

**700 Finance and Personnel**

**765 Credentials for a Resident Advisor in the Statewide Programs for Autism and for the Deaf/  
Hard of Hearing**

**1.0 Content**

This regulation shall apply to the requirements for a Permit for Resident Advisor in the Statewide Programs for Autism and for the Deaf/Hard of Hearing

**14 DE Reg. 1226 (05/01/11)**

**2.0 Definitions**

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

**“Department”** means the Delaware Department of Education.

**“Immorality”** means conduct which is inconsistent with the rules and principals of morality expected of a resident advisor in the Statewide Programs for Autism and for the Deaf/Hard of Hearing and may reasonably be found to impair an individual’s effectiveness by reason of his or her unfitness or otherwise.

**“Permit”** means a document issued by the Department of Education that verifies an individual’s qualifications and training to serve as a Resident Advisor in the Statewide Programs for Autism and for the Deaf/Hard of Hearing.

**“Secretary”** means the Secretary of the Delaware Department of Education.

**“Unfit”** means immorality, misconduct in office, incompetence, neglect of duty, disloyalty, willful and persistent insubordination or falsification of credentials.

**14 DE Reg. 1226 (05/01/11)**

**3.0 Requirement for a Permit**

Subject to the provisions in 6.0 below, the Department shall issue a Permit as a Resident Advisor in the Statewide Programs for Autism and for the Deaf/Hard of Hearing to an applicant who has a minimum of a Bachelor’s degree in any field from a regionally accredited college or university.

**14 DE Reg. 1226 (05/01/11)**

**4.0 Application Procedures**

Applicants for a Permit as a Resident Advisor in the Statewide Programs for Autism and for the Deaf/Hard of Hearing shall submit to the Department official transcripts forwarded directly from the issuing institution or by the applicant in an unopened, unaltered envelope.

**14 DE Reg. 1226 (05/01/11)**

**5.0 Criminal Conviction History**

An applicant shall disclose his or her criminal conviction history upon application for the Permit. Failure to disclose a criminal conviction history is grounds for denial or revocation of a Permit.

**14 DE Reg. 1226 (05/01/11)**

**6.0 Denial of a Permit**

6.1 An applicant shall be denied a Permit for Resident Advisor in the Statewide Programs for Autism and for the Deaf/Hard of Hearing upon a finding that the applicant:

6.1.1 Failed to meet the requirements set forth herein; or

6.1.2 Is Unfit; or

6.1.3 Had a Permit, certificate or license revoked in another jurisdiction; or

6.1.4 Is under official investigation by any state or local authority with the power to issue educator licenses, permits, or certifications, where the alleged conduct meets the definition of “Unfit” in 2.0 of this regulation, until the applicant provides evidence of the investigation’s resolution.

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- 6.2 The Secretary shall give written notice to the applicant of the denial and the reasons therefore. The notice of denial shall be sent by certified mail and shall give notice that a full and fair hearing may be requested before the Secretary or his or her designee within 10 days of receipt of the notice of denial. The Secretary's decision shall be final.

**14 DE Reg. 1226 (05/01/11)**

**7.0 Revocation of Permit**

- 7.1 A Permit issued under the provisions of this regulation may be revoked upon a finding of conduct that meets the definition of "Unfit" in 2.0 of this regulation and must be revoked upon a finding that the permit holder made a materially false or misleading statement in his or her Permit application.
- 7.2 The Secretary shall give written notice to the permit holder of the proposed revocation and the reasons therefore. The notice of revocation shall be sent by certified mail and shall give notice that a full and fair hearing may be requested before the Secretary, or his or her designee, within 10 days of the receipt of the notice of denial. The Secretary's decision shall be final.

**9 DE Reg. 115 (7/1/05)**

**14 DE Reg. 1226 (05/01/11)**