

DEPARTMENT OF EDUCATION
Statutory Authority: 14 Delaware Code, Section 122(d) (14 Del.C. §122(d)) 14 DE Admin.
Code 278

FINAL

REGULATORY IMPLEMENTING ORDER

278 Non-public School Educator Licensure and Certification

I. Summary of the Evidence and Information Submitted

The Secretary of Education intends to adopt 14 **DE Admin. Code 278** Non-public School Educator Licensure and Certification to provide a system for non public school educators to become licensed and certified. This regulation is required by Senate Bill 162 of the 142nd General Assembly found in 14 **Del. C.** §121(b). The only changes to the final version of the regulation are that the definitions, Non-public School Educator and Student Teaching Program have had capitol letters added and the word “incompetency” has been changed to “incompetence”.

Notice of the proposed regulation was published in the News Journal and the *Delaware State News* on November 24, 2004, in the form hereto attached as *Exhibit “A”*. No Comments were received.

II. Findings of Facts

The Secretary finds that it is appropriate to adopt 14 **DE Admin. Code 278** in order to comply with. Senate Bill 162 of the 142nd General Assembly found in 14 **Del. C.** §121(b).

III. Decision to Amend the Regulation

For the foregoing reasons, the Secretary concludes that it is appropriate to adopt 14 **DE Admin. Code. 278** Non-public School Educator Licensure and Certification. Therefore pursuant to 14 **Del.C.** §121(b), 14 **DE Admin. Code 278** attached hereto as *Exhibit “B”* is hereby adopted. Pursuant to the provision of 14 **Del.C.** §122(e), 14 **DE Admin. Code 278** hereby adopted 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 14 **DE Admin. Code 278** adopted hereby shall be in the form attached hereto as *Exhibit “B”*, and said regulation shall be cited as 14 **DE Admin. Code 278** in the *Administrative Code of Regulations* for the Department of Education.

V. Effective Date of Order

The actions hereinabove referred to were taken by the Secretary pursuant to 14 **Del.C.** §121(b) on January 10, 2005. The effective date of this Order shall be ten (10) days from the date this Order is published in the *Delaware Register of Regulations*.

IT IS SO ORDERED the 10th day of January 2005.

DEPARTMENT OF EDUCATION

Valarie A. Woodruff, Secretary of Education

278 Non-Public School Educator Licensure And Certification

1.0 Purpose:

Consistent with the provisions of 14 Del.C. §121(b), the intent of this regulation is to establish a voluntary licensure and certification system for non-public school teachers, specialists and administrators employed in this State.

2.0 Definitions:

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

“Certification” means the issuance of a certificate, which may occur regardless of a recipient’s assignment or employment status.

“Composite Score” means a total of an applicant’s scores on all three (3) subtests of Praxis I which is equal to, or greater than, the sum of the passing scores on the three subtests. Scores from either the PRAXIS I (PPST) paper and pencil test and/or from the PRAXIS I (CPPST) computerized test may be used when applying the composite score provision. Scores from the PRAXIS I computer based test (CBT) may be used when applying the composite score provision, but may not be used in conjunction with scores from the PRAXIS I (PPST) paper and pencil test and/or with the PRAXIS I (CPPST) computerized test.

“Department” means the Delaware Department of Education.

“Dismissal” means (1) dismissal of a non-public school educator by his/her employing authority for immorality, misconduct in office, incompetency, willful neglect of duty or disloyalty; or (2) the license or certificate holder’s voluntary resignation of employment in the face of disciplinary action for immorality; or (3) the license or certificate holder’s conviction of a crime which is evidence of immorality.

“Examination of General Knowledge” means a standardized test that measures general knowledge and essential skills in mathematics or quantitative and verbal skills, including reading and writing.

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

“Good Moral Character” means conduct which is consistent with the rules and principles of morality expected of an educator.

“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.

“Jurisdiction” means a state, territory or country.

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

“Mentoring” means activities prescribed by the employing authority with the consent of the Secretary in which a holder of an initial license must engage during the three-year term of the initial license.

“Non-public School” means a private school as that term is defined in 14 DE Admin. Code 255.2 or any homeschool defined in 14 Del.C. §2703A.

“Non-public School Educator” means a non-public school employee who holds a license issued by the Department pursuant to 14 Del.C. §121(b).

“PRAXIS I” or “PPST” means a test from Educational Testing Service of general knowledge in reading, writing, and mathematics.

“PRAXIS I CBT” means the discontinued PRAXIS I computer based test from Educational Testing Service taken between November 1993 and December 2001, with a possible score range of 300 to 335. Scores from the PRAXIS I CBT test may not be combined with scores from the PRAXIS I paper and pencil test or the PRAXIS I computerized test (CPPST) to derive a composite score.

“PRAXIS I CPPST” means the PRAXIS I computerized test from Educational Testing Service which began in January 2002. This test, which is delivered in a computer format, has a possible score range of 150 to 190. Scores from the CPPST and the PRAXIS I (PPST) paper and pencil test may be combined for a composite score.

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

“Standard Certificate” means a credential issued to certify that a non-public school educator has the prescribed knowledge, skill and/or education to practice in a particular area, teach a particular subject, or teach a category of students.

“Student Teaching Program” means a traditional student teaching placement within a National Association of State Directors of Teacher Education and Certification or National Council for the Accreditation of Teacher

Education approved program offered by a college or university, or such alternatives as deemed appropriate to the program, such as supervised internships or other field based experience recognized as a required component of the regionally accredited non-public school educator preparation program.

“Suspension” means the temporary removal of an initial license for failure to pass the PRAXIS I test.

“Unfit” means lack of good moral character, misconduct in office, incompetence, willful neglect of duty, disloyalty or falsification of credentials.

3.0 Performance Appraisal Evaluation

3.1 A licensed and certified non-public school educator must receive at least 1 performance appraisal evaluation annually. The evaluation system and any forms used in connection therewith must be in a form approved by the Secretary and must be consistent with the Delaware Professional Teaching Standards and the Delaware Administrators’ Standards. Further it must be demonstrated that the evaluation system is equivalent to the Delaware Performance Appraisal System (DPAS) or the Delaware Performance Appraisal System II (DPAS II) whichever is in effect for public educators.

3.2 The employing authority shall develop a performance appraisal evaluation to submit to the Secretary for approval. The performance appraisal evaluation shall include an overall rating and a student-improvement component rating, and must identify what constitutes satisfactory performance and unsatisfactory performance on the overall evaluation and on each component of the evaluation.

3.3 Notwithstanding subsection 3.1, any performance appraisal evaluation designed and approved hereunder, may include a provision whereby the minimum annual evaluation requirement for non-public school educators may be waived for proficient performance on previous evaluations. However, a non-public school educator may not receive 2 consecutive evaluation waivers.

3.4 The performance appraisal evaluation shall have no more than 5 components and must have a strong focus on student improvement, with 1 component dedicated exclusively to student improvement and weighted at least as high as any other component. The measure of student improvement must be approved by the Secretary.

3.5 Nothing herein prevents an employing authority from administering other evaluations in addition to the Department approved performance appraisal evaluation.

4.0 Non-public School Educator Licensure and Certification System.

In order to be eligible for a license and certificate, a non-public school teacher, specialist, or administrator must receive at least one performance appraisal evaluation annually which meets the requirements set forth in section 3.0.

4.1 Initial License

4.1.1 An initial license is valid for three (3) years unless revoked and may not be renewed.

4.1.1.1 During the term of the initial license, license holders are required to participate in mentoring and other prescribed professional development activities offered by their non-public school employer.

4.1.2 The Department shall issue an initial license to a non-public school educator if the applicant demonstrates that:

4.1.2.1 He or she has received a bachelor’s degree from a regionally accredited 4-year college or university; and

4.1.2.2 He or she has completed a student teaching program, as defined in 2.0, or has one (1) year of teaching experience consisting of a minimum of 91 days of long term teaching experience in one (1) assignment; and

4.1.2.3 He or she has achieved a passing score on an examination of general knowledge, such as Praxis I, or such other alternative as might be established by the Department.

4.1.2.4 The Department shall issue an initial license to an applicant currently licensed as an educator in another jurisdiction who has less than three (3) years of teaching experience and meets the requirements of sections 4.1.2.1 through 4.1.2.3. Further, the Department shall issue an initial license to an applicant who previously held a valid Delaware Standard or Professional Status Certificate who has been out of the profession for more than three (3) years.

4.1.3 An applicant for an initial license shall submit the application form, official transcripts, and official scores on an examination of general knowledge, such as the PRAXIS I tests in any format, as defined in 2.0, to the Department.

4.1.3.1 Official transcripts shall be forwarded directly from the issuing institution or by the applicant in an unopened unaltered envelope.

4.1.4 Examination of General Knowledge Requirement

4.1.4.1 A non-public school educator seeking initial licensure in Delaware shall provide the Department with official test scores for one or more of the following tests of essential skills in reading, writing and mathematics: the PRAXIS I Tests (PPST) or such alternatives as set forth in 4.1.4.4 below.

4.1.4.2 Scores of Examinations of General Knowledge.

4.1.4.2.1 The following minimum passing scores are required in the areas of reading, writing and mathematics for each of the examinations of essential skills.

4.1.4.2.1.1 Pre-professional Skills Test (PPST) taken between 7/1/83 and 10/22/93: reading - 175, mathematics - 175, writing - 172.

4.1.4.2.1.2 PRAXIS I (PPST)- Paper and Pencil Tests (taken on 10/23/93 and thereafter with a possible score range of 150 to 190) and PRAXIS I Computerized Pre-Professional Skills Tests (CPPST) taken on 1/1/02 and thereafter (both of which have a possible score range of 150 to 190) with passing scores of: reading - 175, mathematics - 174, writing - 173.

4.1.4.2.1.3 PRAXIS I - Computer Based Tests (CBT) (taken between 10/23/93 and 12/31/01) with passing scores of: reading - 322, mathematics - 319, writing - 319.

4.1.4.3 Individuals holding Delaware certificates issued prior to July 1,1983 are exempt from the testing requirements.

4.1.4.4 Acceptable alternatives to the PRAXIS I test scores include:

4.1.4.4.1 Scores from the California Test of Basic Skills (CTBS) shall be accepted in lieu of PPST/PRAXIS I scores if the test was taken as a condition of meeting certification or licensure requirements in that state and the scores total 123, with a minimum of at least 37 in each category.

4.1.4.4.2 Scholastic Aptitude Tests (SAT) taken after 4/1/95 and presented for exemption must meet the scores set forth below due to a re-centering of the SAT.

4.1.4.4.2.1 A minimum score of 520 on the SAT Mathematics taken prior to 4/1/95, and a minimum score of 540 on the SAT Mathematics test taken thereafter will be accepted as fulfillment of the PRAXIS I Mathematics requirement.

4.1.4.4.2.2 A minimum score of 480 on the SAT Verbal test taken prior to 4/1/95, and a minimum score of 560 on the SAT verbal test taken thereafter will be accepted as fulfillment of the PRAXIS I reading requirement.

4.1.4.4.3 Graduate Record Examination (GRE) scores presented for exemption must meet the scores set forth below.

4.1.4.4.3.1 A minimum score of 490 on the Graduate Record Examination (GRE) Verbal test will be accepted as fulfillment of the PRAXIS I reading requirement.

4.1.4.4.3.2 A minimum score of 540 on the Graduate Record Examination (GRE) Quantitative test will be accepted as fulfillment of the PRAXIS I mathematics requirement.

4.1.4.4.4 National Teacher Examination (NTE) Core Battery Communications Skills with a minimum score of 670 will be accepted as fulfillment of the PRAXIS I writing requirement.

4.1.4.5 Any Scholastic Aptitude Test (SAT) scores, Graduate Records Exam (GRE) scores or NTE Communication Skills scores intended to be used as an exemption for the PPST/PRAXIS I, shall be submitted within the same timeline as that required for PRAXIS I and scores must pre-date the employment date.

4.1.4.6 Timeline for Examination of General Knowledge.

4.1.4.6.1 A non-public school educator seeking initial licensure must pass the three PRAXIS I (PPST) tests in any format or an approved alternative within two years of the issuance of the initial license. Notwithstanding the foregoing, the non-public school employer may submit to the Secretary a written request for a one-year extension. The request must document the effectiveness of the applicant and that the applicant has attempted at least twice to pass Praxis I or an approved alternative within the proceeding two years.

4.1.4.6.2 If proof of passage of PRAXIS I is not provided within two years of the issuance of the initial license and no extension is granted by the Secretary, the initial license shall be suspended for a maximum of two years.

4.1.4.6.2.1 Evidence of passage of PRAXIS I within the time period of the suspension shall result in the reinstatement of the initial license.

4.1.4.6.2.2 An applicant who does not pass PRAXIS I during the time period of the suspension, and whose initial license is expired, must reapply and may be issued an initial license, valid for three years, if he/she meets the requirements for initial licensure then in effect.

4.1.4.7 An applicant for an initial license who does not achieve a passing score on PRAXIS I, but whose score on PRAXIS I is within 2 points of the passing score on the reading, writing, or mathematics section of PRAXIS I may use a composite score to meet the requirements of passage.

4.1.4.7.1 Scores from either the paper and pencil PRAXIS I (PPST) test or from the

computerized PRAXIS I (CPPST) test, begun in January, 2002, both of which have a possible score range of 150 to 190, may be used when applying the composite score provision. Scores from the PRAXIS I computer based test (CBT), taken between November, 1993 and December 31, 2001 may be used when applying the composite score provision, but may not be used in conjunction with the paper and pencil PRAXIS I test or with the computerized PRAXIS I (CPPST) test.

4.1.4.7.2 Notwithstanding the use of a composite score, an applicant who seeks to teach in the secondary content areas of mathematics or English/language arts must meet the passing score in that content area.

4.1.4.8 There is no limit on the number of times an individual may take the PPST/PRAXIS I. Once passed, a section need not be taken again.

4.1.4.8.1 Passing scores in each area (reading, writing, mathematics) may be attained in any testing format.

4.1.4.9 Submission of Scores of Examination of General Knowledge.

4.1.4.9.1 Test scores shall be official and sent directly from Educational Testing Service or other test vendor to the Department.

4.1.4.9.2 Unopened, unaltered envelopes containing PPST/PRAXIS I scores, or scores of acceptable alternatives, sent to the individual may be accepted as official. The Department shall determine whether the scores as presented are acceptable.

4.1.4.9.3 Direct verification from another State Department of Education shall be considered as official. An original of the grade form shall be forwarded directly from the other State Department to the Department. This method will be accepted only when official test scores from Educational Testing Service are not available.

4.1.5 Applicants with Foreign Credentials.

4.1.5.1 Applicants graduating from foreign institutions shall provide an analysis of the degree equivalency, along with all other required application materials, which shall be reviewed by the Department.

4.1.6 This regulation shall apply to all requests for issuance of an initial license, except as specifically addressed herein.

4.1.6.1 Non-public school educators who hold a Limited Standard Certificate or a Temporary Certificate issued prior to August 31, 2003 shall continue on that certificate until the requirements specified are met or the certificate expires, whichever comes first.

4.2 Continuing License

4.2.1 The Department shall issue, upon application, a continuing license to a non-public school educator who has successfully completed the requirements under the initial licensure as set forth in subsection 4.1. The Department shall issue a continuing license to an applicant licensed as an educator in another jurisdiction who provides evidence of having completed three (3) or more years of successful teaching experience. A continuing license is valid for 5 years unless extended pursuant to 4.4 or revoked for cause, as defined in 4.8.

4.2.1.1 An applicant for a continuing license shall submit the approved application form to the Department. Copies of the non-public school educator's annual performance appraisal evaluation for the period of initial licensure shall be submitted with an initial application for a Continuing License. An applicant with more than one (1) unsatisfactory annual performance appraisal evaluation during the period of initial licensure is ineligible to be issued a continuing license. Incomplete applications will not be processed.

4.2.2 The Department may issue a continuing license to a non-public school educator who previously held a valid Delaware certificate that has expired.

4.2.2.1 A non-public school educator returning to employment and holding a current standard or professional status certificate will be issued a continuing license upon request.

4.2.2.2 A non-public school educator who previously held a valid Delaware standard or professional status certificate which has expired and who has been out of the profession for less than three (3) years may be issued a continuing license, valid for 5 years, upon request and application on the approved form and evidence of previous Delaware certification.

4.2.2.3 A non-public school educator who has completed three (3) or more years of successful teaching and who holds a continuing license which has expired and who has been out of the profession for more than three (3) years may be issued a continuing license upon request, but must, within the first year of employment, successfully complete a employer-sponsored mentoring program which focuses on current best practices in curriculum, instruction and assessment aligned to state standards.

4.2.2.4 A non-public school educator holding a limited standard or temporary certificate and currently employed as a non-public school educator will be issued a continuing license upon completing all requirements for the current standard certificate. Requirements must be completed by the expiration date of the limited standard or temporary certificate.

4.2.3 Renewal of a Continuing License: To obtain renewal of a continuing license, a non-public school educator shall participate in professional development activities totaling 90 clock hours every five years. At least one-half of the required hours (45 hours every five years) for non-public school educators must be in activities that relate to the non-public school educator’s work with students or staff. Satisfactory evidence of such completion, as set forth in Sections 4.2.3.2 and 4.2.3.3, shall be submitted to the Department with the application for renewal.

4.2.3.1 Options for Relicensure

RE-LICENSURE OPTIONS – SPECIFICATIONS - TEACHERS/SPECIALISTS/ADMINISTRATORS

<u>OPTION</u>	<u>MAX. HOURS</u>	<u>HOUR VALUE</u>	<u>VERIFICATION</u>	<u>CRITERIA</u>
<u>College Credit</u>	<u>No limit</u>	<u>1 semester hour = 15 clock hours. 1 quarter hr./CEU = 10 clock hours.</u>	<u>Official Transcripts. Original Grade Slips. Original Certificate of Completion for CEUs.</u>	<u>Must be completed at a regionally accredited college. Must be taken for credit with grade of "C" or better or a "P" in pass/fail course.</u>
<u>Employer Sponsored Professional Development Programs</u>	<u>No Limit</u>	<u>Verified clock hours actively involved in professional development activities</u>	<u>Certificate of attendance provided by the employing authority</u>	<u>Employer professional development programs must focus on identified curriculum, instruction, assessment, school climate or other identified need.</u>
<u>Professional Conference/ Workshop/ Institute or Academy</u>	<u>30 clock hours per year 45 clock hours per cycle</u>	<u>Verified clock hours actively involved in workshop or conference sessions</u>	<u>Original Certificate of Attendance or Completion OR Letter from Supervisor/Conference Staff. Copies/ Exhibits of products developed by Applicant. Course Attendance Slip</u>	<u>Must include only time spent in those portions of the workshop or conference program that contribute to the participant's knowledge, competence, performance, or effectiveness in education. Includes workshops offered by districts or other employing authorities either as part of professional development day or after school hours.</u>
<u>Mentoring</u>	<u>30 per year 45 per cycle</u>	<u>Verified clock hours involved in mentoring activities</u>	<u>Activity Documentation Form. (No prior approval required)</u>	<u>Must be mentoring of teacher, administrator, or specialist. Must be part of a formal program.</u>
<u>Cooperating Teacher/Intern Supervisor</u>	<u>30 per year 45 per cycle</u>	<u>Verified clock hours involved in support of student teacher or intern</u>	<u>Activity Documentation Form completed by higher education director of field-based clinical studies. (No prior approval required)</u>	<u>Must be supervision of graduate or undergraduate intern or student teacher in a state-approved non-public school educator preparation program.</u>
<u>Presentation</u>	<u>10 per 3 clock hour course; 30 per longer course; 45 per cycle</u>	<u>Verified clock hours preparing and presenting</u>	<u>Activity Documentation Form* (Prior approval required)</u>	<u>Must include only actual time preparing and presenting a course, workshop, or presentation. (Clock hours limited to first preparation and presentation of individual course, workshop, or presentation.)</u>
<u>Curriculum/ Assessment Development</u>	<u>30 per year 45 per cycle</u>	<u>Verified clock hours of service; Minimum of 3 clock hours</u>	<u>Original documentation from committee chair verifying actual clock hours of participation</u>	<u>Must be service on formal committee organized by local, state, national, or international education agency or organization.</u>
<u>Professional Programs/ Committees</u>	<u>30 per year 45 per cycle</u>	<u>Verified clock hours of service or experience.</u>	<u>Original documentation from committee chair or activity leader verifying actual clock hours of participation.</u>	<u>Must be a formal activity provided through a recognized local, state, national, or international education agency or organization</u>
<u>Peer Coaching</u>	<u>30 per year 45 per cycle</u>	<u>Verified clock hours of service or experience.</u>	<u>Activity Documentation Form. (No prior approval required)</u>	<u>Must be part of a formal program.</u>
<u>Publication</u>	<u>30 per year 45 per cycle</u>	<u>30 clock hours for book. Up to 15 clock hours per other publication.</u>	<u>Copy of Publication or Document.</u>	<u>Must contribute to the education profession or add to the body of knowledge in the individual's specific field. Must be commercially published or a formally approved document or formally published in a medium sanctioned by a recognized state or national agency or organization. If a grant, must be approved for funding.</u>

<u>NBPTS Certification or similar National Certification</u>	<u>30 per year 45 per cycle</u>	<u>45 clock hours for attaining national certification</u> <u>Not complete B verified clock hours completing portfolio activities.</u>	<u>A Valid Copy of the National Certificate.</u> <u>For candidate not completing certificate -</u> <u>Activity Documentation Form.</u> <u>(No prior approval required)</u>	<u>Holds a certificate indicated by NBPTS as related to an individual=s work or assignment.</u> <u>Certificate or participation as a candidate must be completed and verified by the expiration date of the Delaware certificate.</u>
<u>Formal Study Groups</u>	<u>30 per year 45 per cycle</u>	<u>Verified clock hours working as a member of a study group.</u>	<u>Activity Documentation Form and The Product of the Study.*</u> <u>(Prior approval required)</u>	<u>Must relate to the individual=s work or assignment.</u> <u>Must include a product.</u>

4.2.3.2 Documentation of Clock Hours for Relicensure

4.2.3.2.1 For renewal of the continuing license, non-public school educators may complete and document clock hours for the variety of activities described under relicensure options. When college or university courses are used to fulfill the requirements, the following equivalencies will be used: 1 semester hour = 15 clock hours, 1 quarter hour = 10 clock hours, 1 CEU = 10 clock hours. To be documented for clock hours, activities must meet the criteria set forth in the regulations and must be appropriately verified and applied for Individuals, schools or school districts, or other agencies organizing or conducting professional development activities which may be used for fulfilling the requirements for renewal of a license are responsible for providing documentation of participation to all participants. Each non-public school educator is responsible for obtaining any necessary approvals, as set forth in Section 4.2.3.1, from his or her employer before participating in a professional development activity. Any employer may not impose additional activity requirements on the award of clock hours towards renewal of a continuing license.

4.2.3.2.1.1 Criteria for determining if activities are acceptable for clock hour credit for a non-public school educator include the following:

4.2.3.2.1.1.1 The activity enhances the knowledge and skills in the non-public school educator's job or contributes to his/her school or profession.

4.2.3.2.1.1.2 The activity meets one of the relicensure options.

4.2.3.2.1.1.3 The activity addresses one of the standards for the non-public school educator's area of the profession.

4.2.3.2.1.1.4 The activity is completed during the term of the non-public school educator's current continuing license.

4.2.3.2.1.1.5 The activity addresses specific Professional Teaching or Administrator Standards.

4.2.3.2.1.1.6 Participation in, or completion of, the activity can be documented.

4.2.3.3 The Re-Licensure Application, Activity Documentation Form, and, where required, original or official documents will be used to verify activities for renewal of a continuing license. Official transcripts or original grade slips are required documentation for successful completion of college courses.

4.2.3.4 For applicants who change positions (grade levels, content areas, areas of supervisory responsibility, etc.) during the five-year term of a continuing license, clock hours documented must have been appropriate to the non-public school educator's position at the time the clock hours were completed.

4.2.4 The 90 clock hours must be completed during the five-year term of the license. All activities must relate to the 14 **DE Admin. Code** 1593, Delaware Professional Teaching or 14 **DE Admin Code** 1594, Delaware Administrator Standards.

4.2.5 The activities selected must be beyond the normal or specified requirements of the position. Professional development activities, which fulfill the criteria for relicensure for which non-public school educators receive compensation, may be submitted in fulfillment of the 90-clock hour requirement for relicensure.

4.2.6 This regulation shall apply to all requests for continuing license, issuance and renewal, except as specifically addressed herein. Non-public school educators holding a Professional Status Certificate or a Standard Certificate expiring on June 30, 2001 shall have until June 30, 2007 to meet the new continuing license renewal standards. All administrators in instructional areas issued a continuing license as of July 1, 2001, shall have until June 30, 2007 to meet the new continuing license renewal standards. Non-public school educators holding a Professional Status Certificate or a Standard Certificate expiring July 1, 2001 or thereafter shall be required to satisfy the new continuing license renewal standards as set forth herein.

4.3 Advanced License

4.3.1 The Department, upon receipt of the list of successful candidates provided annually by the National Board of Professional Teaching Standards, shall issue an advanced license to any non-public school educator who has successfully obtained National Board for Professional Teaching Standards. An advanced license is valid for 10 years

unless extended pursuant to 4.4 or revoked for cause, as defined in 4.8.

4.3.1.1 The Department shall issue, upon application, an advanced license to a non-public school educator licensed in another jurisdiction who provides verification of receipt of National Board certification.

4.3.2 The Department shall renew an advanced license, valid for an additional 10 years, to a non-public school educator who has maintained proficiency through the National Board for Professional Teaching Standards.

4.3.2.1 The Department shall renew an advanced license upon receipt of a list of successful Delaware candidates for renewal provided annually by the National Board for Professional Teaching Standards.

4.3.2.2 An applicant who elects not to renew with the National Board for Professional Teaching Standards or who fails to meet the recertification requirements set forth by the National Board will be issued a continuing license.

4.4 License Extension

4.4.1 The Department may extend an initial license for a period not to exceed one (1) year, exigent circumstances warranting the necessity of such extension.

4.4.2 A license holder whose license expires during the school year may have the license extended until the last day of the fiscal year upon a request from the employing authority. This extension shall be considered an exigent circumstance and shall not exceed one (1) year in length.

4.5 Leave of Absence

4.5.1 A non-public school educator may take a leave of absence of up to three (3) years with no effect upon the validity or expiration of the initial license.

4.6 The Department shall not act on an application for licensure if the applicant is official investigation by any state or local authority with the power to issue educator licenses or certifications, where the alleged conduct involves allegations of immorality, misconduct in office, incompetence, willful neglect of duty, disloyalty or falsification of credentials, until the applicant provides evidence of the investigation's resolution.

4.7 Criminal Conviction History

4.7.1 An applicant shall disclose his or her criminal conviction history upon application for an initial license. Failure to disclose a criminal conviction history is grounds for denial or revocation of an initial license.

4.8 License Denial

4.8.1 Upon a finding that an applicant is unfit to be licensed in the State, the Department may refuse to issue an initial license, continuing license or an advanced license to an applicant who otherwise meets the requirements set forth herein.

4.8.1.1 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/her designee within thirty (30) days.

4.8.2 Notwithstanding any other provisions stated herein, no license shall be issued to an applicant for an initial, continuing or advanced license if:

4.8.2.1 There is legal evidence that the applicant is not of good moral character; or

4.8.2.2 The applicant has had a certificate or license revoked in another state for immorality, misconduct in office, incompetence, willful neglect of duty, disloyalty or falsification of credentials.

4.9 License Revocation

4.9.1 An initial, continuing or advanced license; or a limited standard, standard, or professional status certificate issued prior to August 31, 2003, issued to a non-public school educator may be revoked upon the dismissal of the license or certificate holder for immorality, misconduct in office, ~~incompetency incompetent~~, willful neglect of duty or disloyalty, and must be revoked upon a finding that the license or certificate holder made a materially false or misleading statement in his or her license or certificate application.

4.9.1.1 Revocation Requested by an Employing Authority

4.9.1.1.1 When any license or certificate holder is dismissed by an employing authority for immorality, the body making such a determination shall, upon final decision, give written notice to the Secretary of its desire to request the revocation of that individual's license or certificate.

4.9.1.1.2 When any license or certificate holder is dismissed by an employing authority for misconduct in office, incompetence, willful neglect of duty or disloyalty, the body making such a determination may, upon final decision, give written notice to the Secretary of its desire to request the revocation of that individual's license or certificate.

4.9.1.1.3 When a license or certificate holder voluntarily resigns in the face of disciplinary action for immorality and an investigation has been initiated by the employing authority, the employer shall, upon

accepting the resignation, give written notice to the Secretary.

4.9.1.1.4 Upon receipt of written notification from the employing authority, the Secretary shall give written notice to the license or certificate holder of the intended 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/her designee within thirty (30) days.

4.9.1.1.5 If the licensee fails to request a formal hearing before the Secretary or his/her designee within thirty (30) days of the notice of revocation, the Secretary shall send written notification by certified mail to the individual revoking his/her license or certificate.

4.9.1.2 Revocation by the Secretary of Education

4.9.1.2.1 The Secretary may initiate proceedings to revoke a license or certificate holder's license or certificate when she/he has good reason to believe that any of the following circumstances exist:

4.9.1.2.1.1 The license or certificate holder has been convicted of a crime which is evidence of immorality; or

4.9.1.2.1.2 The license or certificate holder has had a certificate or license revoked in another state for immorality, misconduct in office, [~~incompetency incompetent~~], willful neglect of duty or disloyalty or falsification of credentials.

4.9.1.2.2 The Secretary shall give written notice to the license or certificate holder of the intended 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/her designee within thirty (30) days.

4.9.1.2.3 If the licensee fails to request a formal hearing before the Secretary or his/her designee within thirty (30) days of the notice of revocation, the Secretary shall send written notification by certified mail to the individual revoking his/her license or certificate.

4.9.2 Duty of License or Certificate Holder to Report.

4.9.2.1 Notwithstanding any other provisions stated herein, a license or certificate holder shall send written notification to the Secretary within thirty (30) days of the happening of any of the following events:

4.9.2.1.1 The license or certificate holder is dismissed by an employing authority for immorality;

4.9.2.1.2 The license or certificate holder voluntarily resigns employment in the face of disciplinary action for immorality or an open investigation for immorality;

4.9.2.1.3 The license or certificate holder is convicted of a crime which is evidence of immorality; or

4.9.2.1.4 The license or certificate holder has had a certificate or license revoked in another jurisdiction for immorality, misconduct in office, [~~incompetency incompetent~~], willful neglect of duty, disloyalty or falsification of credentials.

4.9.2.2 The failure of the license or certificate holder to report any of the above events to the Secretary shall be grounds for revoking a license or certificate.

4.9.2.3 When a license or certificate is revoked, all standard and emergency certificates held by the license or certificate holder shall be revoked.

4.10 Standard Certificate

4.10.1 The Department shall issue a standard certificate to a non-public school educator who holds a valid Delaware initial, continuing or advanced license; or limited standard, standard, or professional status certificate issued prior to August 31, 2003, who has:

4.10.1.1 Acquired the prescribed knowledge, skill and/or education to practice in a particular area, to teach a particular subject or to instruct a particular category of students by:

4.10.1.1.1 Obtaining National Board for Professional Teaching Standards certification in the area, subject, or category for which a standard certificate is requested; or

4.10.1.1.2 Meeting the requirements set forth in the relevant Department or Standards Board regulation governing the issuance of a standard certificate in the area for which a standard certificate is sought; or

4.10.1.1.3 Graduating from an NCATE specialty organization recognized educator preparation program offered by a regionally accredited college or university, with a major in the area of the standard certificate requested; or

4.10.1.1.4 Graduating from a state approved educator preparation program offered by a regionally accredited college or university, with a major in the area of the standard certificate requested, where the state approval body employed the appropriate NCATE specialty organization standards; or

4.10.1.1.5 Meeting any additional options set forth in 14 **DE Admin. Code** 1516.3.1; or

4.10.1.2 Graduated from an educator preparation program offered by a Delaware higher education institution approved by the Department pursuant to 14 **DE Admin. Code** 399, with a major in the area of the standard

certificate requested; or

4.10.1.3 Achieved a passing score on a Praxis II examination in the area requested, as established by the Professional Standards Board, in consultation with the Department and with concurrence with the State Board of Education; or

4.10.1.4 A valid and current certificate from another state in the area for which a standard certificate is sought.

4.10.1.4.1 A “valid and current certificate from another state” means a current full or permanent certificate or license issued by another state. It does not include temporary, emergency or expired certificates or licenses issued from another state.

4.10.1.4.2 The Department shall not act on an application for certification if the applicant is under official investigation by any state or local authority with the power to issue educator licenses or certifications, where the alleged conduct involves allegations of immorality, misconduct in office, incompetence, willful neglect of duty, disloyalty or falsification of credentials, until the applicant provides evidence of the investigation’s resolution.

4.10.2 Educators may hold certificates in more than one area.

4.10.3 An applicant for a standard certificate shall submit:

4.10.3.1 official transcripts; or

4.10.3.2 official scores on the Praxis II examination; or

4.10.3.3 evidence of passage of the National Board for Professional Teaching Standards

Certificate; or

4.10.3.4 an official copy of the out-of-state license or certification, if applicable.

4.10.3.5 If applied for simultaneously with application for an initial license, the applicant shall provide all required documentation for that application in addition to the documentation cited above.

4.10.4 If an applicant holds a valid initial, continuing, or advanced Delaware license; or a limited standard, standard or professional status certificate issued prior to August 31, 2003 and is requesting additional standard certificates, only that documentation necessary to demonstrate acquisition of the prescribed knowledge, skill and/or education required for the additional standard certificate requested is required.

4.10.5 A standard certificate is valid regardless of the assignment or employment status of the holder of a certificate or certificates, and is not subject to renewal. It shall be revoked in the event the educator’s initial, continuing, or advanced license or limited standard, standard, or professional status certificate is revoked in accordance with section 4.8.

8 DE Reg 1123 (2/1/05)