

5123:2-5-03

Superintendent certification standards.**(A) Purpose**

The purpose of this rule is to establish minimum qualifications through certification standards for superintendents of county boards of developmental disabilities. These standards apply to persons who are employed or under contract in the position of superintendent of a county board of developmental disabilities.

(B) Definitions

- (1) "Accredited college or university" means a college or university accredited by a national or regional association in the United States or a foreign college or university of comparable standing.
- (2) "Advanced curriculum for administrators in Ohio's developmental disabilities service delivery system" means department-approved instruction of at least one hundred hours that shall address, but is not limited to, the following topics:
 - (a) Budgeting/finance for governmental entities;
 - (b) Communication and public relations;
 - (c) Ethical conduct;
 - (d) Information technology management;
 - (e) Intergovernmental relations;
 - (f) Legal environment of public administration;
 - (g) Medicaid home and community-based services waivers;
 - (h) Public sector human resources management;
 - (i) Quality assurance;
 - (j) Self-advocacy; and
 - (k) Strategic planning, management, and implementation.
- (3) "Continuing professional education" means department-approved training required for renewal of superintendent certification.
- (4) "County board" means a county board of developmental disabilities.
- (5) "Department" means the Ohio department of developmental disabilities.

(6) "Director" means the director of the department or his or her designee.

(C) Description

(1) Initial certification

(a) There are two alternatives for obtaining initial superintendent certification:

(i) Alternative one

(a) The department shall issue initial superintendent certification for a term of three years to an applicant who meets the following requirements:

(i) The applicant shall have an offer of employment in the position of superintendent, as evidenced by a resolution adopted by the employing county board;

(ii) The applicant shall hold a master's degree, a doctorate degree, or a juris doctorate degree from an accredited college or university; and

(iii) The applicant shall have completed five years of full-time (or equivalent part-time), supervised, paid work experience in administration, supervision, instruction, or habilitation of individuals with developmental disabilities, including three years in a management or supervisory capacity.

(b) During the effective dates of the initial superintendent certification, the applicant shall successfully complete an advanced curriculum for administrators in Ohio's developmental disabilities service delivery system.

(ii) Alternative two

(a) The department shall issue initial superintendent certification for a term of five years to an applicant who meets the following requirements:

(i) The applicant shall hold a master's degree, a doctorate degree, or a juris doctorate degree from an accredited college or university;

(ii) The applicant shall have completed five years of

full-time (or equivalent part-time), supervised, paid work experience in administration, supervision, instruction, or habilitation of individuals with developmental disabilities, including three years in a management or supervisory capacity; and

(iii) The applicant shall have successfully completed an advanced curriculum for administrators in Ohio's developmental disabilities service delivery system.

(b) During the effective dates of the initial superintendent certification, the applicant shall successfully complete one hundred twenty hours of continuing professional education.

(b) When requested by a resolution adopted by a county board and with accompanying rationale, the director may waive the requirement set forth in paragraph (C)(1)(a)(i)(a)(iii) of this rule. The director's decision to grant or deny a request is final and may not be appealed.

(c) When requested in writing by an applicant and with accompanying rationale, the director may waive the requirement for the applicant to complete one or more topics of the advanced curriculum for administrators in Ohio's developmental disabilities service delivery system set forth in paragraph (B)(2) of this rule. The director's decision to grant or deny a request is final and may not be appealed. The director's decision to grant a request does not relieve the applicant of the requirement to complete an advanced curriculum for administrators in Ohio's developmental disabilities service delivery system of at least one hundred hours of instruction.

(2) First renewal of certification

(a) The department shall renew the superintendent certification of an applicant who received initial superintendent certification in accordance with paragraph (C)(1)(a)(i) of this rule for a term of five years provided the applicant successfully completed an advanced curriculum for administrators in Ohio's developmental disabilities service delivery system during the effective dates of his or her initial superintendent certification.

(b) The department shall renew the superintendent certification of an applicant who received initial superintendent certification in accordance with paragraph (C)(1)(a)(ii) of this rule for a term of five years provided the applicant successfully completed one hundred twenty hours of continuing professional education during the effective dates of his or her initial superintendent certification.

(3) Subsequent renewal of certification

The department shall subsequently renew an applicant's superintendent certification for a term of five years provided the applicant successfully completed one hundred twenty hours of continuing professional education during the effective dates of the superintendent certification being renewed.

(D) Professional development plan

Each superintendent of a county board shall have a professional development plan which sets forth timelines for completing an advanced curriculum for administrators in Ohio's developmental disabilities service delivery system and/or continuing professional education, as applicable. The professional development plan shall require that continuing professional education be completed across the span of the superintendent's certification. The employing county board shall approve the superintendent's initial professional development plan within ninety days of the superintendent's hire. Thereafter, the employing county board shall review, update, and approve the superintendent's professional development plan at least once per year.

(E) Temporary grade, provisional grade, and professional grade superintendent certifications issued prior to the effective date of this rule

(1) Temporary grade, provisional grade, and professional grade superintendent certifications issued prior to the effective date of this rule shall remain in effect until their assigned expiration dates. No additional temporary grade, provisional grade, or professional grade superintendent certifications shall be issued subsequent to the effective date of this rule.

(2) Temporary grade, provisional grade, and professional grade assistant superintendent certifications issued prior to the effective date of this rule shall remain in effect until their assigned expiration dates. No additional assistant superintendent certifications shall be issued subsequent to the effective date of this rule.

(3) An applicant who held, upon the effective date of this rule, valid temporary grade option one superintendent certification obtained in accordance with paragraph (D)(1)(a) of rule 5123:2-5-03 of the Administrative Code as it existed prior to the effective date of this rule and who submits an application to the department prior to expiration of the temporary grade option one superintendent certification, shall be afforded no less than three years from the expiration date of the temporary grade option one superintendent certification to either complete the requirements for provisional grade option one superintendent certification in accordance with paragraph (D)(1)(b) of rule 5123:2-5-03 of the Administrative Code as it existed prior to the effective date of this rule or complete an advanced curriculum for

administrators in Ohio's developmental disabilities service delivery system.

- (4) An applicant who held, upon the effective date of this rule, valid provisional grade superintendent certification issued prior to the effective date of this rule and who submits an application to the department prior to expiration of the provisional grade superintendent certification, may receive renewal superintendent certification provided the applicant has successfully completed one hundred twenty hours of continuing professional education subsequent to the effective date of the provisional grade superintendent certification.
- (5) An applicant who held, upon the effective date of this rule, valid professional grade superintendent certification issued prior to the effective date of this rule and who submits an application to the department prior to expiration of the professional grade superintendent certification, may receive renewal superintendent certification provided the applicant has successfully completed two hundred forty hours of continuing professional education subsequent to the effective date of the professional grade superintendent certification.
- (6) Renewal of superintendent certification issued subsequent to the effective date of this rule shall be for a term of no more than five years.

(F) Renewal of expired superintendent certification

- (1) An applicant who held provisional grade superintendent certification issued prior to the effective date of this rule that has expired for less than one year may receive renewal superintendent certification provided he or she has successfully completed one hundred twenty hours of continuing professional education subsequent to the effective date of the provisional grade superintendent certification.
- (2) An applicant who held professional grade superintendent certification issued prior to the effective date of this rule that has expired for less than one year may receive renewal superintendent certification provided he or she has successfully completed two hundred forty hours of continuing professional education subsequent to the effective date of the professional grade superintendent certification.
- (3) An applicant who held superintendent certification issued subsequent to the effective date of this rule in accordance with paragraph (C)(1)(a)(ii)(a) of this rule that has expired for less than one year may receive renewal superintendent certification provided he or she has successfully completed one hundred twenty hours of continuing professional education subsequent to the effective date of the superintendent certification.
- (4) An applicant who held superintendent certification that has been expired for one

year or more shall be required to meet the standards for initial superintendent certification in accordance with paragraph (C)(1)(a) of this rule.

(G) Administrative review

An applicant for superintendent certification whose application is disapproved based upon the applicant's failure to meet the requirements of this rule, may request in writing, within thirty days of the rejection, an administrative review by the director.

(H) Denial, suspension, or revocation

(1) The director shall deny, suspend, or revoke superintendent certification or assistant superintendent certification if he or she finds, pursuant to an adjudication conducted in accordance with Chapter 119. of the Revised Code, that the applicant for or holder of superintendent certification or assistant superintendent certification has engaged in an immoral act, incompetence, negligence, or conduct that is unbecoming to the applicant's or holder's position.

(2) Except as provided in paragraph (H)(3) of this rule, the director shall deny or revoke a certification if he or she finds, pursuant to an adjudication conducted in accordance with Chapter 119. of the Revised Code, that the applicant for or holder of superintendent certification or assistant superintendent certification:

(a) Has been convicted of or pleaded guilty to any of the disqualifying offenses listed or described in paragraph (E)(1)(a) of rule 5123:2-2-02 of the Administrative Code;

(b) Has been convicted of or pleaded guilty to any of the disqualifying offenses listed or described in paragraph (E)(1)(b) of rule 5123:2-2-02 of the Administrative Code if a period of ten years has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole;

(c) Has been convicted of or pleaded guilty to any of the disqualifying offenses listed or described in paragraph (E)(1)(c) of rule 5123:2-2-02 of the Administrative Code if a period of seven years has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole;

(d) Has been convicted of or pleaded guilty to any of the disqualifying offenses listed or described in paragraph (E)(1)(d) of rule 5123:2-2-02 of the Administrative Code if a period of five years has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole;

- (e) Has been convicted of or pleaded guilty to multiple disqualifying offenses if the applicable period of time in accordance with paragraph (E)(2) of rule 5123:2-2-02 of the Administrative Code has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole; or
- (f) Has been included in one or more of the databases listed in paragraphs (C)(2)(a) to (C)(2)(e) of rule 5123:2-2-02 of the Administrative Code.
- (3) A conviction of or a plea of guilty to an offense listed or described in paragraphs (E)(1)(a) to (E)(1)(d) of rule 5123:2-2-02 of the Administrative Code shall not constitute grounds for the denial or revocation of superintendent certification or assistant superintendent certification if the requirements contained in paragraph (F) of rule 5123:2-2-02 of the Administrative Code are met.
- (4) Applicants for or holders of superintendent certification or assistant superintendent certification shall disclose a conviction that has been sealed.

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CERTIFIED ELECTRONICALLY

Certification

06/24/2013

Date

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