

**DEPARTMENT OF EDUCATION  
PROFESSIONAL STANDARDS BOARD**

Statutory Authority: 14 Delaware Code, Section 122(d) (14 **Del.C.** §122(d))  
14 **DE Admin. Code** 1594

**PROPOSED**

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

**1594 Special Education Director**

**A. Type of Regulatory Action Requested**

Amendment to Existing Regulation

**B. Synopsis of Subject Matter of 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** 1594 Special Education Director. 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 upgrade the requirements' rigor and to build upon the other amended administrator regulations. This regulation sets forth the requirements for Special Education Director.

Persons wishing to present their views regarding this matter may do so in writing by the close of business on Monday, December 3, 2012 to Mr. Charlie Michels, 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.

## 1594 Special Education Director

### 4.0 Content

- 1.1 This regulation shall apply to the issuance of a Standard Certificate for Director of Special Education, pursuant to 14 Del.C. §1220(a).

### 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:

**“Administrative Experience”** means experience in a pK to 12 setting as an assistant principal, principal, School Leader I, or School Leader II.

**“Standard Certificate”** means a credential issued to verify 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.

**“Teaching Experience”** means meeting students on a regularly scheduled basis, planning and delivering instruction, developing or preparing instructional materials, and evaluating student performance in any pK to 12 setting.

### 3.0 Standard Certificate

The following shall be required for the Standard Certificate for a Director of Special Education.

#### 3.1 Educational requirements.

- 3.1.1 A master's degree in special education from a regionally accredited college or university where the program is NCATE approved or state approved, where the state approval body employed the appropriate NASDTEC or NCATE specialty organization standards; and

- 3.1.1.1 Successful completion of a Delaware approved alternative routes to certification program for school leaders. Until approval and implementation of an alternative routes to certification program occurs, candidates shall fulfill the following requirements;

- 3.1.1.1.1 A minimum of twenty four (24) semesters hours of graduate level course work in administration, completed either as part of the master's degree or in addition to it, to include at least one course in each of the following areas, unless otherwise indicated:

3.1.1.1.1.1 Supervision and Evaluation of Staff;

3.1.1.1.1.2 Curriculum Development;

3.1.1.1.1.3 School Law and Legal Issues in Education;

3.1.1.1.1.4 Human Relations; and

3.1.1.1.1.5 Special Education (12 credits) (may include courses in curriculum, instruction, methods, and administration); or

- 3.1.2 A master's degree in school administration; and 30 graduate level semester hours in Special Education taken either as part of a degree program or in addition to it; or

- 3.1.3 A master's degree in any field from a regionally accredited college or university; and

- 3.1.3.1 30 graduate level semester hours in Special Education taken either as part of a degree program or in addition to it; and

- 3.1.3.2 Successful completion of a Delaware approved alternative routes to certification program for school leaders. Until approval and implementation of an alternative routes to certification program occurs, candidates shall fulfill the following requirements:

3.1.3.2.1 Supervision and Evaluation of Staff;

3.1.3.2.2 Curriculum Development;

3.1.3.2.3 School Law or Legal Issues in Education;

3.1.3.2.4 Human Relations; and

3.1.3.2.5 Special Education (12 credits) (may include courses in curriculum, instruction, methods, and administration taken either as part of a degree program or as part of the requirement for graduate level semester hours in Special Education set forth in 3.1.2.1 and 3.1.3.1, above; or

- 3.1.4 A current and valid special education administrative certificate from another state or the District of Columbia.

#### 3.2 Experience requirements.

- 3.2.1 ~~A minimum of three (3) years of teaching experience with children with disabilities at the pK to 12 level; or~~
- 3.2.2 ~~A minimum of three (3) years of professional experience with children with disabilities at the pK to 12 level, in any setting, in a position requiring certification or licensing by the appropriate regulatory body, including, but not limited to a school psychologist, speech pathologist, or audiologist, regardless of whether the applicant's position meets the definition of "teaching experience"; or~~
- 3.2.3 ~~A minimum of three (3) years administrative experience with children with disabilities at the pK to 12 level; or~~
- 3.2.4 ~~Any combination of these types of experiences which totals a minimum of three (3) years.~~

## **1.0 Content**

- 1.1 This regulation shall apply to the issuance of a Standard Certificate for Director of Special Education, pursuant to 14 Del.C. §1220(a).
- 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.

## **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:  
"Certification Program for Leaders in Education" means a program comprised of education components as defined and approved by the Standards Board and the State Board pursuant to 14 DE Admin. Code 1595 Certification Programs for Leaders in Education.

## **3.0 Standard Certificate**

- 3.1 In accordance with 14 Del.C. §1220(a), the Department shall issue a Standard Certificate as a Special Education Director to an educator who has met the following:
  - 3.1.1 Holds a valid Delaware Initial, Continuing, or Advanced License; or a 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; and
  - 3.1.3 Has satisfied the additional requirements in this regulation.

## **4.0 Additional Requirements**

An educator must also have met the following additional requirements.

- 4.1 Education requirements.
  - 4.1.1 An educator shall also have satisfied at least one (1) of the following additional education requirements:
    - 4.1.1.1 A master's or doctoral degree from a regionally accredited college or university in educational leadership offered by an NCATE specialty organization recognized educator preparation program or from a state approved educator preparation program where the state approval body employed the appropriate NASDTEC or NCATE specialty organization standards; and
      - 4.1.1.1.1 Thirty (30) graduate level semester hours from a regionally accredited college or university in Special Education taken either as part of a degree program or in addition to it, or the equivalent in professional development pre-approved by the Department; or
    - 4.1.1.2 A master's or doctoral degree from a regionally accredited college or university in Special Education offered by an NCATE specialty organization recognized educator preparation program or from a state approved educator preparation program where the state approval body employed the appropriate NCATE specialty organization standards; and
      - 4.1.1.2.1 The successful completion of any approved Program pursuant to 14 DE Admin. Code 1595 Certification Programs for Leaders in Education; or
    - 4.1.1.3 A master's or doctoral degree from a regionally accredited college or university in any field; and
      - 4.1.1.3.1 The successful completion of an approved Special Education Director Program pursuant to 14 DE Admin. Code 1595 Certification Programs for Leaders in Education.
- 4.2 Experience requirements.
  - 4.2.1 An educator shall also have satisfied at least one (1) of the following additional education requirements:

- 4.2.1.1 A minimum of five (5) years of teaching experience with exceptional children special education students at the PreK to 12 public school level or the equivalent as approved by the Department; or
- 4.2.1.2 A minimum of five (5) years professional experience under a Delaware Standard Certificate or other Delaware professional license working with exceptional children special education students at the PreK to 12 level or the equivalent as approved by the Department; or
- 4.2.1.3 Any combination of the types of experiences prescribed in subsections 4.2.1.1 and 4.2.1.2 which totals a minimum of five (5) years.

## **5.0 Validity**

- 5.1 This regulation shall be effective no less than ten (10) days from the date the Order amending the regulation has been published in its final form in the Delaware *Register of Regulations*.
  - 5.1.1 Educators currently enrolled in a Special Education Director course of study prior to the effective date of this regulation will have until eighteen (18) months subsequent to the effective date to apply for the previous Special Education Director Standard Certificate. Educators are responsible for providing to the Department evidence of enrollment via submission of appropriate transcripts.
- 5.2 An Emergency Certificate for Special Education Director is not available.
- 5.3 The Department shall also recognize a Standard Certificate for Special Education Director issued by the Department prior to the effective date of this regulation.

**8 DE Reg. 1299 (03/01/05)**

**16 DE Reg. 506 (11/01/12)**

**Renumbered effective 6/1/07 - see Conversion Table**