 1

Every United States citizen age 18 or older who is a resident of an election district in this state is a qualified elector of that district.

Wyoming

WYO. CONST. art. 4, § 11

There shall be chosen by the qualified electors of the state at the times and places of choosing members of the legislature, a secretary of state, auditor, treasurer and superintendent of public instruction, who shall have attained the age of 25 years respectively, shall be citizens of the United States, and shall have the qualifications of state electors.

WYO. STAT. § 22-1-102

"Qualified elector" includes every citizen of the United States who is a bona fide resident of Wyoming, has registered to vote and will be at least 18 years of age on the day of the election at which he may offer to vote. No person is a qualified elector who is a currently adjudicated mentally incompetent person, or who has been convicted of a felony and his civil or voting rights have not been restored.

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