

DEPARTMENT OF EDUCATION
PROFESSIONAL STANDARDS BOARDS
1500 Professional Standards Board

1506 Emergency Certificate

1.0 Content

- 1.1 This regulation shall apply to the issuance, extension, and retention of an Emergency Certificate, pursuant to 14 **Del.C.** §1221(1).
- 1.2 This regulation does not apply to a certificate of eligibility, which is a credential that may be issued to a teacher of students with disabilities if the employing district or charter school establishes that the applicant meets the requirements of 14 **Del.C.** §1221(2). A certificate of eligibility, not an Emergency Certificate, may be issued to applicants who are pursuing the following Standard Certificates:
 - 1.2.1 14 **DE Admin. Code** 1570 Early Childhood Exceptional Children Special Education Teacher;
 - 1.2.2 14 **DE Admin. Code** 1571 Special Education Teacher of Students with Disabilities;
 - 1.2.3 14 **DE Admin. Code** 1573 Teacher of Students with Autism or with Severe Intellectual Disabilities;
 - 1.2.4 14 **DE Admin. Code** 1574 Teacher of Students Who Are Deaf or Hard of Hearing; and
 - 1.2.5 14 **DE Admin. Code** 1575 Teacher of Students with Visual Impairments.

7 DE Reg. 161 (08/01/03)

26 DE Reg. 1065 (06/01/23)

2.0 Definitions

The following words and terms, when used in this regulation, shall have the following meaning:

"Content Area" means any subject or area that is not a category certificate. For the purpose of this regulation, Content Area does not include administrators or specialists.

"Department" means the Delaware Department of Education.

"Emergency Certificate" means a temporary credential issued by the Department to an applicant who is not fully certified in a specific area to serve as the educator of record in that area while the applicant pursues a Standard Certificate. An Emergency Certificate is not intended to qualify for certification as an educator in other states through reciprocity.

"Employing Authority" means any entity which employs educators and includes school districts, charter schools, boards of directors, and management companies.

"Immorality" means conduct which is inconsistent with the rules and principles of morality expected of an educator and may reasonably be found to impair an educator's effectiveness by reason of his or her unfitness or otherwise.

"Regionally Accredited" means educational accreditation by a regional accrediting agency that is recognized by the U.S. Secretary of Education as a reliable authority concerning the quality of education offered by the institutions of higher education it accredits, including Middle States Commission on Higher Education.

"Related Services" means supportive services as are required to assist a child with a disability to benefit from special education as provided in 34 C.F.R. §300.34(a) and includes counseling, school health, school nurse, psychological, and social work services.

"Specific Career Area" means a specific career area approved by the Department as a Career Technical Education Program as defined in the Skilled and Technical Sciences Certification Inventory or included in the Department's Skilled and Technical Sciences Standards. The Skilled and Technical Sciences Teacher Standard Certificate (14 **DE Admin. Code** 1559) is issued to applicants for Specific Career Areas.

"Standard Certificate" means a credential issued to certify that an educator has the prescribed education, knowledge, or skill to practice in a particular area, teach a particular subject, or teach a category of students.

7 DE Reg. 161 (08/01/03)

9 DE Reg. 555 (10/01/05)

12 DE Reg. 1412 (05/01/09)

15 DE Reg. 1150 (02/01/12)

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20 DE Reg. 174 (09/01/16)

26 DE Reg. 1065 (06/01/23)

3.0 Issuance of an Emergency Certificate

- 3.1 In accordance with 14 **Del.C.** §1221(1), the Department may issue an Emergency Certificate to an applicant who satisfies all of the requirements in subsections 3.1.1 through 3.1.5.
- 3.1.1 The applicant shall meet the requirements for issuance of a Delaware Initial License or holds a valid and current Delaware Initial, Continuing, or Advanced License.
- 3.1.2 The applicant does not meet the requirements for issuance of the Standard Certificate sought.
- 3.1.3 The applicant shall be employed as the educator of record for the Standard Certificate sought in a PK-12 position in a Delaware traditional, vocational-technical, or charter school.
- 3.1.4 The applicant's Employing Authority will support and assist the applicant in completing the requirements for the Standard Certificate sought.
- 3.1.5 The applicant shall meet the requirements for the issuance of the applicable Emergency Certificate set forth in Sections 4.0, 5.0, 6.0, 7.0, or 8.0.
- 3.2 Notwithstanding any provision to the contrary herein, the Department shall not act on an application for an Emergency Certificate if the applicant is under official investigation by any national, state, or local authority with the power to issue educator licenses or certifications. The Department shall not act where the allegations include but are not limited to conduct such as Immorality, misconduct in office, incompetence, willful neglect of duty, disloyalty, or falsification of credentials until the applicant provides evidence of the investigation's resolution.

7 DE Reg. 161 (08/01/03)

9 DE Reg. 544 (10/01/05)

12 DE Reg. 1412 (05/01/09)

15 DE Reg. 1150 (02/01/12)

20 DE Reg. 174 (09/01/16)

26 DE Reg. 1065 (06/01/23)

4.0 Emergency Certificate for Individuals Who Completed Long-Term Substitute Teaching

- 4.1 The Department may issue an Emergency Certificate to an applicant who meets the requirements in Section 3.0 and in subsections 4.1.1 and 4.1.2.
- 4.1.1 The applicant shall have completed a minimum of 91 days of successful long-term substitute teaching in a Delaware traditional, vocational-technical, or charter school as part of a planned hiring process that leads to a full-time position as provided in subsection 4.1.3.1 of 14 **DE Admin. Code** 1510.
- 4.1.2 The applicant shall have achieved the minimum score or higher on the examination of content knowledge for the Content Area Standard Certificate sought.
- 4.2 The Department may extend an Emergency Certificate that was issued to an educator pursuant to subsection 4.1 up to 2 times if the educator meets the requirements in subsections 4.2.1 through 4.2.5.
- 4.2.1 The educator shall hold a valid and current Delaware Initial, Continuing, or Advanced License.
- 4.2.2 The educator has not met the requirements for issuance of the Standard Certificate sought but the educator demonstrates that the educator is making progress toward meeting the requirements for the Standard Certificate to be issued by completing coursework.
- 4.2.3 The educator shall be employed as the educator of record for the Standard Certificate sought in a PK-12 position in a Delaware traditional, vocational-technical, or charter school.
- 4.2.4 The educator's Employing Authority recommends the extension.
- 4.2.5 The educator's Employing Authority will continue to support and assist the educator in completing the requirements for the Standard Certificate sought.
- 4.3 Application Requirements
- 4.3.1 If the applicant is applying for the issuance or renewal of an educator's license, the applicant must disclose the applicant's criminal conviction history upon application. Failure to disclose a criminal conviction history is grounds for denial of the license application as specified in 14 **Del.C.** §1219 and could delay the processing or result in the denial of the application for an Emergency Certificate.

4.3.2 For applicants who seek issuance of an Emergency Certificate under subsection 4.1, the following documentation is required with the application:

- 4.3.2.1 Documentation that the applicant meets the requirements for issuance of a Delaware Initial License or holds a valid and current Delaware Initial, Continuing, or Advanced License;
- 4.3.2.2 Documentation that the applicant is employed as the educator of record for the Standard Certificate sought in a PK-12 position in a Delaware traditional, vocational-technical, or charter school;
- 4.3.2.3 Documentation that the applicant's Employing Authority will support and assist the applicant in completing the requirements for the Standard Certificate sought;
- 4.3.2.4 Documentation that the applicant completed a minimum of 91 days of successful long-term substitute teaching in a Delaware traditional, vocational-technical, or charter school as part of a planned hiring process that leads to a full-time position as provided in subsection 4.1.3.1 of 14 **DE Admin. Code** 1510; and
- 4.3.2.5 Official score on the examination of content knowledge for the Content Area Standard Certificate sought.

4.3.3 For applicants who seek extension of an Emergency Certificate under subsection 4.2, the following documentation is required with the application:

- 4.3.3.1 Documentation the educator holds a valid and current Delaware Initial, Continuing, or Advanced License;
- 4.3.3.2 Official transcript from the applicant's Regionally Accredited college or university or, if applicable, documents verifying successful completion of Department-approved professional development;
- 4.3.3.3 Documentation that the applicant is employed as the educator of record for the Standard Certificate sought in a PK-12 position in a Delaware traditional, vocational-technical, or charter school;
- 4.3.3.4 A request from the educator's Employing Authority to extend the educator's Emergency Certificate; and
- 4.3.3.5 Documentation that the applicant's Employing Authority will continue to support and assist the applicant in completing the requirements for the Standard Certificate sought.

4.4 In order to retain the Emergency Certificate, the educator shall hold an Initial, Continuing, or Advanced License and continue to be employed as the educator of record for the Standard Certificate sought in a PK-12 position in a Delaware traditional, vocational-technical, or charter school. If the educator fails to meet either of the requirements related to retaining the Emergency Certificate, the educator and the educator's Employing Authority shall immediately notify the Department in writing. The requirements set forth in this subsection apply to all educators regardless of the date the Emergency Certificate was issued.

4.5 If, during the school year, an educator is hired by a different Delaware traditional, vocational-technical, or charter school, the educator may retain the Emergency Certificate if the educator provides documentation to the Department that the educator is employed at the new Employing Authority as the educator of record for the Standard Certificate sought and the new Employing Authority provides documentation to the Department that it will support and assist the educator in completing the requirements for the Standard Certificate sought on time. If the educator becomes employed as the educator of record in an area that is different from the Standard Certificate sought, an application for an Emergency Certificate in the new area must be submitted.

26 DE Reg. 1065 (06/01/23)

5.0 Emergency Certificate for Alternative Routes to Teacher Licensure and Certification (ARTC) Participants

5.1 The Department may issue an Emergency Certificate to an applicant who meets the requirements in Section 3.0 and is enrolled in a Department-approved Alternative Routes for Teacher Licensure and Certification (ARTC) program in the area for which the Standard Certificate is sought.

5.2 The Department may extend an Emergency Certificate that was issued pursuant to subsection 5.1 up to 2 times if the educator meets the requirements in subsections 5.2.1 through 5.2.5.

5.2.1 The educator shall hold a valid and current Delaware Initial, Continuing, or Advanced License.

5.2.2 The educator has not met the requirements for issuance of the Standard Certificate sought but shall be making satisfactory progress towards the completion of all program requirements as provided in 14 **Del.C.** §1262(b)(1).

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- 5.2.3 The educator's Employing Authority and program recommend an extension based on the educator's performance in the assignment and progress in the program.
- 5.2.4 The educator shall be employed as the educator of record for the Standard Certificate sought in a PK-12 position in a Delaware traditional, vocational-technical, or charter school.
- 5.2.5 The educator's Employing Authority will continue to support and assist the educator in completing the requirements for the Standard Certificate sought.
- 5.3 The Department may extend an Emergency Certificate that was issued pursuant to subsection 5.1 and extended pursuant to subsection 5.2 1 additional time if the educator meets the requirements in subsections 5.3.1 through 5.3.5.
 - 5.3.1 The educator shall hold a valid and current Delaware Initial, Continuing, or Advanced License.
 - 5.3.2 The educator has not met the requirements for issuance of the Standard Certificate sought and there shall be exigent circumstances as provided in 14 **Del.C.** §1262(d). For the purpose of 14 **Del.C.** §1262(d), exigent circumstances are defined in 14 **DE Admin. Code** 290 and are unanticipated circumstances or circumstances beyond the educator's control, including serious illness of the educator or a member of the educator's immediate family, activation to active military duty, and other serious emergencies which necessitate that the educator temporarily leaves active service.
 - 5.3.3 The educator's Employing Authority and program recommend an extension based on the educator's performance in the assignment and progress in the program.
 - 5.3.4 The educator shall be employed as the educator of record for the Standard Certificate sought in a PK-12 position in a Delaware traditional, vocational-technical, or charter school.
 - 5.3.5 The educator's Employing Authority will continue to support and assist the educator in completing the requirements for the Standard Certificate sought.
- 5.4 Application Requirements
 - 5.4.1 If the applicant is applying for the issuance or renewal of an educator's license, the applicant must disclose the applicant's criminal conviction history upon application. Failure to disclose a criminal conviction history is grounds for denial of the license application as specified in 14 **Del.C.** §1219 and could delay the processing or result in the denial of the application for an Emergency Certificate.
 - 5.4.2 For applicants who seek an Emergency Certificate under subsection 5.1, the following documentation is required with the application:
 - 5.4.2.1 Documentation that the applicant meets the requirements for issuance of a Delaware Initial License or holds a valid and current Delaware Initial, Continuing, or Advanced License;
 - 5.4.2.2 Documentation that the applicant is employed as the educator of record for the Standard Certificate sought in a PK-12 position in a Delaware traditional, vocational-technical, or charter school;
 - 5.4.2.3 Documentation that the applicant's Employing Authority will support and assist the applicant in completing the requirements for the Standard Certificate sought; and
 - 5.4.2.4 A copy of the welcome letter from the applicant's ARTC program, documenting enrollment in the program in the area for which the Standard Certificate is sought.
 - 5.4.3 For applicants who seek extension of an Emergency Certificate under subsection 5.2, the following documentation is required with the application:
 - 5.4.3.1 Documentation that the educator holds a valid and current Delaware Initial, Continuing, or Advanced License;
 - 5.4.3.2 A request from the applicant's Employing Authority, documenting that it recommends an extension based on the educator's performance in the assignment and progress in the program and that it will continue to support and assist the educator in completing the requirements for the Standard Certificate sought;
 - 5.4.3.3 A letter from the educator's ARTC program, documenting that it recommends an extension based on the educator's performance in the assignment and progress in the program; and
 - 5.4.3.4 Documentation that the educator is employed as the educator of record for the Standard Certificate sought in a PK-12 position in a Delaware traditional, vocational-technical, or charter school.
 - 5.4.4 For applicants who seek an extension of an Emergency Certificate under subsection 5.3, the following documentation is required is with the application:

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- 5.4.4.1 Documentation that the educator holds a valid and current Delaware Initial, Continuing, or Advanced License;
 - 5.4.4.2 Documentation of exigent circumstances;
 - 5.4.4.3 A request from the applicant's Employing Authority, documenting that it recommends an extension based on the educator's performance in the assignment and progress in the program and that it will continue to support and assist the educator in completing the requirements for the Standard Certificate sought;
 - 5.4.4.4 A letter from ARTC program documenting that it recommends an extension based on the educator's performance in the assignment and progress in the program; and
 - 5.4.4.5 Documentation of position and employment in the area for which the Standard Certificate is sought.
- 5.5 In order to retain the Emergency Certificate, the educator shall meet the requirements in subsections 5.5.1 through 5.5.4. If the educator fails to meet any of the requirements related to retaining the Emergency Certificate, the educator and the educator's Employing Authority shall immediately notify the Department in writing. The requirements set forth in this subsection apply to all educators regardless of the date the Emergency Certificate was issued.
- 5.5.1 The educator shall hold an Initial, Continuing, or Advanced License.
 - 5.5.2 The educator shall continue to be employed as the educator of record for the Standard Certificate sought in a PK-12 position in a Delaware traditional, vocational-technical, or charter school.
 - 5.5.3 The educator shall continue to be enrolled and participating in the Department-approved ARTC program.
 - 5.5.4 The educator shall maintain satisfactory progress towards completion of all of the ARTC program's requirements.

26 DE Reg. 1065 (06/01/23)

6.0 Emergency Certificates for Administrators

- 6.1 The Department may issue an Emergency Certificate to an applicant who meets the requirements in Section 3.0 and subsections 6.1.1 through 6.1.4.
- 6.1.1 The applicant seeks, but does not meet the requirements for, 1 of the following Standard Certificates:
 - 6.1.1.1 School Principal and Assistant School Principal Standard Certificate (14 **DE Admin. Code** 1591);
 - 6.1.1.2 Certified Central Office Personnel Standard Certificate (14 **DE Admin. Code** 1592);
 - 6.1.1.3 Superintendent and Assistant Superintendent (14 **DE Admin. Code** 1593); or
 - 6.1.1.4 Special Education Director (14 **DE Admin. Code** 1594).
 - 6.1.2 The applicant shall have completed a minimum of 5 years of experience as an educator with satisfactory annual summative evaluations or the equivalent thereof on a state-approved educator evaluation system under a state credential in any PK-12 public school setting or an equivalent setting as approved by the Department.
 - 6.1.3 The applicant shall be enrolled and participating in the second half of a program that leads to the Standard Certificate sought and shall have completed at least 50% of the program's requirements.
 - 6.1.4 The applicant shall establish that the applicant has training and experience relevant to the Standard Certificate sought.
- 6.2 The Department may extend an Emergency Certificate that was issued to an educator pursuant to subsection 6.1 up to 2 times if the educator meets the requirements in subsections 6.2.1 through 6.2.5.
- 6.2.1 The educator shall hold a valid and current Delaware Initial, Continuing, or Advanced License.
 - 6.2.2 The educator has not met the requirements for issuance of the Standard Certificate sought but the educator demonstrates that the educator shall be making progress toward meeting the requirements for the Standard Certificate to be issued.
 - 6.2.3 The educator shall be employed as the educator of record for the Standard Certificate sought in a PK-12 position in a Delaware traditional, vocational-technical, or charter school.
 - 6.2.4 The educator's Employing Authority recommends the extension.
 - 6.2.5 The educator's Employing Authority will continue to support and assist the educator in completing the requirements for the Standard Certificate sought.
- 6.3 Application Requirements

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- 6.3.1 If the applicant is applying for the issuance or renewal of an educator's license, the applicant must disclose the applicant's criminal conviction history upon application. Failure to disclose a criminal conviction history is grounds for denial of the license application as specified in 14 Del.C. §1219 and could delay the processing or result in the denial of the application for an Emergency Certificate.
- 6.3.2 For applicants who seek issuance of an Emergency Certificate under subsection 6.1, the following documentation is required with the application:
- 6.3.2.1 Documentation that the applicant meets the requirements for issuance of a Delaware Initial License or holds a valid and current Delaware Initial, Continuing, or Advanced License;
 - 6.3.2.2 Documentation that the applicant is employed as the educator of record for the Standard Certificate sought in a PK-12 position in a Delaware traditional, vocational-technical, or charter school;
 - 6.3.2.3 Documentation that the applicant's Employing Authority will support and assist the applicant in completing the requirements for the Standard Certificate sought;
 - 6.3.2.4 The Department-approved form verifying the applicant's completion of the experience requirement as provided in subsection 6.2;
 - 6.3.2.5 Documentation that the applicant is enrolled and participating in a program that leads to the Standard Certificate sought; and
 - 6.3.2.6 Documentation that the applicant has training and experience relevant to the Standard Certificate sought.
- 6.3.3 For applicants who seek extension of an Emergency Certificate under subsection 6.2, the following documentation is required with the application:
- 6.3.3.1 Documentation that the educator holds a valid and current Delaware Initial, Continuing, or Advanced License;
 - 6.3.3.2 Documentation that the educator is making progress toward meeting the requirements for the Standard Certificate to be issued;
 - 6.3.3.3 Documentation that the educator is employed as the educator of record for the Standard Certificate sought in a PK-12 position in a Delaware traditional, vocational-technical, or charter school; and
 - 6.3.3.4 A request from the educator's Employing Authority, documenting that the Employing Authority recommends the extension and that it will continue to support and assist the educator in completing the requirements for the Standard Certificate sought.
- 6.4 In order to retain the Emergency Certificate, the educator shall meet the requirements in subsections 6.4.1 through 6.4.3. If the educator fails to meet any of the requirements related to retaining the Emergency Certificate, the educator and the educator's Employing Authority shall immediately notify the Department in writing. The requirements set forth in this subsection apply to all educators regardless of the date the Emergency Certificate was issued.
- 6.4.1 The educator shall hold an Initial, Continuing, or Advanced License.
 - 6.4.2 The educator shall continue to be employed as the educator of record for the Standard Certificate sought in a PK-12 position in a Delaware traditional, vocational-technical, or charter school.
 - 6.4.3 If the educator seeks a Standard Certificate that requires the educator to hold a professional State license or registration, the educator shall hold an active, unencumbered license, registration, or privilege to practice through a compact state license in the profession that is issued or recognized by the applicable State agency.

26 DE Reg. 1065 (06/01/23)**7.0 Emergency Certificates for Specialists**

- 7.1 If the applicant is enrolled and participating in a Department-approved Alternative Routes for Teacher Licensure and Certification (ARTC) program in the area for which the Standard Certificate is sought, this section does not apply to the applicant. The applicant must meet the requirements of Section 5.0 of this regulation.
- 7.2 The Department may issue an Emergency Certificate to an applicant who meets the requirements in Section 3.0 and subsections 7.2.1 through 7.2.4.
- 7.2.1 The applicant seeks, but does not meet the requirements for, 1 of the following Standard Certificates:

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- 7.2.1.1 Elementary School Counselor Standard Certificate (14 **DE Admin. Code** 1522);
- 7.2.1.2 Secondary School Counselor Standard Certificate (14 **DE Admin. Code** 1545);
- 7.2.1.3 School Reading Specialist Standard Certificate (14 **DE Admin. Code** 1581);
- 7.2.1.4 School Nurse Standard Certificate (14 **DE Admin. Code** 1582);
- 7.2.1.5 School Psychologist Standard Certificate (14 **DE Admin. Code** 1583); or
- 7.2.1.6 School Social Worker Standard Certificate (14 **DE Admin. Code** 1584).
- 7.2.2 The applicant shall not provide Related Services.
- 7.2.3 The applicant shall meet the requirements for issuance of an Emergency Certificate in the area sought as set forth in subsections 7.2.3.1 through 7.2.3.5.
 - 7.2.3.1 If the applicant is applying for an Elementary School Counselor Emergency Certificate or a Secondary School Counselor Emergency Certificate, the applicant shall meet the requirements in subsections 7.2.3.1.1 through 7.2.3.1.3.
 - 7.2.3.1.1 The applicant shall have completed the education requirement in subsection 4.1.1 of 14 **DE Admin. Code** 1522 Elementary School Counselor or 14 **DE Admin. Code** 1545 Secondary School Counselor, whichever is applicable.
 - 7.2.3.1.2 An applicant who holds a content area Standard Certificate shall have completed the skills requirement in either subsection 4.2.3.1 or subsection 4.2.3.2 of 14 **DE Admin. Code** 1522 Elementary School Counselor or 14 **DE Admin. Code** 1545 Secondary School Counselor, whichever is applicable.
 - 7.2.3.1.3 The applicant shall be supervised by a certified and practicing school counselor who works in the same building.
 - 7.2.3.2 If the applicant is applying for a School Reading Specialist Emergency Certificate, the applicant shall have completed the education requirement in subsection 4.1.1.1 of 14 **DE Admin. Code** 1581 School Reading Specialist.
 - 7.2.3.3 If the applicant is applying for a School Nurse Emergency Certificate, the applicant shall meet the requirements in subsections 7.2.3.3.1 through 7.2.3.3.4.
 - 7.2.3.3.1 The applicant shall be enrolled in a bachelor's or master's of science in nursing program at a Regionally Accredited college or university.
 - 7.2.3.3.2 The applicant shall hold an active, unencumbered license to practice as a registered nurse issued by the Delaware Board of Nursing or an active, unencumbered multi-state compact registered nurse license.
 - 7.2.3.3.3 The applicant shall hold a valid and current certification in cardiopulmonary resuscitation (CPR) and automatic external defibrillator (AED) use.
 - 7.2.3.3.4 The applicant shall be supervised by a certified and practicing school nurse who works in the same building.
 - 7.2.3.4 If the applicant is applying for a School Psychologist Emergency Certificate, the applicant shall meet the requirements in subsections 7.2.3.4.1 through 7.2.3.4.3.
 - 7.2.3.4.1 The applicant shall have completed the education requirement in subsection 4.1.1 of 14 **DE Admin. Code** 1583 School Psychologist.
 - 7.2.3.4.2 The applicant shall have completed the skills requirement in subsection 4.1.3 of 14 **DE Admin. Code** 1583 School Psychologist.
 - 7.2.3.4.3 The applicant shall be supervised by a certified and practicing school psychologist who works in the same building.
 - 7.2.3.5 If the applicant is applying for a School Social Worker Emergency Certificate, the applicant shall meet the requirements in subsections 7.2.3.5.1 through 7.2.3.5.3.
 - 7.2.3.5.1 The applicant shall have completed the education requirement in subsection 4.1.1 of 14 **DE Admin. Code** 1584 School Social Worker.
 - 7.2.3.5.2 The applicant shall hold an active, unencumbered license to practice as a LCSW or LMSW issued by the Delaware Board of Social Work Examiners.
 - 7.2.3.5.3 The applicant shall be supervised by a certified and practicing school social worker who works in the same district or charter school.

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- 7.2.4 If an Emergency Certificate is issued to the applicant, parents of students within the applicant's responsibility shall be notified that the applicant holds an Emergency Certificate.
- 7.3 The Department may extend an Emergency Certificate that was issued to an educator pursuant to subsection 7.2 up to 2 times if the educator meets the requirements in subsections 7.3.1 through 7.3.6.
- 7.3.1 The educator shall hold a valid and current Delaware Initial, Continuing, or Advanced License.
- 7.3.2 The educator has not met the requirements for issuance of the Standard Certificate sought but the educator demonstrates that the educator shall be making progress toward meeting the requirements for the Standard Certificate to be issued.
- 7.3.3 The educator shall be employed as the educator of record for the Standard Certificate sought in a PK-12 position in a Delaware traditional, vocational-technical, or charter school.
- 7.3.4 The educator's Employing Authority recommends the extension.
- 7.3.5 The educator's Employing Authority will continue to support and assist the educator in completing the requirements for the Standard Certificate sought.
- 7.3.6 If the educator seeks a Standard Certificate that requires the educator to hold a professional State license or registration, the educator shall hold an active, unencumbered license, registration, or privilege to practice through a compact state license in the profession that is issued or recognized by the applicable State agency.
- 7.4 Application Requirements
- 7.4.1 If the applicant is applying for the issuance or renewal of an educator's license, the applicant must disclose the applicant's criminal conviction history upon application. Failure to disclose a criminal conviction history is grounds for denial of the license application as specified in 14 **Del.C.** §1219 and could delay the processing or result in the denial of the application for an Emergency Certificate.
- 7.4.2 For applicants who seek issuance of an Emergency Certificate under subsection 7.2, the following documentation is required with the application:
- 7.4.2.1 Documentation that the applicant meets the requirements for issuance of a Delaware Initial License or holds a valid and current Delaware Initial, Continuing, or Advanced License;
- 7.4.2.2 Documentation that the applicant is employed as the educator of record for the Standard Certificate sought in a PK-12 position in a Delaware traditional, vocational-technical, or charter school;
- 7.4.2.3 Documentation that the applicant's Employing Authority will support and assist the applicant in completing the requirements for the Standard Certificate sought;
- 7.4.2.4 Documentation that the applicant will not provide Related Services;
- 7.4.2.5 Documentation that the applicant meets the requirements for issuance of an Emergency Certificate in the area sought as provided in subsection 7.2.3; and
- 7.4.2.6 Documentation that if an Emergency Certificate is issued to the applicant, parents of students within the applicant's responsibility will be notified that the applicant holds an Emergency Certificate.
- 7.4.3 For applicants who seek extension of an Emergency Certificate under subsection 7.3, the following documentation is required with the application:
- 7.4.3.1 Documentation that the educator holds a valid and current Delaware Initial, Continuing, or Advanced License;
- 7.4.3.2 Documentation that the educator is making progress toward meeting the requirements for the Standard Certificate to be issued;
- 7.4.3.3 Documentation that the educator is employed as the educator of record for the Standard Certificate sought in a PK-12 position in a Delaware traditional, vocational-technical, or charter school;
- 7.4.3.4 Documentation that the applicant will not provide Related Services;
- 7.4.3.5 A request from the educator's Employing Authority, documenting that the Employing Authority recommends the extension and that it will continue to support and assist the educator in completing the requirements for the Standard Certificate sought; and
- 7.4.3.6 If applicable, documentation that the educator holds an active, unencumbered license, registration, or privilege to practice through a compact state license in the profession that is issued or recognized by the applicable State agency.

- 7.5 In order to retain the Emergency Certificate, the educator shall meet the requirements in subsections 7.5.1 through 7.5.3. If the educator fails to meet any of the requirements related to retaining the Emergency Certificate, the educator and the educator's Employing Authority shall immediately notify the Department in writing. The requirements set forth in this subsection apply to all educators regardless of the date the Emergency Certificate was issued.
- 7.5.1 The educator shall hold an Initial, Continuing, or Advanced License.
 - 7.5.2 The educator shall continue to be employed as the educator of record for the Standard Certificate sought in a PK-12 position in a Delaware traditional, vocational-technical, or charter school.
 - 7.5.3 If the educator seeks a Standard Certificate that requires the educator to hold a professional State license or registration, the educator shall hold an active, unencumbered license, registration, or privilege to practice through a compact state license in the profession that is issued or recognized by the applicable State agency.

26 DE Reg. 1065 (06/01/23)

8.0 Emergency Certificate for Skilled and Technical Sciences Teachers Who Qualify for Issuance of or Hold an Initial License

- 8.1 The Department may issue an Emergency Certificate to an applicant who meets the requirements in Section 3.0 and subsections 8.1.1 through 8.1.4.
- 8.1.1 Notwithstanding the requirement in subsection 3.1.1, for the purpose of Section 8.0, the applicant shall meet the requirements for issuance of a Delaware Initial License or hold a valid and current Delaware Initial License. Applicants who hold a valid and current Delaware Continuing or Advanced License shall meet the requirements in Section 9.0 of this regulation.
 - 8.1.2 The applicant shall have completed a minimum of 2 years of college or technical training.
 - 8.1.3 In Specific Career Areas where a State license or registration is required by law, the applicant shall hold an active, unencumbered license, registration, or privilege to practice through a compact state license in the Specific Career Area for which the Standard Certificate is sought that is issued or recognized by the applicable State agency.
 - 8.1.4 The applicant shall have completed 1 of the following experience requirements:
 - 8.1.4.1 Six years of work experience in an area related to the Specific Career Area, at least 2 of which shall have been within the last 5 years prior to the date of the application; or
 - 8.1.4.2 Six years of work experience by teaching in or direct supervision of educators in an area related to the Specific Career Area, at least 2 of which shall have been within the last 5 years prior to the date of the application.
- 8.2 The Department may extend an Emergency Certificate that was issued to an educator pursuant to subsection 8.1 up to 5 times if the educator meets the requirements in subsections 8.2.1 through 8.2.6.
- 8.2.1 The educator shall hold a valid and current Delaware Initial License.
 - 8.2.2 In Specific Career Areas where a State license or registration is required by law, the educator shall hold an active, unencumbered license, registration, or privilege to practice through a compact state license in the Specific Career Area for which the Standard Certificate is sought that is issued or recognized by the applicable State agency.
 - 8.2.3 The educator shall not have met the requirements for issuance of the Standard Certificate sought but the educator is on track to complete the coursework specified in Section 4.0 of 14 **DE Admin. Code** 1559 prior to the expiration of the educator's Initial License.
 - 8.2.4 The educator shall be employed as the educator of record for the Standard Certificate sought in a PK-12 position in a Delaware traditional, vocational-technical, or charter school.
 - 8.2.5 The educator's Employing Authority recommends the extension.
 - 8.2.6 The educator's Employing Authority will continue to support and assist the educator in completing the requirements for the Standard Certificate sought.
- 8.3 Application Requirements
- 8.3.1 If the applicant is applying for the issuance or renewal of an educator's license, the applicant must disclose the applicant's criminal conviction history upon application. Failure to disclose a criminal conviction history is grounds for denial of the license application as specified in 14 **Del.C.** §1219 and could delay the processing or result in the denial of the application for an Emergency Certificate.

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- 8.3.2 For applicants who seek an Emergency Certificate under subsection 8.1, the following documentation is required with the application:
- 8.3.2.1 Documentation that the applicant meets the requirements for issuance of a Delaware Initial License or holds a valid and current Delaware Initial License;
 - 8.3.2.2 Documentation that the applicant is employed as the educator of record for the Standard Certificate sought in a PK-12 position in a Delaware traditional, vocational-technical, or charter school;
 - 8.3.2.3 Documentation that the applicant's Employing Authority will support and assist the applicant in completing the requirements for the Standard Certificate sought;
 - 8.3.2.4 Official transcript from the applicant's Regionally Accredited college or university or, if applicable, documentation from the applicant's technical training or professional development provider;
 - 8.3.2.5 In Specific Career Areas where a State license or registration is required by law, documentation that the applicant holds an active, unencumbered license, registration, or privilege to practice through a compact state license in the Specific Career Area for which the Standard Certificate is sought issued or recognized by the applicable State agency; and
 - 8.3.2.6 The Department-approved form verifying the applicant's completion of the experience requirement as provided in subsection 8.1.3.
- 8.3.3 For applicants who seek extension of an Emergency Certificate under subsection 8.2, the following documentation is required with the application:
- 8.3.3.1 Documentation that the educator holds a valid and current Delaware Initial License;
 - 8.3.3.2 In Specific Career Areas where a State license or registration is required by law, documentation that the educator holds an active, unencumbered license, registration, or privilege to practice through a compact state license in the Specific Career Area for which the Standard Certificate is sought that is issued or recognized by the applicable State agency;
 - 8.3.3.3 Official transcript from the educator's Regionally Accredited college or university or, if applicable, documents verifying successful completion of Department-approved professional development;
 - 8.3.3.4 Documentation that the educator is employed as the educator of record for the Standard Certificate sought in a PK-12 position in a Delaware traditional, vocational-technical, or charter school; and
 - 8.3.3.5 A request from the applicant's Employing Authority, documenting that the educator's Employing Authority recommends the extension and that the Employing Authority will continue to support and assist the educator in completing the requirements for the Standard Certificate sought.
- 8.4 In order to retain the Emergency Certificate, the educator shall meet the requirements in subsections 8.4.1 through 8.4.3. If the educator fails to meet any of the requirements related to retaining the Emergency Certificate, the educator and the educator's Employing Authority shall immediately notify the Department in writing. The requirements set forth in this subsection apply to all educators regardless of the date the Emergency Certificate was issued.
- 8.4.1 The educator shall hold an Initial, Continuing, or Advanced License.
 - 8.4.2 The educator shall continue to be employed as the educator of record for the Standard Certificate sought in a PK-12 position in a Delaware traditional, vocational-technical, or charter school.
 - 8.4.3 If a State license or registration in the Specific Career Area is required by law, the educator shall hold an active, unencumbered license, registration, or privilege to practice through a compact state license that is issued or recognized by the applicable State agency in the Specific Career Area for which the Standard Certificate was issued.
- 8.5 If, during the school year, an educator is hired by a different Delaware traditional, vocational-technical, or charter school, the educator may retain the Emergency Certificate if the educator provides documentation to the Department that the educator is employed at the new Employing Authority as the educator of record for the Standard Certificate sought and the new Employing Authority provides documentation to the Department that it will support and assist the educator in completing the requirements for the Standard Certificate sought on time. If the educator becomes employed as the educator of record in an area that is different from the Standard Certificate sought, an application for an Emergency Certificate in the new area must be submitted.

9.0 Emergency Certificate for Educators Who Already Hold a Content Area Standard Certificate

- 9.1 The Department may issue an Emergency Certificate to an applicant who meets the requirements in Section 3.0, including applicants who hold a valid and current Delaware Continuing or Advanced License and seek a Skilled and Technical Sciences Teacher Standard Certificate.
- 9.2 The Department may extend an Emergency Certificate that was issued to an educator pursuant to subsection 9.1 up to 2 times if the educator meets the requirements in subsections 9.2.1 through 9.2.5.
 - 9.2.1 The educator shall hold a valid and current Delaware Initial, Continuing, or Advanced License.
 - 9.2.2 The educator has not met the requirements for issuance of the Standard Certificate sought but the educator demonstrates that the educator is making progress toward meeting the requirements for the Standard Certificate sought by completing coursework or achieving the minimum score on the examination of content knowledge.
 - 9.2.3 The educator's Employing Authority recommends an extension based on the educator's performance and progress.
 - 9.2.4 The educator shall be employed as the educator of record for the Standard Certificate sought in a PK-12 position in a Delaware traditional, vocational-technical, or charter school.
 - 9.2.5 The educator's Employing Authority will continue to support and assist the educator in completing the requirements for the Standard Certificate sought.
- 9.3 Application Requirements
 - 9.3.1 If the applicant is applying for the issuance or renewal of an educator's license, the applicant must disclose the applicant's criminal conviction history upon application. Failure to disclose a criminal conviction history is grounds for denial of the license application as specified in 14 **Del.C.** §1219 and could delay the processing or result in the denial of the application for an Emergency Certificate.
 - 9.3.2 For applicants who seek issuance of an Emergency Certificate under subsection 9.1, the following documentation is required with the application:
 - 9.3.2.1 Documentation that the applicant meets the requirements for issuance of a Delaware Initial License or holds a valid and current Delaware Initial, Continuing, or Advanced License;
 - 9.3.2.2 Documentation that the applicant is employed as the educator of record for the Standard Certificate sought in a PK-12 position in a Delaware traditional, vocational-technical, or charter school; and
 - 9.3.2.3 Documentation that the applicant's Employing Authority will support and assist the applicant in completing the requirements for the Standard Certificate sought.
 - 9.3.3 For applicants who seek an extension of an Emergency Certificate under subsection 9.2, the following documentation is required with the application:
 - 9.3.3.1 Documentation that the educator holds a valid and current Delaware Initial, Continuing, or Advanced License;
 - 9.3.3.2 Official transcript from the applicant's Regionally Accredited college or university or, if applicable, documents verifying successful completion of Department-approved professional development;
 - 9.3.3.3 Official score on the examination of content knowledge for the Content Area Standard Certificate sought;
 - 9.3.3.4 A request from the educator's Employing Authority, documenting that the Employing Authority recommends an extension based on the educator's performance and progress and that it will continue to support and assist the educator in completing the requirements for the Standard Certificate sought; and
 - 9.3.3.5 Documentation that the educator is employed as the educator of record for the Standard Certificate sought in a PK-12 position in a Delaware traditional, vocational-technical, or charter school.
- 9.4 In order to retain the Emergency Certificate, the educator shall hold an Initial, Continuing, or Advanced License and continue to be employed as the educator of record for the Standard Certificate sought in a PK-12 position in a Delaware traditional, vocational-technical, or charter school. If the educator fails to meet any of the requirements related to retaining the Emergency Certificate, the educator and the educator's Employing Authority shall immediately notify the Department in writing. The requirements set forth in this subsection apply to all educators regardless of the date the Emergency Certificate was issued.

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- 9.5 If, during the school year, an educator is hired by a different Delaware traditional, vocational-technical, or charter school, the educator shall not retain the Emergency Certificate.

26 DE Reg. 1065 (06/01/23)

10.0 Validity of an Emergency Certificate

An Emergency Certificate is issued for up to 1 school year and expires on June 30th of the end of the school year it is issued unless it is revoked.

26 DE Reg. 1065 (06/01/23)

11.0 Notification to Parents

In accordance with 20 U.S.C. §6312(e)(1)(A)(i)(II) and 34 C.F.R. §200.61(a)(1)(ii), at the beginning of each school year, a local education agency that receives federal Title IA funds is required to notify the parents of each student attending a Title I school that the parents may request, and the local education agency will provide the parents on request and in a timely manner, information regarding the professional qualifications of the student's classroom teachers, including whether the teacher is teaching under emergency status through which State qualification or licensing criteria have been waived.

26 DE Reg. 1065 (06/01/23)

12.0 Disciplinary Action

- 12.1 An Educator's Emergency Certificate may be revoked, suspended, or limited for cause as provided in 14 **DE Admin. Code** 1514 Limitation, Suspension, and Revocation of Licenses, Certificates, and Permits or for the Educator's failure to comply with the requirements related to the retention of the Educator's Emergency Certificate.
- 12.2 An Educator's Emergency Certificate shall be revoked if the Educator's license is revoked or the Educator made a materially false or misleading statement in the Educator's application in accordance with 14 **Del.C.** §1222.
- 12.3 An Educator whose certificate is noticed for disciplinary action is entitled to a full and fair hearing before the Standards Board. Hearings shall be conducted in accordance with 14 **DE Admin. Code** 1515 Hearing Procedures and Rules.

26 DE Reg. 1065 (06/01/23)

13.0 Contact Information and Change of Name or Address

- 13.1 All applicants and Educators are required to update their contact information in DEEDS if their contact information changes.
- 13.2 An Educator who legally changes the Educator's name and wishes to change the name on the Emergency Certificate shall provide a notarized copy of evidence of the name change such as a marriage license or court action.
- 13.3 An applicant or Educator whose mailing address, email address, or phone number changes shall provide the Department with the new mailing address, email address, or phone number within 14 calendar days of the change.

7 DE Reg. 161 (08/01/03)

9 DE Reg. 555 (10/01/05)

Renumbered effective 06/01/07 - see Conversion Table

12 DE Reg. 1412 (05/01/09)

15 DE Reg. 1150 (02/01/12)

20 DE Reg. 174 (09/01/16)

26 DE Reg. 1065 (06/01/23)