

**DEPARTMENT OF EDUCATION
PROFESSIONAL STANDARDS BOARD**

Statutory Authority: 14 Delaware Code, Section 122(d) (14 **Del.C.** §122(d))
14 **DE Admin. Code** 1505

FINAL

REGULATORY IMPLEMENTING ORDER

1505 Standard Certificate

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** 1505 Standard Certificate. The regulation addresses the requirements for certification of educational personnel, pursuant to 14 **Del.C.** §1220(a). Amendments include several additions to definitions and affording the Department of Education the final approval of requisite coursework or professional development, as mandated for specific Standard Certificates or for individuals working toward their first Standard Certificate who have not graduated from an educator preparation program. Some reformatting was also done to allow for easier understanding. This regulation sets forth the general requirements for specific grade level, content area, specialist and administrative Standard Certificates.

Notice of the proposed amendment of the regulation was published in the Delaware *Register of Regulations* on December 1, 2011. The notice invited written comments. Similar written comments were received from the Governor's Advisory Council for Exceptional Citizens and the State Council for Persons with Disabilities. An area of concern for the Councils was the definition of "Immorality". The definition within the regulation is consistent with Delaware case law and the requirements of other public school personnel that are governed by state licensure, certification, and permit regulations and laws. The Professional Standards Board has incorporated the comments related to grammatical recommendations. The amended regulation does narrow eligibility somewhat, as noted in the written comments. These were purposeful amendments.

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 AMEND 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** 1505 of the *Administrative Code of Regulations* of the Department of Education.

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 5TH DAY OF JANUARY, 2012

Kathleen Thomas, Chair

Chris Kenton

Michael Casson

David Kohan

Joanne Christian

Jill Lewandowski

Samtra Devard

Wendy Murray

Stephanie DeWitt
Marilyn Dollard
Karen Gordon
Cristy Greaves

Whitney Price
Shelley Rouser
Jacque Wisnauskas

IT IS SO ORDERED the 19th day of January 2012.

Department of Education

Lillian M. Lowery, Ed.D., Secretary of Education

Approved this 19th day of January 2012

State Board of Education

Teri Quinn Gray, Ph.D., President

Jorge L. Melendez, Vice President

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Barbara B. Rutt

Gregory Coverdale

Terry M. Whittaker, Ed.D.

James L. Wilson, Ed.D.

1505 Standard Certificate

1.0 Content

This regulation shall apply to the issuance of a Standard Certificate, pursuant to 14 **Del.C.** §1220(a).

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

7 DE Reg. 629 (11/1/03)

2.0 Definitions

2.1 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.

“Department” means the Delaware Department of Education.

“DPAS” means an approved state educator performance system pursuant to 14 **Del.C.** Ch. 12, Subchapter VII.

“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 Standards Board and approved by the State Board. 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, or management companies.

“Examination of Content Knowledge” means a standardized test which measures knowledge in a specific content area, such as PRAXIS™ II.

“Fifteen (15) Credits or Their Equivalent in Professional Development” means college credits or an equivalent number of hours, with one (1) credit equating to fifteen (15) hours taken either as part of a degree program or in addition to it, from a regionally accredited college or university or a professional development provider approved by the employing school district or charter school Department.

“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.

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

“Major or its Equivalent” means a minimum of thirty (30) semester hours of course work in a particular content area.

“NASDTEC” means The National Association of State Directors of Teacher Education and Certification. The organization represents professional standards boards, commissions and departments of education in all fifty (50) states, the District of Columbia, the Department of Defense Dependent Schools, the U.S. Territories, New

Zealand, and British Columbia, which are responsible for the preparation, licensure, and discipline of educational personnel.

“**NCATE**” means The National Council for Accreditation of Teacher Education, a national accrediting body for schools, colleges, and departments of education authorized by the U.S. Department of Education.

“**Professional Development**” means a combination of focused, in-depth learning, practice, feedback, reflection, and expert support experiences designed to change participants’ attitudes, insights, and/or perspectives; and ultimately results in improved professional practice. Effective professional development programs include ample opportunities for knowledge acquisition, skill mastery, descriptive feedback, and refinement of practice in the work setting.

“**Second Certificate**” or “**Second Standard Certificate**” means any Standard Certificate issue after the first Standard Certificate including any second or subsequent Standard Certificate.

“**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.

“**State Board**” means the State Board of Education of the State of Delaware pursuant to 14 **Del.C.** §104.

“**Teaching Experience**” means meeting students on a regularly scheduled basis, planning and delivering instruction, developing or preparing instructional materials, and evaluating student performance under a State credential in any PreK to 12 public school setting or an equivalent setting as approved by the Department.

“**Valid and Current License or Certificate from Another State**” means a current full or permanent certificate or license issued by another state. This means the educator is fully credentialed by having met all of the requirements for full licensure or certification in another state. It does not include temporary, emergency, conditional certificates of eligibility or expired certificates or licenses issued from another state.

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

7 DE Reg. 629 (11/1/03)

7 DE Reg. 1742 (6/1/04)

10 DE Reg. 98 (07/01/06)

11 DE Reg. 1375 (04/01/08)

3.0 Standard Certificate

The Department shall issue a Standard Certificate to an 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 met the following requirements:

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

3.1.1 Completing an Approved Educator Preparation Program or Advanced Certification

3.1.1.1. Obtaining National Board for Professional Teaching Standards certification in the area, subject, or category for which a Standard Certificate is requested; or

3.1.1.23 Graduating from an NCATE specialty organization recognized educator preparation program or from a state approved educator preparation program, offered by a regionally accredited college or university with a major or its equivalent in the area of the Standard Certificate requested. ~~where For both programs,~~ the state approval body shall ~~employed~~ the appropriate NASDTEC or NCATE specialty organization standards; ~~-, offered by a regionally accredited college or university, with a major or its equivalent in the area of the Standard Certificate requested, or~~

3.1.1.34 Satisfactorily completing ~~the~~ an Alternative Routes for Licensure and Certification Program, the Special Institute for Licensure and Certification, or such other ~~alternative~~ educator preparation programs as the Secretary or the Standards Board with the consent of the State Board, may approve; or

3.1.2 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

3.1.53 Holding a bachelor’s degree from a regionally accredited college or university in any content area and

3.1.53.1 for applicants applying after ~~June 30, 2006~~ for their first Standard Certificate, satisfactory completion of fifteen (15) credits or their equivalent in professional development related to their area of certification, of which at least six (6) or their equivalent credits must focus on pedagogy, ~~selected by the applicant with the approval of the employing school district or charter school which is submitted to the Department; and~~

- 3.1.3.1.1 The fifteen (15) credits or their equivalent in professional development are selected by the applicant in consultation with the employing school district or charter school.
- 3.1.3.1.2 The fifteen (15) credits or their equivalent in professional development is subject to Department approval.
- 3.1.3.1.3 In the case where there is no employing authority or the new Standard Certificate requested is outside the applicant's current spectrum of employment, the proposed fifteen (15) credits or their equivalent in professional development is selected by the applicant in consultation with the Department. The final selection is subject to Department approval; or
- 3.2 ~~For applicants applying after December 31, 2005, where an examination of content knowledge such as a Praxis™ II examination in the area of the Standard Certificate requested is applicable and available, achieved a passing score as established by the Standards Board, in consultation with the Department and with the concurrence of the State Board, on the examination; or~~
- 3.32 Met the requirements for licensure and holding a valid and current license or certificate from another state in the area for which a Standard Certificate is requested; or
- 3.43 Met the requirements for a Meritorious New Teacher Candidate Designation adopted pursuant to 14 **Del.C** §1203.
- 3.54 If additional criteria are imposed by a specific regulation in the area for which a Standard Certificate is sought, the additional requirement(s) must also be met.
 - 7 DE Reg. 161 (8/1/03)
 - 7 DE Reg. 629 (11/1/03)
 - 7 DE Reg. 1004 (2/1/04)
 - 7 DE Reg. 1742 (6/1/04)
 - 10 DE Reg. 97 (07/01/06)
 - 10 DE Reg. 1593 (04/01/07)
 - 11 DE Reg. 1375 (04/01/08)

4.0 **Testing Requirements**

Pursuant to 14 Del.C. §1220, where an examination of content knowledge such as a Praxis™ II examination is applicable and available in the area of the Standard Certificate sought, the applicant shall achieve a passing score as established by the Standards Board, in consultation with the Department and with the concurrence of the State Board.

45.0 **Multiple Standard Certificates**

- 45.1 Educators may hold a Standard Certificates in more than one area.
- 45.2 Educators applying for their second or subsequent Standard Certificate(s) must meet the qualifications in section 3.0 for each additional Standard Certificate.
 - 7 DE Reg. 161 (8/1/03)
 - 7 DE Reg. 629 (11/1/03)
 - 10 DE Reg. 97 (07/01/06)
 - 11 DE Reg. 1375 (04/01/08)

56.0 **Application Requirements**

- 5.1 ~~Official transcripts; and~~
- 5.2 ~~Official scores on the Praxis II examination if applicable and available; or~~
- 5.3 ~~Evidence of passage of the National Board for Professional Teaching Standards Certificate; if applicable; or~~
- 5.4 ~~An official copy of the out of state license or certification, if applicable.~~
- 5.5 ~~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.~~
- 6.1 The following documents are required in the application for a Standard Certificate:
 - 6.1.1 Official transcripts from a regionally accredited college or university.
 - 6.1.1.1 Electronic transcripts may be submitted by the employing authority or by the regionally accredited college or university; or
 - 6.1.1.2 Sealed paper transcripts may be submitted.
- 6.2 If applicable, documents verifying successful completion of professional development; and

- 6.3 Official scores on an examination of content knowledge such as the Praxis II examination if applicable and available; or
- 6.4 Evidence of passage of the National Board for Professional Teaching Standards Certificate; if applicable; or
- 6.5 An official copy of the valid and current license or certificate from another state.
- 6.6 If applying for an initial license, a Standard Certificate must be applied for simultaneously with application for a License, and the applicant shall also provide all required documentation for the license.

- 7 DE Reg. 161 (8/1/03)
- 7 DE Reg. 629 (11/1/03)
- 7 DE Reg. 1004 (2/1/04)
- 7 DE Reg. 1742 (6/1/04)
- 10 DE Reg. 97 (07/01/06)

67.0 Application Procedures for License Holders

- 67.1 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 or education required for the additional Standard Certificate requested is required.
- 67.2 Notwithstanding any provision to the contrary herein, or in any Department or Standards Board content area, subject or category Standard Certificate regulation (including 14 **DE Admin. Code**, 1500, et. seq.), the Department shall not act on an application for certification 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 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.

- 7 DE Reg. 161 (8/1/03)
- 7 DE Reg. 629 (11/1/03)
- 7 DE Reg. 1742 (6/1/04)
- 10 DE Reg. 97 (07/01/06)
- 10 DE Reg. 1593 (04/01/07)
- 11 DE Reg. 1375 (04/01/08)

7.0 Effect of Regulation

~~This regulation shall apply to all requests for issuance of a Standard Certificate, except as specifically addressed herein. Educators holding a Professional Status Certificate or a Standard Certificate issued on or before August 31, 2003 shall be issued a Continuing License upon the expiration of their current Professional Status certificate or Standard Certificate. The Standard Certificate for each area in which they held a Professional Status Certificate or a Standard Certificate shall be listed on the Continuing License. The Department shall also recognize a Limited Standard Certificate issued prior to August 31, 2003, provided that the educator successfully completes the requirements set forth in the prescription letter received with the Limited Standard Certificate. Requirements must be completed by the expiration date of the Limited Standard Certificate, but in no case later than December 31, 2009.~~

- 7 DE Reg. 161 (8/1/03)
- 7 DE Reg. 629 (11/1/03)
- 7 DE Reg. 1742 (6/1/04)
- 10 DE Reg. 97 (07/01/06)

8.0 Validity of a Standard Certificate

- 8.1 A Standard Certificate is valid regardless of the assignment or employment status of the holder of a Standard Certificate or Standard Certificates. ~~and~~
 - 8.1.1 A Standard Certificate is not subject to renewal.
- 8.2 ~~It~~ An educator's Standard Certificate(s) 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 14 **DE Admin Code** 1514.
- 8.3 An educator whose License or Standard Certificate is revoked is entitled to a full and fair hearing before the ~~Professional Standards Board~~.

8.3.1 Hearings shall be conducted in accordance with the Standards Board's Hearing Procedures and Rules.

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

7 DE Reg. 629 (11/1/03)

7 DE Reg. 1004 (2/1/04)

7 DE Reg. 1742 (6/1/04)

10 DE Reg. 97 (07/01/06)

9.0 Secretary of Education Review

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

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

7 DE Reg. 629 (11/1/03)

10 DE Reg. 1593 (04/01/07)

15 DE Reg. 1148 (02/01/12) (Final)

Renumbered effective 6/1/07 - see Conversion Table