

**DEPARTMENT OF EDUCATION
PROFESSIONAL STANDARDS BOARD**

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

PROPOSED

PUBLIC NOTICE

Education Impact Analysis Pursuant To 14 Del.C. Section 122(d)

1571 Exceptional Children Special Education Teacher

A. Type of Regulatory Action Required

Amendment to Existing Regulation

B. Synopsis of Subject Matter of the Regulation

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, seeks the consent of the State Board of Education to amend regulation 14 **DE Admin. Code** 1571 Exceptional Children Special Education Teacher. The regulation concerns the requirements for certification of educational personnel, pursuant to 14 **Del.C.** §1220(a). It is necessary to amend this regulation 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.

Persons wishing to present their views regarding this matter may do so in writing by the close of business on Friday, July 31, 2015 to Mr. Chris Kenton, Executive Director, Delaware Professional Standards Board, The Townsend Building, 401 Federal Street, Dover, Delaware 19901. Copies of this regulation are available from the above address or may be viewed at the Professional Standards Board Business Office.

C. Impact Criteria

1. Will the amended regulation help improve student achievement as measured against state achievement standards? The amended regulation addresses student achievement by establishing standards for the issuance of a standard certificate to educators who have 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 to help ensure that students are instructed by educators who are highly qualified.

2. Will the amended regulation help ensure that all students receive an equitable education? The amended regulation helps to ensure that all teachers employed to teach students meet high standards and have 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.

3. Will the amended regulation help to ensure that all students' health and safety are adequately protected? The amended regulation addresses educator certification, not students' health and safety.

4. Will the amended regulation help to ensure that all students' legal rights are respected? The amended regulation addresses educator certification, not students' legal rights.

5. Will the amended regulation preserve the necessary authority and flexibility of decision-makers at the local board and school level? The amended regulation will preserve the necessary authority and flexibility of decision makers at the local board and school level.

6. Will the amended regulation place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels? The amended regulation will not place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels.

7. Will decision making authority and accountability for addressing the subject to be regulated be placed in the same entity? The decision-making authority and accountability for addressing the subject to be regulated rests with the Professional Standards Board, in collaboration with the Department of Education, and with the consent of the State Board of Education.

8. Will the amended regulation be consistent with and not an impediment to the implementation of other state educational policies, in particular to state educational policies addressing achievement in the core academic subjects of mathematics, science, language arts and social studies? The amended regulation will be consistent with, and not an impediment to, the implementation of other state educational policies, in particular to state educational policies addressing achievement in the core academic subjects of mathematics, science, language arts, and social studies.

9. Is there a less burdensome method for addressing the purpose of the amended regulation? 14 Del.C. requires that we promulgate this regulation.

10. What is the cost to the state and to the local school boards of compliance with the adopted regulation? There is no additional cost to local school boards for compliance with the regulation.

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 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 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. 17 (07/01/15) (Prop.)