

Professional Standards Board (Licensure, Certification and Professional Development)

1506 Emergency Certificate

1.0 Content

This regulation shall apply to the issuance of an Emergency Certificate, pursuant to 14 **Del.C.** §1221.
7 DE Reg. 161 (08/1/03)

2.0 Definitions

2.1 The definitions set forth in 14 **DE Admin. Code** 1505 Standard Certificate, including any subsequent amendment or revision thereto, are incorporated herein by reference.

2.2 The following words and terms, when used in this regulation, shall have the following meaning unless the context clearly indicates otherwise:

“Credentialed” means holding an active license and an active certificate in a specific content area at appropriate grade levels.

“Emergency Certificate” means a temporary credential issued to an educator who has obtained employment or an offer of employment with an employing authority and holds a valid Delaware Initial, Continuing, or Advanced License, but lacks necessary skills and knowledge to immediately meet certification requirements in a specific content area. The temporary credential provides the educator with a limited time to meet the requirements for certification in the specific content area.

“Exigent Circumstances” means unanticipated circumstances or circumstances beyond the educator's control, including, but not limited to, serious illness of the educator or a member of his/her immediate family, activation to active military duty, and other serious emergencies which necessitate the educator's temporarily leaving active service.

“Satisfactory Evaluation” means the overall rating of "Highly Effective" or "Effective" on the DPAS-II summative evaluation or other Department-approved evaluation system.

7 DE Reg. 161 (08/1/03)

9 DE Reg. 555 (10/1/05)

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

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

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

3.0 Issuance of Emergency Certificate

3.1 Upon receipt of a completed application from the employing authority, the Department may issue an Emergency Certificate to an educator who holds a valid Delaware Initial, Continuing, or Advanced License, but who is not eligible for certification in the area of need.

3.1.1 An Emergency Certificate is valid for one school year subject to a limited extension as indicated herein.

3.1.2 The Emergency Certificate is issued for one school year and expires on June 30th.

3.1.3 The Department may grant a second-year Emergency Certificate if the educator has met the requirements outlined in Section 6.0 of this regulation.

3.2 Notwithstanding the foregoing, an Emergency Certificate issued to an educator in a Skilled and Technical Sciences specific career area is valid for up to six (6) years to provide time for completion of specified college level course work or professional development required for certification.

3.3 Notwithstanding the foregoing, an Emergency Certificate issued to an educator in an alternative route to licensure and certification program shall be valid for the time specified in 14 **Del.C.** §1260 and 14 **DE Admin. Code** 1507 Alternative Routes to Teacher Licensure and Certification.

7 DE Reg. 161 (08/1/03)

9 DE Reg. 544 (10/1/05)

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

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

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

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4.0 Application Procedures

- 4.1 The employing authority shall:
- 4.1.1 Establish that the proposed recipient of an Emergency Certificate is competent by submitting evidence of the educator's license and other considerations.
 - 4.1.2 Apply for the Emergency Certificate within sixty (60) calendar days of the educator's hire or new job assignment.
 - 4.1.2.1 Notwithstanding the above, the Department may issue an Emergency Certificate to an employed educator enrolled in an approved alternative route to licensure and certification program.
 - 4.1.3 Support and assist the educator in achieving the skills and knowledge necessary to meet applicable certification requirements.
 - 4.1.4 Verify that the educator understands the Standard Certificate requirements, the deadline in which to complete requirements, and the expectation to earn a Standard Certificate.
- 4.2 Failure by the employing authority to fulfill the conditions set forth shall result in denial of the Emergency Certificate.

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

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

5.0 Notification to Parents

- 5.1 Any year that an educator holds an Emergency Certificate, the employing authority shall notify parents of the students within the educator's responsibility. Parents shall be notified within (60) days of the assignment or the start of the school year each year.
- 5.2 The notification may be included in an already established form of communication to parents including but not limited to Highly Qualified Teacher status.
- 5.3 The employing authority shall submit a copy of the parent notification to the Department each year.

7 DE Reg. 161 (8/1/03)

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

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

6.0 Second Year Reissue of Emergency Certificate

- 6.1 If the educator does not meet all Standard Certificate requirements during the first school year, the employing authority may apply for a second-year of the Emergency Certificate in the same area.
- 6.2 The Department may issue a second-year Emergency Certificate if the following requirements are met:
- 6.2.1 The employing authority submits a request for the Emergency Certificate within sixty (60) calendar days of the start of the next consecutive school year.
 - 6.2.2 The employing authority has established that the educator has made documented progress toward earning the Standard Certificate and has demonstrated continued competence through receiving a satisfactory summative evaluation on DPAS-II or another Department-approved evaluation system.
 - 6.2.2.1 Documented progress toward the Standard Certificate would include but is not limited to evidence of the educator having:
 - 6.2.2.1.1 taken the necessary examination of content knowledge, or
 - 6.2.2.1.2 completed requisite coursework or professional development, or
 - 6.2.2.1.3 made significant growth toward the necessary degree or certificate.
- 6.3 For an employed educator enrolled in an approved alternative route to licensure and certification program, the Department may issue a second-year of the Emergency Certificate if requirements in subsection 6.2.2 have been met.

7 DE Reg. 161 (08/1/03)

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

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

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

7.0 Expiration of Emergency Certificate

- 7.1 Emergency Certificates shall expire on June 30th.
- 7.2 Emergency Certificates that have been issued for two consecutive school years may not be extended. The educator shall meet the requirements for issuance of a Standard Certificate (See 14 **Del.C.** §1505).
- 7.3 Educators holding an active license without a current or valid certificate are not considered credentialed to teach.
- 7.4 An Emergency Certificate may not be renewed or extended for a leave of absence.
- 7.5 Notwithstanding the above, the Department may grant an extension upon a showing of exigent circumstances. Extensions for exigent circumstances shall not exceed one (1) year in length.

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

8.0 Transfer of Emergency Certificate to a New Employing Authority

The Department may approve the transfer of an Emergency Certificate from one employing authority to another if the new employing authority conducts an independent review of the educator's progress towards a Standard Certificate and assumes the commitments and responsibilities of an employing authority within this regulation.

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

9.0 Revocation of Emergency Certificate

- 9.1 An Emergency Certificate shall be revoked in the event the educator's Initial, Continuing, or Advanced License is revoked in accordance with 14 **DE Admin. Code** 1514.
 - 9.1.1 An educator is entitled to a full and fair hearing before the Standards Board.
 - 9.1.2 Hearings shall be conducted in accordance with the Standards Board's Hearings Procedures and Rules.

7 DE Reg. 161 (08/1/03)

9 DE Reg. 555 (10/1/05)

Renumbered effective 6/1/07 - see Conversion Table

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

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

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