

**DEPARTMENT OF EDUCATION
PROFESSIONAL STANDARDS BOARD**

Statutory Authority: 14 Delaware Code, Sections 1203 and 1205(b) (14 **Del.C.** §§1203 & 1205(b))
14 **DE Admin. Code** 1583

FINAL

ORDER

1583 School Psychologist

I. SUMMARY OF THE EVIDENCE AND INFORMATION SUBMITTED

Pursuant to 14 **Del.C.** §§1203 and 1205(b), the Professional Standards Board ("Board"), acting in consultation and cooperation with the Delaware Department of Education ("Department"), developed amendments to 14 **DE Admin. Code** 1583 School Psychologist. The regulation concerns the requirements for a School Psychologist Standard Certificate in accordance with 14 **Del.C.** §1220. The proposed amendments include revising a defined term in Section 2.0; adding the option of a new Praxis Subject Assessment in Section 4.0; adding subsection 5.2, which concerns the disclosure of an applicant's criminal conviction history; moving the section concerning the Secretary of Education's review of standard certificate applications to Section 6.0; and adding Section 10.0, which concerns applicants' and Educators' contact information with the Department and specifies how they can change their name or address.

Notice of the proposed regulation was published in the *Register of Regulations* on November 1, 2022. The Professional Standards Board did not receive any written submittals concerning the proposed regulation.

II. FINDINGS OF FACTS

On January 5, 2022, the Professional Standards Board voted to propose 14 **DE Admin. Code** 1583 School Psychologist, in the form attached hereto as Exhibit A, for adoption by the Department subject to the State Board of Education's approval.

The Department finds that the proposed amendments to the regulation are necessary to implement 14 **Del.C.** Ch. 12 and are designed to improve the quality of the Delaware educator workforce and to improve student performance. Accordingly, the Department finds that it is appropriate to amend 14 **DE Admin. Code** 1583 School Psychologist.

III. DECISION TO AMEND THE REGULATION

For the foregoing reasons, the Department concludes that it is appropriate to amend 14 **DE Admin. Code** 1583 School Psychologist subject to the State Board of Education's approval. On February 16, 2023, the State Board of Education approved amending 14 **DE Admin. Code** 1583 School Psychologist. Therefore, pursuant to 14 **Del.C.** §§1203 and 1205(b), 14 **DE Admin. Code** 1583 School Psychologist, attached hereto as Exhibit A, is hereby amended.

IV. TEXT AND CITATION

The text of 14 **DE Admin. Code** 1583 School Psychologist adopted hereby shall be in the form attached hereto as Exhibit A and said regulation shall be cited as 14 **DE Admin. Code** 1583 School Psychologist in the *Administrative Code of Regulations* for the Department.

V. EFFECTIVE DATE OF ORDER

The effective date of this Order shall be ten days from the date this Order is published in the *Register of Regulations*.

IT IS SO ORDERED the 16th day of February, 2023.

Department of Education

Mark A. Holodick, Ed.D., Secretary of Education

Approved this 16th day of February, 2023.

State Board of Education

/s/ Shawn Brittingham, President

/s/ Rev. Provey Powell, Jr.

Vincent Lofink, Vice President (Absent)
/s/ Candice Fifer
/s/ Audrey J. Noble, Ph.D.

/s/ Wali W. Rushdan, II
/s/ Deborah Stevens

***Please note: Electronic signatures ("/s/") were accepted pursuant to 6 Del.C. §12A-107(d).**

1583 School Psychologist

1.0 Content

This regulation shall apply to the issuance of a School Psychologist Standard Certificate pursuant to 14 **Del.C.** §1220(a). The School Psychologist Standard Certificate is required for all school psychologists providing services to children in Delaware public schools.

14 DE Reg. 562 (12/01/10)

25 DE Reg. 519 (11/01/21)

2.0 Definitions

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

"Department" means the Delaware Department of Education.

"Educator" means a person licensed and certified by the State under 14 **Del.C.** Ch. 12 to engage in the practice of instruction, administration or other related professional support services in Delaware public schools, including charter schools, pursuant to rules and regulations promulgated by the Professional Standards Board and approved by the State Board of Education. The term 'educator' does not include substitute teachers.

"Employing Authority" means any entity which employs educators, and includes, but is not limited to, 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 the educator's unfitness or otherwise.

"License" means a credential which authorizes the holder to engage in the practice for which the license is issued.

"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.

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

"Standards Board" means the Professional Standards Board established pursuant to 14 **Del.C.** §1201.

"Valid and Current License or Certificate" means a current full or permanent certificate or license as an educator issued by another state or jurisdiction. This means the ~~educator applicant~~ educator applicant is fully credentialed by having met all of the requirements for full licensure or certification as an educator in another state or jurisdiction and is in good standing in that state or jurisdiction. It does not include temporary, emergency, conditional certificates of eligibility or expired certificates or licenses issued from another state or jurisdiction.

14 DE Reg. 562 (12/01/10)

25 DE Reg. 519 (11/01/21)

3.0 Issuance of a Standard Certificate

- 3.1 In accordance with 14 **Del.C.** §1220(a), the Department shall issue a School Psychologist Standard Certificate to an applicant who:
 - 3.1.1 Holds a valid Delaware Initial, Continuing, or Advanced License or Standard or Professional Status Certificate issued by the Department prior to August 31, 2003 and meets the requirements set forth in Section 4.0 of this regulation;
 - 3.1.2 Has met the requirements for an educator's license in Delaware and presents proof of a Valid and Current License or Certificate as a school psychologist issued by another state or jurisdiction.
- 3.2 Notwithstanding any provision to the contrary herein, the Department shall not act on an application for a School Psychologist Standard 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.

14 DE Reg. 562 (12/01/10)

25 DE Reg. 519 (11/01/21)

4.0 Prescribed Education, Knowledge, and Skill Requirements

4.1 An applicant for a School Psychologist Standard Certificate shall have satisfied the requirements in subsections 4.1.1 through 4.1.3.

4.1.1 The applicant shall have earned one of following:

4.1.1.1 An Educational Specialist (Ed.S.) degree, the equivalent of an Ed.S. degree, or a doctoral degree through a program approved by the National Association of School Psychologists (NASP) at a Regionally Accredited college or university. The equivalent of an Ed.S. degree means a degree earned by completing a specialist-level program of study in school psychology that includes a minimum of ~~three~~ 3 years of full-time study at the graduate level or the equivalent, inclusive of structured field experiences, and at least 60 graduate semester hours or the equivalent, with at least 54 hours exclusive of credit for the supervised specialist-level internship; or

4.1.1.2 A doctoral degree in school psychology through a program approved by the American Psychological Association (APA) at a Regionally Accredited college or university.

4.1.2 The applicant shall have achieved ~~a minimum score of 147 on the Praxis Subject Assessment – School Psychology (ETS Test Code # 5042).~~ the minimum score on 1 of the following examinations:

4.1.2.1 A minimum score of 147 on the Praxis Subject Assessment - School Psychology (ETS Test Code # 5042); or

4.1.2.2 A minimum score of 155 on the Praxis Subject Assessment - School Psychologist (ETS Test Code #5403).

4.1.3 The applicant shall have completed a supervised, culminating, comprehensive field experience of at least 1,200 hours, 600 hours of which must have been completed in an educational setting, in an institution or agency that is approved by the applicant's graduate program or the Department, completed at or near the end of formal training, through which the applicant had the opportunity to integrate and apply professional knowledge and skills acquired in prior courses and practica as well as to acquire new competencies consistent with training program goals.

4.2 Notwithstanding subsection 4.1, the Department may issue a School Psychologist Standard Certificate to an applicant who holds a Nationally Certified School Psychologist (NCSP) certificate from NASP that is in good standing.

14 DE Reg. 562 (12/01/10)

19 DE Reg. 624 (01/01/16)

25 DE Reg. 519 (11/01/21)

5.0 Application Requirements

5.1 If an applicant is applying for an Initial License, a Standard Certificate must be applied for simultaneously with the application for the Initial License, and the applicant shall also provide all required documentation for the License.

5.2 If the applicant is also applying for the issuance or renewal of an educator's license or paraeducator's permit, 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 or permit application as specified in 14 Del.C. §1219 and it could delay the processing or result in the denial of the application for a School Psychologist Standard Certificate.

~~5.2~~ 5.3 For applicants who are applying for the School Psychologist Standard Certificate under subsections 3.1.1 and 4.1, the following documentation is required:

~~5.2.4~~ 5.3.1 Official transcript from the applicant's Regionally Accredited college or university.

~~5.2.4.1~~ 5.3.1.1 Electronic transcripts may be submitted by the Employing Authority or by the applicant's Regionally Accredited college or university; or

~~5.2.4.2~~ 5.3.1.2 Sealed paper transcripts may be submitted.

~~5.2.4.3~~ 5.3.1.3 The Department will not accept copies of transcripts; and

~~5.2.2~~ 5.3.2 Official score on the Praxis Subject Assessment as provided in subsection 4.1.2;

~~5.2.3~~ 5.3.3 The Department-approved form verifying the applicant's completion of the requirement in subsection 4.1.3; and

~~5.2.4~~ 5.3.4 Additional documentation as required by the Department.

~~5.3~~ 5.4 For applicants who are applying for the School Psychologist Standard Certificate under subsections 3.1.1 and 4.2, the following documentation is required:

~~5.3.4~~ 5.4.1 Documentation that the applicant holds a NCSP certificate from NASP that is in good standing; and

~~5.3.2~~ 5.4.2 Additional documentation as required by the Department.

~~5.4~~ 5.5 For applicants who are applying for the School Psychologist Standard Certificate under subsection 3.1.2, the following documentation is required:

~~5.4.4~~ 5.5.1 An official copy of the Valid and Current License or Certificate; and

~~5.4.2~~ 5.5.2 Additional documentation as required by the Department.

25 DE Reg. 519 (11/01/21)

6.0 Secretary of Education Review

6.1 The Secretary of Education may, upon the written request of a local school district or charter school, review credentials submitted in an application for a School Psychologist Standard Certificate on an individual basis and grant such a Standard Certificate to an applicant who otherwise does not meet the requirements for a School Psychologist Standard Certificate but whose effectiveness is documented by the local school district or charter school.

6.1.1 For school districts, requests shall be approved by the superintendent of the school district.

6.1.2 For charter schools, requests concerning the head of school of the charter school shall be approved by the charter school's board of directors and requests concerning all other applicants shall be approved by the charter school's head of school.

6.0 7.0 Validity of a Standard Certificate

~~6.4~~ 7.1 A School Psychologist Standard Certificate is valid regardless of the assignment or employment status of the holder provided that the Educator's License remains current and valid.

~~6.2~~ 7.2 A School Psychologist Standard Certificate is not subject to renewal.

25 DE Reg. 519 (11/01/21)

7.0 8.0 Disciplinary Action

~~7.4~~ 8.1 An Educator's School Psychologist Standard 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.

~~7.2~~ 8.2 An Educator's School Psychologist Standard Certificate shall be revoked if the Educator's Initial, Continuing, or Advanced License or Professional Status Certificate is revoked or the Educator made a materially false or misleading statement in the Educator's application in accordance with 14 **Del.C.** §1222.

~~7.3~~ 8.3 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.

25 DE Reg. 519 (11/01/21)

8.0 Secretary of Education Review

~~8.1~~ The Secretary of Education may, upon the written request of a local school district or charter school, review credentials submitted in an application for a School Psychologist Standard Certificate on an individual basis and grant such a Standard Certificate to an applicant who otherwise does not meet the requirements for a School Psychologist Standard Certificate but whose effectiveness is documented by the local school district or charter school.

~~8.1.1~~ For school districts, requests shall be approved by the superintendent of the school district.

~~8.1.2~~ For charter schools, requests concerning the head of school of the charter school shall be approved by the charter school's board of directors and requests concerning all other applicants shall be approved by the charter school's head of school.

25 DE Reg. 519 (11/01/21)

9.0 Past Certificate Recognized

The Department shall recognize a School Psychologist Standard Certificate that was issued by the Department prior to the effective date of this regulation. An Educator holding such a Standard Certificate shall be considered certified to practice as a school psychologist.

25 DE Reg. 519 (11/01/21)

10.0 Contact Information and Change of Name or Address

- 10.1 All applicants and Educators are required to update their contact information in DEEDS if their contact information changes.
- 10.2 An Educator who legally changes the Educator's name and wishes to change the name on the School Psychologist Standard Certificate shall provide a notarized copy of evidence of the name change such as a marriage license or court action.
- 10.3 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.

8 DE Reg. 448 (09/01/04)

Renumbered effective 06/01/07 - see Conversion Table

14 DE Reg. 562 (12/01/10)

19 DE Reg. 624 (01/01/16)

25 DE Reg. 519 (11/01/21)

26 DE Reg. 866 (04/01/23) (Final)