county recorder of a release or assignment of a mortgage in his chattel mortgage minute book, the ten cent (10c) fee to be applied to each and every mortgage in said instrument released or assigned.

PUBLIC INSTRUCTION, DEPARTMENT OF: Administrative licenses, whether State Board of Education may require Master's degree for.

March 21, 1939.

Hon. Grover Van Duyn,
Assistant Superintendent of Public Instruction,
Department of Education,
Indianapolis, Indiana.

Dear Sir:

I have your request for an opinion upon the following question:

"Is the State Board of Education given the authority to require a Master's degree for an administrative license?"

The answer to the foregoing question depends upon the interpretation to be given Acts 1923, ch. 11, p. 36; Secs. 28-4201 to 29-4217, incl., Burns Indiana Statutes, 1933. In Sec. 28-4209, 1a, 2a, 3a and 4a, Superintendent's, Supervisor's, High School principal's and Elementary School principal's licenses (hereinafter referred to as administrative licenses) first grade, are authorized. It is provided that each such license "may be issued to persons who are graduates of a standard or approved university, college or normal school (four-year course), and who have completed in addition one year of graduate work." Such graduate work shall specialize in (1a) administration and supervision, (2a) school supervision, (3a) high school or in elementary and high school administration and supervision, or (4a) in elementary school, or elementary and high school, administration and supervision, according to the kind of license sought.

Section 28-4211, Burns, etc., provides that the State Board of Education may, at its discretion and on proper notice, cease to issue any license of a grade lower than the first grade provided for in the Act. Pursuant to proper action under this
section, no person may be permitted to receive an administrative license who has not graduated from a standard or approved university, college or normal school (four-year course), and who has not completed, in addition, one year of graduate work specializing in the subjects designated in the statute.

Sec. 28-4205, Burns, etc., 1933, authorizes the board to "arrange for a regular system of professional instruction throughout the state, to accredit such schools and professional departments of schools for the training of teachers as comply with the rules and regulations of the board and to inspect the same, to recommend and approve courses of study for the particular kinds of teachers in such accredited schools and accredited departments of schools, and to specify the kinds and grades of licenses that will be granted to graduates of given approved courses." (My italics.)

The right to prescribe the course of study for persons seeking licenses, coupled with the provision that an administrative license may be issued to university, college or normal school graduates who have completed a year of graduate study in matters pertaining to the license sought, would certainly afford sufficient authority for the designation, by the board, of the particular courses to be taken during the year of graduate work. The board would thus have the authority to schedule a year's graduate work, the successful completion of which earns a Master's degree, as a requirement for such administrative license. Or, in lieu of prescribing every subject which shall constitute a part of the course during the required year of graduate study, the board may adopt certain courses of graduate study, specializing in appropriate administrative training, prescribed by universities, colleges or normal schools and culminating in a Master's degree. The board may treat the obtaining of the Master's degree in the prescribed course as proof that the applicant has successfully completed the required year's graduate work in the course, prescribed by the school for such degree, and adopted by the board as the required year's graduate work entitling the holder, otherwise qualified, to an administrative license.

In view of the foregoing, the question contained in your letter is answered in the affirmative.