

**DEPARTMENT OF EDUCATION
PROFESSIONAL STANDARDS BOARD**

Statutory Authority: 14 Delaware Code, Section 1205(b) (14 **Del.C.** §1205(b)
14 **DE Admin. Code** 1571

FINAL

REGULATORY IMPLEMENTING ORDER

1571 Exceptional Children Special Education Teacher

I. SUMMARY OF THE EVIDENCE AND INFORMATION SUBMITTED

The Professional Standards Board, acting in cooperation and consultation with the Department of Education, seeks the consent of the State Board of Education to amend 14 **DE Admin. Code** 1571 Exceptional Children Special Education Teacher in order to update and clarify some of the definitions, requirements, and to align title as this certification is required for an educator within the Delaware public school system whose primary assignment is teaching children with disabilities. This regulation sets forth the requirements for an Exceptional Children Special Education Teacher.

Notice of the proposed amendment of the regulation was published in the Delaware *Register of Regulations* on July 1, 2015. The notice invited written comments. One comment was received from Wilmington University. The suggested changes were taken into consideration, and some changes in grammar were corrected.

II. FINDINGS OF FACTS

The Professional Standards Board and the State Board of Education find that it is appropriate to amend this regulation to comply with changes in statute.

III. DECISION TO ADOPT THE REGULATION

For the foregoing reasons, the Professional Standards Board and the State Board of Education conclude that it is appropriate to amend the regulation. Therefore, pursuant to 14 **Del.C.** §1205(b), the regulation attached hereto as Exhibit "A" is hereby amended. Pursuant to the provision of 14 **Del.C.** §122(e), the regulation hereby amended shall be in effect for a period of five years from the effective date of this order as set forth in Section V. below.

IV. TEXT AND CITATION

The text of the regulation amended shall be in the form attached hereto as Exhibit "A", and said regulation shall be cited as 14 **DE Admin. Code** 1571 Exceptional Children Special Education Teacher of the *Administrative Code of Regulations* of the Professional Standards Board.

V. EFFECTIVE DATE OF ORDER

The effective date of this Order shall be ten (10) days from the date this Order is published in the Delaware *Register of Regulations*.

APPROVED BY THE PROFESSIONAL STANDARDS BOARD THE 3rd DAY OF SEPTEMBER, 2015

Bryon Murphy, Chair

Cristy Greaves

Diane Albanese

Darren Guido

Amber Augustus

David Kohan

Linda Brown

Rosaria Macera

Jennifer Burton

Darlene O'Neill

Stephanie DeWitt (absent)

Mary Pinkston

Nelia Dolan

Stephanie Smith

Laura Glass

Sue Smith

IT IS SO ORDERED this 17th day of September, 2015.

Approved this 17th day of September, 2015

State Board of Education

Teri Quinn Gray, Ph.D., President

Jorge L. Melendez, Vice President

Nina Lou Bunting

Gregory B. Coverdale, Jr. (not present)

G. Patrick Heffernan

Barbara B. Rutt (not present)

Terry M. Whittaker, Ed.D.

1571 ~~Exceptional Children~~ Special Education Teacher of Students with Disabilities

1.0 Content

- 1.1 This regulation shall apply to the issuance of a Standard Certificate, pursuant to 14 **Del.C.** §1220(a), for Exceptional Children Special Education Teacher of Students with Disabilities (Category).
- 1.1.1 This certification is required for an educator within the Delaware public school system whose primary assignment is teaching children with disabilities in grades K to 12.
- 1.1.1.1 ~~Notwithstanding the above, the~~ The Early Childhood Exceptional Children Special Education Teacher certification may be used for K to grade 2 in lieu of this Special Education Teacher of Students with Disabilities certification.
- 1.1.1.2 Teachers of Students Who Are Deaf or Hard of Hearing Certification; and Teacher of Students with Visual Impairments Certification; and Teacher of Students with Autism or Students with severe Intellectual Disabilities Certification shall be used for grades K to 12 when the teacher's primary assignment is serving the special population designated within those category certifications.
- 1.1.2 This certification is a category certificate and does not certify an educator to practice in a particular area or teach a particular subject. A category certification only establishes that an educator has met the prescribed knowledge, skill, or education to instruct the particular category of students specified. This certification is limited to the specific category of teaching students with disabilities.
- 1.1.3 Subject or area certification also required.
- 1.1.3.1 A category certificate may not be issued alone and an educator shall hold at least one subject or area certification.
- 1.2 Except as otherwise provided, the requirements set forth in 14 **DE Admin. Code** 1505 Standard Certificate, including any subsequent amendment or revision thereto, are incorporated herein by reference.

16 DE Reg. 766 (01/01/13)

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, have the following meaning unless the context clearly indicates otherwise:
- "Students with Disabilities" means the same as "Child with a Disability" as provided in 14 **Del.C.** §3101(2).

3.0 Standard Certificate

- 3.1 In accordance with 14 **Del.C.** §1220(a), the Department shall issue a Standard Certificate as ~~an Exceptional Children~~ Special Education Teacher of Students with Disabilities to an educator who has met the following:
- 3.1.1 Holds a valid Delaware Initial, Continuing, or Advanced License; or a Limited Standard, Standard or Professional Status Certificate issued by the Department prior to August 31, 2003; ~~and,~~
- 3.1.2 Has met the requirements as set forth in 14 **DE Admin. Code** 1505 Standard Certificate, including any subsequent amendment or revision thereto;
- 3.1.3 Holds a Standard Certificate in a subject or area; and
- 3.1.4 Has satisfied the additional requirements in this regulation.

4.0 Additional Requirements

4.1 An educator shall also have satisfied one of the following additional education requirements:

4.1.1 Holding a bachelor's, master's, or doctoral degree from a regionally accredited college or university with a major or its equivalent, in special education or students with disabilities, from a National Council for the Accreditation of Teacher Education (NCATE) or the Council for the Accreditation of Educator Preparation (CAEP) specialty organization recognized educator preparation program or from a state approved educator preparation program where the state approval body employed the appropriate standards; or

4.1.2 Completion of a minimum of fifteen (15) credits or their equivalent in professional development as approved by the Department, with a focus in special education or [in] students with disabilities in the following content areas:

4.1.2.1 Diagnosis and Instruction for Reading / Literacy (3 credits);

4.1.2.2 Education Evaluation and IEP Development (3 credits);

4.1.2.3 Curriculum and Instruction in Special Education (3 credits);

4.1.2.4 Applied Behavior Analysis (3 credits); and

4.1.2.5 One of the following areas:

4.1.2.5.1 Legislation, Policy & Procedures/ Special Issues in Special Education (3 credits);

4.1.2.5.2 Transitions from Secondary Special Education or Secondary Transition Planning (3 credits);

4.1.2.5.3 Collaborative Teaming in Special Education (3 credits); or

4.1.2.5.4 Assistive Technology (3 credits).

5.0 Past Certification Recognized

The Department shall recognize a Standard Certificate Exceptional Children Special Education Teacher or other valid equivalent Special Education Certification including Exceptional Children Special Education - Elementary and Exceptional Children Special Education - Secondary issued before July 1, 2016. A teacher holding such a Standard Certificate issued by the Department before July 1, 2016 shall be considered certified to instruct ~~[all subjects and areas classes]~~ to students with disabilities[.]

6.0 Effective Date

Section 4.0 of this regulation shall be effective on July 1, 2016.

7 DE Reg. 775 (12/1/03)

Renumbered effective 6/1/07 - see Conversion Table

11 DE Reg. 671 (11/01/07)

16 DE Reg. 766 (01/01/13)

19 DE Reg. 505 (12/01/15) (Final)