

**DEPARTMENT OF EDUCATION
PROFESSIONAL STANDARDS BOARD**

Statutory Authority: 14 Delaware Code, Section 1205(b) (14 **Del.C.** §1205(b))
14 **DE Admin. Code** 1502

FINAL

REGULATORY IMPLEMENTING ORDER

1502 Professional Growth Salary Increments

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** 1502 Professional Growth Salary Increments. With the amendment of the titling of certification regulation 1559 from Trade and Industrial Education Teacher to Skilled and Technical Sciences Teacher, it is necessary that Sections 2 and 8 in this regulation be reflective of that change. This regulation sets forth the requirements for Professional Growth Salary Increments.

Notice of the proposed amendment of the regulation was published in the *News Journal* and the *Delaware State News* on November 3, 2008 in the form hereto attached as Exhibit "A". The notice invited written comments. No comments were received.

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 "B" 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 "B", and said regulation shall be cited as 14 **DE Admin. Code** 1502 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 4TH DAY OF DECEMBER, 2008

Kathleen Thomas, Chair
Joanne Christian
Samtra Devard
Cathy Zimmerman
Lori Hudson
Jill Lewandowski
Gretchen Pikus
Michael Thomas

Cristy Greaves
Marilyn Dollard
Karen Gordon
David Kohan
Whitney Price
Wendy Murray
Karen Schilling-Ross
Carol Vukelich

FOR IMPLEMENTATION BY THE DEPARTMENT OF EDUCATION:

Valerie A. Woodruff, Secretary of Education

IT IS SO ORDERED THIS 18TH DAY OF DECEMBER, 2008

STATE BOARD OF EDUCATION

Jean W. Allen, President
G. Patrick Heffernan
Barbara Rutt
Dr. Terry M. Whittaker

Richard M. Farmer, Jr., Vice President
Jorge L. Melendez
Dennis J. Savage

1502 Professional Growth Salary Increments

(Effective 7/1/04)

1.0 Content

This regulation shall apply to professional growth salary increments for educators, pursuant to 14 ~~Del.C. §1305 (a)~~(a).

7 DE Reg. 1001 (2/1/04)

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, shall have the following meaning unless the context clearly indicates otherwise:

"Critical Needs Areas" means content, specialty, or administrative areas identified by the Department as areas of shortage in Delaware schools.

~~**"Department"** means the Delaware Department of Education.~~

~~**"Educator"** means a public school employee who holds a license issued under the provisions of 14 Del.C. Ch. 12, and includes teachers, specialists, and administrators, and as otherwise defined by the Standards Board and State Board, but does not include substitute teachers.~~

"Graduate Level Course" means any course which is awarded graduate level credit by a regionally accredited college or university.

"Graduate Level Course of Study" means a non matriculated but focused and coherent program of study (e.g., a certificate program) which is directly linked to professional responsibilities.

"Matriculated Graduate Credit" means credit earned from a regionally accredited college or university earned toward a master's degree or a doctorate degree.

"Skilled and Technical Sciences (STS)" is also known as Trade and Industrial Education, Career and Technical Education, Career Technical Education or Career-Technical Education.

~~"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 pursuant to 14 ~~Del.C.~~ §104.

"Trades and Industry Teacher" means a Skilled and Technical Sciences Teacher, Trade and Industrial Education Teacher or Teacher of Trade and Industries

"Two Years of College or Technical Training" means a minimum of a high school diploma or its recognized equivalent and the satisfactory completion of ~~[the requirements for] any one[, or an appropriate combination]~~ of the following options in the specific career area of certification ~~[equaling]~~ (1) an Associate's degree with a major in the specific career area; (2) two years of college majoring in the specific career area with at least 50% of the major courses required for a bachelor's degree satisfactorily completed; (3) a state issued certificate indicating completion of apprenticeship hours and apprentice related training (e.g. journey papers) in the specific career area; (4) completion of four years of sequential Delaware Trade Extension courses in the specific career area; (5) completion of four years of National Center for Construction Education and Research's Contren documented training in the specific career area; (6) a 70% or above score on both the written and performance elements of a Delaware Apprentice-related Education Provider's National Center for Construction Education and Research's Contren-derived full Apprentice Equivalency test-out covering all Apprentice-related Education years in the specific career area; (7) passage of a State of Delaware Licensing Test in the specific career area, offered through the Division of Professional Regulation; (8) 576 hours of military training in the specific career area; (9) 576 hours post-secondary trade school training in the specific career area; (10) a 70% or above score on both the written and performance teacher tests for the National Occupational Competency Testing Institute in the specific career area; (11) an industry recognized certification of technical competence or journey person status in the specific career area, or (12) DOE approved equivalents **[of any one of the above including but not limited to equivalents from any combination of the above options].**

7 DE Reg. 1001 (2/1/04)

3.0 Matriculation into Master's Degree

Educators who hold a bachelor's degree and who are enrolled in a master's degree program at a regionally accredited college or university may accrue graduate level credits toward salary increments on the basic salary schedule for educators, set forth in 14 **Del.C.** §1305 (a). No credits earned prior to the conferring of a bachelor's degree may be applied toward movement on the salary schedule. Credits shall be applied in the order in which they were taken and no credit may be applied more than once toward movement on the salary schedule.

- 3.1 Educators enrolled in a master's degree program at an accredited college or university may apply for movement to the bachelor's plus 15 column of the basic salary schedule for educators, set forth in 14 **Del.C.** §1305 (a), upon completion of 15 graduate credits toward a master's degree.
- 3.2 Educators enrolled in a master's degree program at an accredited college or university may apply for movement to the bachelor's plus 30 column of the basic salary schedule for educators, set forth in 14 **Del.C.** §1305 (a), upon completion of 30 graduate credits toward a master's degree.
- 3.3 Upon completion of a master's degree program at an accredited college or university, an educator may apply for movement to the master's degree column of the basic salary schedule for educators, set forth in 14 **Del.C.** §1305 (a).

7 DE Reg. 1001 (2/1/04)

4.0 Post Master's Degree Course Work

- 4.1 Educators who hold a master's degree may accrue credits beyond the master's degree toward salary increments toward a master's degree plus 15 graduate credits, a master's degree plus 30 graduate

credits, a master's degree plus 45 graduate credits, or a doctorate degree on the basic salary schedule for educators, set forth in 14 **Del.C.** §1305 (a). All credits taken must be graduate level and must be:

- 4.1.1 Earned through a graduate level course of study clearly related to the educator's professional responsibilities and otherwise approved pursuant to 14 **Del.C.** Ch. 12, or
- 4.1.2 Earned toward a second master's degree, or
- 4.1.3 Matriculated graduate credits earned toward a doctorate degree.

7 DE Reg. 1001 (2/1/04)

5.0 Use of Undergraduate and Inservice Credits

- 5.1 Educators entitled to rightward movement on the basic salary schedule for educators, set forth in 14 **Del.C.** §1305 (a), on the basis of inservice or undergraduate credits approved prior to July 1, 2004, shall continue to be entitled to such movement in the event of any future application for movement submitted after July 1, 2004.
 - 5.1.1 For example, an educator who holds a bachelor's plus 15 or a bachelor's plus 30 approved prior to July 1, 2004 and based entirely on inservice or undergraduate credits, shall be entitled to move to a master's plus 15 or master's plus 30, whichever is applicable, upon completion of a master's degree program.
 - 5.1.2 In order to use undergraduate credits toward a salary increment on the basic salary schedule for educators, set forth in 14 **Del.C.** §1305 (a), the credits must be completed by, and the application for salary increment submitted to, and approved by, the Office of Professional Accountability by June 30, 2004. Undergraduate credits will not be accepted for plus 15, 30 or 45 salary increments after June 30, 2004.
 - 5.1.3 In order to use inservice credits toward a salary increment on the basic salary schedule for educators, set forth in 14 **Del.C.** §1305 (a), the credits must be completed by, and the application for salary increment submitted to, and approved by, the Office of Professional Accountability by June 30, 2004. Inservice credits will not be accepted for plus 15, 30 or 45 salary increments after June 30, 2004.

7 DE Reg. 1001 (2/1/04)

6.0 Credits Expressed as Semester Hours

All credits must be expressed in terms of semester hours. College or university credits expressed in quarter hours will be converted by the Department to semester hours by multiplying the number of quarter hours by two thirds.

7 DE Reg. 1001 (2/1/04)

7.0 Acceptable Grades

- 7.1 All grades for graduate level credit submitted for a professional growth salary increments must be a grade of "B" or better or satisfy the granting institution's standard for graduate level work. In the case of credits earned on a pass fail basis, a grade of "pass" is acceptable.

7 DE Reg. 1001 (2/1/04)

8.0 ~~Trade and Industry Teachers~~ Skilled and Technical Sciences Teachers

A bachelor's degree equivalent for ~~trade and industry~~ Skilled and Technical Sciences teachers (formerly Trade and Industrial Education) shall be two years of college or technical training and six years of work experience (14 **Del.C.** §1301). Undergraduate credit in a matriculated bachelor's degree may be accepted in lieu of graduate credit for ~~trade and industry~~ Skilled and Technical Sciences teachers who do not hold a bachelor's degree. Initial placement on the basic salary schedule for educators, set forth in 14 **Del.C.** §1305, for ~~trade and industry~~ Skilled and Technical Sciences teachers who have completed two years of college or technical training and six years of work experience, is at the bachelor's degree level. In order to be eligible for movement on the basic salary schedule, ~~trade~~

~~and industry~~ Skilled and Technical Sciences teachers must possess a Standard Certificate in Skilled and Technical Sciences.

8.1 Movement beyond the bachelor's degree level on the basic salary schedule for ~~trade and industry~~ Skilled and Technical Sciences teachers shall apply as follows:

8.1.1 ~~Seventy-five (75)~~ Seventy-five (75) credits toward a bachelor's degree is equivalent to a bachelor's degree plus 15 credits.

8.1.2 Ninety (90) credits toward a bachelor's degree is equivalent to a bachelor's degree plus 30 credits.

8.1.3 A bachelor's degree is equivalent to a master's degree on the basic salary schedule.

8.1.4 A master's degree is equivalent to a master's degree plus ~~fifteen~~ 15 credits on the basic salary schedule.

8.1.5 A master's degree plus ~~fifteen~~ 15 credits is equivalent to a master's degree plus 30 credits on the basic salary schedule.

8.1.6 A master's degree plus ~~thirty~~ 30 credits is equivalent to a master's degree plus 45 credits on the basic salary schedule.

8.1.7 A master's degree plus 45 credits is equivalent to a doctorate degree on the basic salary schedule.

7 DE Reg. 1001 (2/1/04)

9.0 Alternate Routes to Certification Program

Graduate credits which are included in the approved Alternative Routes to Certification program, as defined in 14 **Del.C.**, Ch. 12, subchapter VI, are recognized as a graduate level course of study and may be applied by educators who hold master's degrees and who are enrolled in the approved Alternative Routes program toward a master's degree plus 15 credits, a master's degree plus 30 credits, a master's degree plus 45 credits or a doctorate degree on the basic salary schedule for educators, set forth in 14 **Del.C.** §1305 (a).

7 DE Reg. 1001 (2/1/04)

10.0 Eligibility for Professional Growth Salary Increments

An applicant for a professional growth salary increment must hold a Limited Standard, Standard or Professional Status Certificate issued pursuant to General Regulations for Certification of Professional Public School Personnel and the specific regulations as adopted for certification effective July 1, 1993, or an Initial, Continuing, or Advanced License issued by the Department in accordance with 14 **Del.C.**, Ch. 12, Subchapter III. An educator employed on an Emergency Certificate pursuant to 14 **Del.C.** §1506 is eligible to receive a salary increment.

7 DE Reg. 1001 (2/1/04)

11.0 Acceptable Professional Degrees

11.1 In order to be applicable to professional growth salary increments, master's and doctorate degrees must be directly related to an area or specialty in which the educator is employed, which has been identified as a critical needs area in K to 12 education, or which the district or charter school, if applicable, in which the educator is employed has requested the educator to pursue. Any such request from a district or charter school, if applicable, must be in writing and must be submitted with the completed application for a salary increment.

7 DE Reg. 1001 (2/1/04)

12.0 Application Procedures

12.1 Upon completion of the credits required for movement on the basic salary schedule for educators, set forth in 14 **Del.C.** §1305(a), an applicant may apply for a salary increment. No applications will be considered prior to the completion of credits necessary for movement on the salary schedule.

- 12.1.1 An applicant shall secure the proper form from the local school district or charter school office, complete the form, and return it to the school district office for transmittal to the Office of Professional Accountability.
- 12.1.2 The applicant shall arrange for official transcripts to be submitted by the college or university directly to the Office of Professional Accountability or delivered by the applicant in an unopened, unaltered envelope.
- 12.1.3 An application for a salary increment for the current fiscal year (July 1 to June 30) must be received in the Office of Professional Accountability no later than June 1. This date is necessary to allow adequate time for evaluation and notification to the district payroll office for salary adjustment. Applications received after June 1 will be approved effective the first day of the next fiscal year.

7 DE Reg. 1001 (2/1/04)

13.0 Effective Date of Salary Adjustment

- 13.1 The salary adjustment shall be made after the evaluation and approval of the candidate's application by the Office of Professional Accountability. The adjustment will be authorized to be made retroactive to the first of the month following the date certified by transcript or official grade slip as to when the program or credit was completed. This date is necessary to allow adequate time for evaluation and notification to the district payroll office for salary adjustment. Applications received after June 1 will be approved effective the first day of the next fiscal year.
- 13.2 Retroactive salary adjustment may be by a single payment or by payments divided equally among all the pay periods remaining in a current fiscal year as may be determined by the district or state fiscal officers.
- 13.3 No salary increment shall be retroactive to a prior fiscal year.

7 DE Reg. 1001 (2/1/04)

12 DE Reg. 942 (01/01/09) (Final)

Renumbered effective 6/1/07 - see Conversion Table