

**DEPARTMENT OF EDUCATION
PROFESSIONAL STANDARDS BOARD**

Statutory Authority: 14 Delaware Code, Sections 1203 and 1205(b) (14 **Del.C.** §§1203 and 1205(b))
14 **DE Admin. Code** 1517

PROPOSED

PUBLIC NOTICE

Educational Impact Analysis Pursuant to 14 Del.C. §122(d)

1517 Paraeducator Permit

A. TYPE OF REGULATORY ACTION REQUIRED

Amendment to Existing Regulation

B. SYNOPSIS OF SUBJECT MATTER OF THE REGULATION

Pursuant to 14 **Del.C.** §§1203 and 1205(b), the Professional Standards Board ("Board"), acting in consultation and cooperation with the Delaware Department of Education ("Department"), developed amendments to 14 **DE Admin. Code** 1517 Paraeducator Permit. The regulation concerns paraprofessional qualifications and training for issuance and renewal of a Paraeducator Permit. The proposed amendments include clarifying Section 1.0; adding, striking, and revising terms in Section 2.0; revising Section 3.0, which concerns issuing a Paraeducator Permit; revising the requirements for an Instructional Paraeducator Permit in Section 4.0; revising the requirements for a Service Paraeducator Permit in Section 5.0; adding the requirements for reissuance of an expired permit to Section 6.0; revising the application requirements in Section 7.0; adding Section 8.0, which concerns renewal of a Paraeducator Permit; revising the professional development activities for renewal in Section 9.0; adding Section 10.0, which concerns validity of a Paraeducator Permit; adding Section 11.0, which concerns the requirements for retaining a Paraeducator Permit; adding Section 12.0, which concerns disciplinary action; adding Section 13.0, which concerns applicants' and paraeducators' contact information; and adding Section 14.0, which concerns recognizing Title I Paraeducator Permits that are proposed to no longer be issued.

Persons wishing to present their views regarding this matter may do so in writing by submitting them to the Department, Office of the Secretary, Attn: Regulation Review, 401 Federal Street, Suite 2, Dover, Delaware 19901 or through the Department's online submission form at <https://education.delaware.gov/community/governance/regulations-code/post-a-comment/> by the close of business (4:30 p.m. EST) on or before November 1, 2023. Any person who wishes to receive a copy of the proposed regulation may obtain a copy from the Department at the Office of the Secretary on the second floor of the Townsend Building, 401 Federal Street, Dover, Delaware.

C. IMPACT CRITERIA

1. Will the amended regulation help improve student achievement as measured against state achievement standards? The requirements in Sections 4.0, 5.0, and 6.0 are designed to improve the quality of the paraeducator workforce, which will help to improve student achievement.

2. Will the amended regulation help ensure that all students receive an equitable education? The requirements in Sections 4.0, 5.0, and 6.0 are designed to improve the quality of the paraeducator workforce, which will help to ensure students in Delaware public schools receive an equitable education.

3. Will the amended regulation help to ensure all students' health and safety are adequately protected? The amended regulation addresses a permit for paraeducators and is not designed to help ensure students' health and safety is protected.

4. Will the amended regulation help to ensure that all students' legal rights are respected? The amended regulation addresses a permit for paraeducators and is not designed to help ensure students' legal rights are respected.

5. Will the amended regulation preserve the necessary authority and flexibility of decision-makers at the local board and school level? The amended regulation does not change the 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 does not place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels. The application requirements in Sections 7.0 and 8.0 apply to individual applicants.

7. Will decision making authority and accountability for addressing the subject to be regulated be placed in the same entity? The Department implements the rules and regulations promulgated and adopted pursuant to 14 **Del.C.** Ch. 12 relating to the qualifications and training for paraeducators.

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 is consistent with, and not an impediment to, the implementation of other state educational policies, and 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? There is not a less burdensome method for addressing the purpose of this amended regulation.

10. What is the cost to the state and to the local school boards of compliance with the amended regulation? There is no expected cost to the state and to the local school boards of complying with this amended regulation.

1517 Paraeducator Permit

1.0 Content

This regulation shall apply to paraprofessional qualifications and training for issuance and renewal of a Paraeducator Permit pursuant to 14 Del.C. §1205(b). ~~This The Paraeducator Permit is required of Title I Paraeducators, Instructional Paraeducators, Instructional Paraeducators and Service Paraeducators who are employed, either full time or part time, in support positions in Delaware public schools. This The Paraeducator Permit is required of all Instructional and Service Paraeducators, regardless of their employment date.~~

14 DE Reg. 560 (12/01/10)

22 DE Reg. 590 (01/01/19)

2.0 Definitions

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

"Action Research" means a process by which educational issues and problems are identified and researched at either the school or the classroom level. By integrating current research into these settings and engaging the relevant educators in research activities, the findings can be applied immediately to solve the targeted problems more quickly.

"Activity Documentation Form" means the official form approved by the Department that includes specific details about the activity to be used for Paraeducator Permit renewal ~~and the signature of an instructional leader within a school, district or charter school the applicant is responsible to.~~

~~**"A Product Shall Be Made Available for Verification"** means that the culminating, tangible result of the Professional Development activity is accessible by the individual signing the certificate of participation or the Activity Documentation Form. Examples of a product include, but are not limited to, standards-based assessments or curriculum, copies of a presentation or other substantial work as a result of Action Research.~~

~~**"Associate's Degree"** means an academic degree awarded for the successful completion of a program of studies that usually requires at least 2 years or the equivalent thereof of full-time college-level study.~~

~~**"Clock Hour"** means actual time spent in Professional Development, not credit hours.~~

~~**"DEEDS"** means the Delaware Educator Data System.~~

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

~~**"Educational Project"** means an individual professional growth project of 15 or more Clock Hours, including a research project not related to a course for which credit is claimed, completed to enhance the individual's professional practice, with the development of a final product or report.~~

~~**"Employing Authority"** means any entity which employs educators, and includes, but is not limited to, school districts, charter schools, boards of directors, and management companies.~~

~~**"Immorality"** means conduct which is inconsistent with the rules and principles of morality expected of an educator or paraeducator and may reasonably be found to impair an educator's or paraeducator's effectiveness by reason of his or her the educator's or paraeducator's ~~unfitness or otherwise.~~~~

~~**"Instructional Paraeducator"** means a public school employee who provides one-on-one or small group instruction; assists with classroom management or individual student behavior; provides assistance in a computer laboratory; provides support in a library or media center; assists in training and support with functional skill activities, such as personal care or assistive technology; or provides instructional services to students under the direct supervision of a teacher. Instructional Paraeducators are include those working with regular education students and students with disabilities in schools other than Title I schoolwide schools or and with students not receiving Title I services in Title I targeted assistance schools. Instructional Paraeducators include Registered Behavior Technicians (RBTs) and Applied Behavior Analysis Technicians (ABATs).~~

"Micro-credential" means evidence-based professional development activities that are competency-based, personalized, on-demand, and sharable.

"Paraeducator" means a paraprofessional as it is defined in 14 Del.C. §1202(10) and as it is used in 14 Del.C. §1205(b). Paraeducators are not "educators" within the meaning of 14 Del.C. §1202(6).

"PDMS" means Professional Development Management System.

"Permit" means a document issued by the Department that verifies an individual's qualifications and training to serve as a Title I, Instructional, an Instructional or Service Paraeducator.

"Planned Professional Development Program" means a structured program within a building, district or charter school that has been specifically identified through a success plan. Such programs shall be designed to enhance knowledge and skills that promote continuous professional growth and improve student performance.

"Presentation" means preparation and presentation as a workshop or conference presenter or course instructor on a topic related to the individual's professional responsibilities.

"Professional Committee, Conference, Workshop, Institute, or Academy" means a program offered either within, or outside, the state that contributes to the participant's professional knowledge or skills in effectively conducting his/her work in 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 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 as per 14 DE Admin. Code 1598 Delaware Professional Development Standards.

"Secretary" means the Secretary of the Delaware Department of Education.

"Service Paraeducator" means a public school employee who provides support services other than instructional assistance to students, but does not include bus aides.

"Standards Board" means the Professional Standards Board pursuant to 14 Del.C. Ch. 12.

"State Board" means the State Board of Education pursuant to 14 Del.C. §104.

"Title I Paraeducator" means a public school employee who provides one on one or small group instruction; assists with classroom management; provides assistance in a computer laboratory; provides support in a library or media center; or provides instructional services to students under the direct supervision of a teacher. Additionally, Title I Paraeducators are all Instructional Paraeducators who work with regular students and children with disabilities in Title I schoolwide schools and all Title I Paraeducators who work with children receiving Title I services in Title I targeted assistance schools, except those whose duties are limited to acting as a translator or as a home school liaison.

9 DE Reg. 139 (07/01/05)

22 DE Reg. 590 (01/01/19)

3.0 Issuance of Title I a Paraeducator Permits Permit

3.1 A Title I Paraeducator must hold a Title I Paraeducator Permit.

3.1.1 In accordance with 14 Del.C. §1205(b), the Department shall issue a Title I Paraeducator Permit to an otherwise qualified applicant who has not engaged in misconduct in violation of 14 Del.C. §1218 and has met one of the following requirements:

3.1.1.1 The applicant holds a high school diploma or its recognized equivalent and achieved a passing score of 459 or higher on the ParaPro Assessment; or

3.1.1.2 The applicant completed at least two (2) years of instruction in general or educational studies at a regionally accredited institution of higher education or an institution of higher education that is accredited by an accrediting agency that the Secretary, in his or her discretion, deems to be equivalent to a regional accrediting agency. For the purpose of this subsection, two (2) years of instruction means a minimum of sixty (60) semester hours unless the applicant provides documentation that the institution of higher education defines two (2) years of full-time study as the successful completion of a minimum of forty-eight (48) semester hours. In addition, applicants shall have earned a "C" or better in each course they seek to have counted toward the minimum semester hours required. Developmental level or remedial courses shall not be included in the calculation of semester hours; or

3.1.1.3 The applicant holds an Associate's Degree or higher conferred by a regionally accredited institution of higher education or an institution of higher education that is accredited by an

accrediting agency that the Secretary, in his or her discretion, deems to be equivalent to a regional accrediting agency.

~~3.1.2 An applicant who holds a current permit or the equivalent from another jurisdiction shall meet the requirements herein for the Department to issue him or her a Title I Paraeducator Permit.~~

~~3.1.3 An applicant who previously held a Delaware Title I Paraeducator Permit shall be treated as a new applicant and shall meet all requirements of this regulation.~~

~~3.1.3.1 If an applicant's Delaware Title I Paraeducator Permit has expired more than one time, the applicant shall have completed fifteen (15) clock hours of Department-approved professional development during the five (5) years prior to the date of the renewal application and shall meet all of the requirements for the issuance of a Title I Paraeducator Permit in effect at the time of application.~~

~~3.2 Application Requirements and Procedures~~

~~3.2.1 An applicant for a Title I Paraeducator Permit shall submit a Department approved application, his or her official transcript, and, if applicable, his or her official score on the ParaPro Assessment to the Department. The applicant shall certify that answers on the application are true and accurate.~~

~~3.2.1.1 Official transcripts shall be forwarded directly from the issuing institution or by the applicant in an unopened, unaltered envelope. Official electronic transcripts forwarded directly to the Department from the issuing institution shall be accepted by the Department. Copies of diplomas and degrees shall not be accepted by the Department.~~

~~3.2.1.2 ParaPro Assessment scores shall be official and sent directly from Educational Testing Service (ETS). Unopened, unaltered envelopes containing test scores sent to the applicant may be accepted as official. The Department shall determine whether the scores, as presented, are acceptable.~~

3.1 In accordance with 14 Del.C. §1205(b), the Department shall issue a Paraeducator Permit to an applicant who:

3.1.1 Meets the requirements for issuance of an Instructional Paraeducator Permit as set forth in Section 4.0 of this regulation; or

3.1.2 Meets the requirements for issuance of a Service Paraeducator Permit as set forth in Section 5.0 of this regulation.

3.2 Notwithstanding any provision to the contrary herein, the Department shall not act on an application for a Paraeducator Permit 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 allegations include but are not limited to conduct such as Immorality, misconduct in office, incompetence, willful neglect of duty, disloyalty, or falsification of credentials until the applicant provides evidence of the investigation's resolution.

9 DE Reg. 232 (08/01/05)

14 DE Reg. 560 (12/01/10)

17 DE Reg. 919 (03/01/14)

22 DE Reg. 590 (01/01/19)

4.0 Issuance of Requirements for an Instructional Paraeducator Permits Permit

4.1 An Instructional Paraeducator In order to practice as an Instructional Paraeducator in a Delaware public school, an individual must hold an Instructional Paraeducator Permit.

4.1.1 In accordance with 14 Del.C. §1205(b), the Department shall issue an Instructional Paraeducator Permit to an otherwise qualified applicant who has not engaged in misconduct in violation of 14 Del.C. §1218 and has met one of the following requirements: may issue an Instructional Paraeducator Permit to an applicant who has satisfied 1 of the requirements in subsections 4.1.1.1 through 4.1.1.5.

4.1.1.1 The applicant holds a high school diploma or its recognized equivalent and achieved a passing minimum score of 459 or higher on the ParaPro Assessment; or Assessment.

4.1.1.2 The applicant completed at least two (2) 2 years of instruction in general or educational studies at a regionally accredited institution of higher education or an institution of higher education that is accredited by an accrediting agency that the Secretary, in his or her discretion, deems to be equivalent to a regional accrediting agency postsecondary institution that is accredited by an accrediting body recognized by the United States Secretary of Education as a reliable authority concerning the quality of education or training offered by the postsecondary institutions or programs the accrediting body accredits.

4.1.1.2.1 For the purpose of ~~this subsection 4.1.1.2, two (2) 2~~ years of instruction means a minimum of ~~sixty (60) 60~~ semester hours unless the applicant provides documentation that the ~~institution of higher education applicant's postsecondary institution~~ defines ~~two (2) 2~~ years of full-time study as the successful completion of a minimum of ~~forty-eight (48) 48~~ semester hours.

4.1.1.2.2 ~~In addition, applicants~~ The applicant shall have earned a "C" or better in each course ~~they seek the applicant seeks~~ to have counted toward the minimum semester hours required.

4.1.1.2.3 Developmental level or remedial courses shall not be included in the calculation of semester hours; ~~or hours.~~

4.1.1.3 The applicant holds an ~~Associate's Degree~~ associate's degree, awarded for the successful completion of a program of studies that required at least 2 years of full-time college-level study or the equivalent, or a higher degree conferred by a regionally accredited institution of higher education or an institution of higher education that is accredited by an accrediting agency that the Secretary, in his or her discretion, deems to be equivalent to a regional accrediting agency postsecondary institution that is accredited by an accrediting body recognized by the United States Secretary of Education as a reliable authority concerning the quality of education or training offered by the postsecondary institutions or programs the accrediting body accredits.

4.1.1.4 The applicant holds a Registered Behavior Technician (RBT) certificate issued by the Behavior Analyst Certification Board.

4.1.1.5 The applicant holds an Applied Behavior Analysis Technician (ABAT) certificate issued by the Qualified Applied Behavior Analysis Credentialing Board.

4.1.2 An applicant who holds a permit or the equivalent ~~from~~ to practice as an instructional paraprofessional issued by another state or jurisdiction shall meet the requirements ~~herein~~ of subsection 4.1.1 in order for the Department to issue ~~him or her the applicant~~ an Instructional Paraeducator Permit.

4.1.3 An applicant who previously held a Delaware Instructional Paraeducator Permit shall be treated as a new applicant and shall meet all requirements of this regulation.

4.1.3.1 If an applicant's Delaware Instructional Paraeducator Permit has expired more than one time, the applicant shall have completed fifteen (15) clock hours of Department-approved professional development during the five (5) years prior to the date of the renewal application and shall meet all of the requirements for the issuance of an Instructional Paraeducator Permit in effect at the time of application.

4.2 Application Requirements and Procedures

4.2.1 An applicant for an Instructional Paraeducator Permit shall submit a Department-approved application, his or her official transcript, and, if applicable, his or her official score on the ParaPro Assessment to the Department. The applicant shall certify that answers on the application are true and accurate.

4.2.1.1 Official transcripts shall be forwarded directly from the issuing institution or by the applicant in an unopened, unaltered envelope. Official electronic transcripts forwarded directly to the Department from the issuing institution shall be accepted by the Department. Copies of diplomas and degrees shall not be accepted by the Department.

4.2.1.2 ParaPro Assessment scores shall be official and sent directly from Educational Testing Service (ETS). Unopened, unaltered envelopes containing test scores sent to the applicant may be accepted as official. The Department shall determine whether the scores, as presented, are acceptable.

22 DE Reg. 590 (01/01/19)

5.0 Issuance of Requirements for a Service Paraeducator Permits Permit

5.1 A ~~Service Paraeducator~~ In order to practice as a Service Paraeducator in a Delaware public school, an individual must hold a Service Paraeducator Permit.

5.1.1 In accordance with 14 **Del.C.** §1205(b), the Department shall ~~issue a Service Paraeducator Permit to an otherwise qualified applicant who has not engaged in misconduct in violation of 14 Del.C. §1218 and may issue a Service Paraeducator Permit to an applicant who~~ holds a high school diploma or its recognized equivalent.

5.1.2 An applicant who holds a permit or the equivalent ~~from~~ to practice as a service paraprofessional issued by another state or jurisdiction shall meet the requirements ~~herein~~ of subsection 5.1.1 in order for the Department to issue ~~him or her the applicant~~ a Service Paraeducator Permit.

5.1.3 An applicant who previously held a Delaware Service Paraeducator Permit shall be treated as a new applicant and shall meet all requirements of this regulation.

5.1.3.1 If an applicant's Delaware Service Paraeducator Permit has expired more than one time, the applicant shall have completed fifteen (15) clock hours of Department-approved professional development during the five (5) years prior to the date of the renewal application and shall meet all of the requirements for the issuance of a Service Paraeducator Permit in effect at the time of application.

5.2 Application Requirements and Procedures

5.2.1 An applicant for a Service Paraeducator Permit shall submit a Department approved application and his or her official transcript to the Department. The applicant shall certify that answers on the application are true and accurate.

5.2.1.1 Official transcripts shall be forwarded directly from the issuing institution or by the applicant in an unopened, unaltered envelope. Official electronic transcripts forwarded directly to the Department from the issuing institution shall be accepted by the Department. Copies of diplomas and degrees shall not be accepted by the Department.

9 DE Reg. 232 (08/01/05)

14 DE Reg. 560 (12/01/10)

17 DE Reg. 919 (03/01/14)

22 DE Reg. 590 (01/01/19)

6.0 Validity

Unless stated otherwise herein, a Title I, Instructional, or Service Paraeducator Permit shall be valid for five (5) years from the Date of Issuance unless revoked.

14 DE Reg. 560 (12/01/10)

17 DE Reg. 919 (03/01/14)

22 DE Reg. 590 (01/01/19)

7.0 Renewal

7.1 The Department may renew a Paraeducator Permit, valid for an additional five (5) years, to a Paraeducator who provides evidence of successful completion of a minimum of fifteen (15) clock hours of Department-approved professional development.

7.2 Paraeducators are required to complete fifteen (15) clock hours of Department-approved professional development during the term of validity of the Paraeducator Permit.

7.2.1 Delaware employing authorities shall verify clock hours for applicants who are currently employed by a Delaware employing authority.

7.2.2 The Department shall verify clock hours for applicants who are not currently employed by a Delaware employing authority or who are employed in another jurisdiction and wish to renew their Paraeducator Permit(s). The applicant shall be required to submit verifying documentation to the Department with the renewal application.

22 DE Reg. 590 (01/01/19)

6.0 Requirements for Reissuance of an Expired Delaware Paraeducator Permit

6.1 For an applicant whose Paraeducator Permit has expired, a Paraeducator Permit may be reissued to the applicant who meets all of the requirements in subsections 6.1.1 through 6.1.2.

6.1.1 The applicant shall have previously held a Delaware Instructional or Service Paraeducator Permit that expired prior to the date of the application; and

6.1.2 The applicant shall have completed 15 Clock Hours of professional development within 5 years prior to date of the application.

7.0 Application Requirements for Issuance of a Paraeducator Permit

7.1 An applicant must disclose the applicant's criminal conviction history upon application for a Paraeducator Permit. Failure to disclose a criminal conviction history is grounds for denial of a Paraeducator Permit as specified in 14 Del.C. §1219.

7.2 The Department will not process an application for a Paraeducator Permit until the applicant has submitted all of the required documentation.

7.3 For applicants who are applying for the Instructional Paraeducator Permit under subsection 3.1.1, the documentation in subsections 7.3.1 through 7.3.6 is required with the application.

- 7.3.1 Proof the applicant holds a high school diploma or its recognized equivalent, if applicable.
- 7.3.2 Proof the applicant achieved the minimum score on the ParaPro Assessment as provided in subsection 4.1.1.1, if applicable.
- 7.3.3 Official transcript from the applicant's postsecondary institution, if applicable.
 - 7.3.3.1 Electronic transcripts may be submitted by the Employing Authority or by the Applicant's postsecondary institution.
 - 7.3.3.2 Sealed paper transcripts may be submitted.
 - 7.3.3.3 The Department will not accept copies of transcripts.
- 7.3.4 Proof the applicant holds a Registered Behavior Technician (RBT) certificate issued by the Behavior Analyst Certification Board, if applicable.
- 7.3.5 Proof the applicant holds an Applied Behavior Analysis Technician (ABAT) certificate issued by the Qualified Applied Behavior Analysis Credentialing Board.
- 7.3.6 Additional documentation as required by the Department.
- 7.4 For applicants who are applying for the Service Paraeducator Permit under subsection 3.1.2, the documentation in subsections 7.4.1 and 7.4.2 is required with the application.
 - 7.4.1 Proof the applicant holds a high school diploma or its recognized equivalent.
 - 7.4.2 Additional documentation as required by the Department.
- 7.5 For applicants who are applying for reissuance of the Paraeducator Permit under subsection 6.1, the documentation in subsection 7.5.1 and 7.5.2 is required with the application.
 - 7.5.1 Proof the applicant previously held a Delaware Paraeducator Permit that expired.
 - 7.5.2 Proof the applicant has completed 15 Clock Hours of professional development in the 5 years preceding the date of the application.

8.0 Renewal of the Paraeducator Permit

- 8.1 In order to continue practicing as a Paraeducator in a Delaware public school, a Paraeducator who holds a Paraeducator Permit shall renew the Paraeducator's Paraeducator Permit prior to the expiration date. Pursuant to 14 Del.C. §1205(b), the Department may renew a Paraeducator's Paraeducator Permit for an additional 5-year term if the Paraeducator completed 15 Clock Hours of Professional Development during the term of the Paraeducator's Paraeducator Permit.
 - 8.1.1 Professional development activities for renewal are listed in Section 9.0. The criteria for determining if a professional development activity is acceptable for Clock Hour credit are set forth in subsections 8.1.1.1 through 8.1.1.4.
 - 8.1.1.1 The activity must be 1 of the renewal activities in Section 9.0; and
 - 8.1.1.2 The activity must be completed during the term of the Paraeducator's current Paraeducator Permit; and
 - 8.1.1.3 Completion of the activity must be documented; and
 - 8.1.1.4 The activity must enhance the Paraeducator's understandings and abilities in the Paraeducator's job.
 - 8.1.2 The Paraeducator is responsible for obtaining approval from the Paraeducator's Employing Authority before participating in a professional development activity.
 - 8.1.3 The Paraeducator is responsible for obtaining documentation of the Paraeducator's participation in and completion of a professional development activity from the individual, school or school district, or other entity that organizes and conducts the activity.
 - 8.1.4 Professional development activities which fulfill the criteria for renewal for which Paraeducators receive compensation may be submitted in fulfillment of the 15 Clock Hour requirement for renewal.
- 8.2 Application for Renewal
 - 8.2.1 An applicant must disclose the applicant's criminal conviction history upon application for renewal of a Paraeducator Permit. Failure to disclose a criminal conviction history is grounds for denial of a Paraeducator Permit as specified in 14 Del.C. §1219.
 - 8.2.2 Notwithstanding any provision to the contrary herein, the Department shall not act on an application to renew a Paraeducator Permit 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 allegations include but are not limited to conduct such as Immorality, misconduct in office, incompetence, willful neglect of duty, disloyalty, or falsification of credentials until the applicant provides evidence of the investigation's resolution.

8.2.3 The Department will not process an application to renew a Paraeducator Permit until the applicant has submitted all of the required documentation. The following documentation is required to be submitted to the Department with the application for renewal of a Paraeducator Permit:

8.2.3.1 A completed renewal application; and

8.2.3.2 Documentation to verify participation in and completion of professional development activities if required by the Department; and

8.2.3.3 Additional documentation as required by the Department.

8.2.4 Each activity must be verified by the applicant's Employing Authority as provided in Section 9.0. Even if an activity has been verified by the applicant's Employing Authority, the Department ultimately determines whether an activity satisfies the requirements for renewal of a Paraeducator Permit. If, at the time of application, the applicant is not employed by an Employing Authority in Delaware, the applicant must submit the documentation required to verify the applicant's participation in and completion of each activity to the Department as provided in Section 9.0.

8.0 9.0 Options for Renewal Professional Development Activities for Renewal of a Paraeducator Permit

~~8.1 The professional development activities listed in subsection 8.2 of this regulation are approved options for the renewal of a Paraeducator Permit. Unless otherwise stated, there is no limit to the number of hours that may be taken in any of the options.~~

8.2 Options for Renewal

<u>OPTION ACTIVITY</u>	<u>HOUR VALUE</u>	<u>CRITERIA</u>	<u>VERIFICATION</u>
Action Research or other Educational Project	Verified Clock Hours completing Action Research or other Educational Project. Maximum of 15 Clock Hours.	The verified Clock Hours shall be accrued during the Action Research or other Educational Project. The documented goal for the participant(s) Paraeducator shall be a product and a new set of educator Knowledge and Skills Paraeducator knowledge and skills . These shall complement the school, district, or charter school's success plan or State's initiative and shall be focused on student learning. A Product Shall Be Made Available for Verification product shall be made available for verification. If an educator does not complete NBPTS or Similar National Certification, the educator may use the verified Clock Hours as an other Educational Project.	A certificate of participation; a professional development transcript from PDMS (that did not electronically transfer to DEEDS) or a comparable professional development program; or the completed Activity Documentation Form as well as the final product which documents the goals and results of the Action Research or other Educational Project shall be presented to the Department. A certificate of participation or a completed Activity Documentation Form as well as the final product which documents the goals and results of the Action Research or other Education Project.
Certification <u>activities</u> required to retain a State or national professional <u>license credential</u>	Verified Clock Hours involved in recertification activities.	The certification to maintain a State or national professional <u>license credential</u> as required in the applicable regulation <u>or by the applicable body</u> .	A certificate of attendance and the original certificate of completion for Continuing Education Units (CEUs) shall be presented to the Department.

College Course	Clock Hours may be accrued where 1 semester hour equals 15 hours and 1 quarter semester hour or Continuing Education Unit (CEU) equals 10 hours.	The course shall be completed within a matriculated Masters program, Doctoral bachelor's, master's, or doctoral program or a graduate level course of study at or through a regionally accredited college or university or other Department-approved provider. The course may also be an undergraduate course as seen by the educator as necessary to acquire new Knowledge and Skills related to the educator's position. The course shall be taken at a regionally accredited college or university for credit. The educator shall attain a grade of "C" or better (or a "P" in Pass / Fail course).	Official transcripts or an original certificate of completion for Continuing Education Units (CEUs) shall be presented to the Department Official transcripts, original grade slips, or an original certificate of completion for Continuing Education Units (CEUs).
<u>Curriculum and/or Assessment Development Curriculum Development, Assessment Development, or Both</u>	Verified Clock Hours of service. Minimum of 3 Clock Hours. Maximum of 15 Clock Hours over the course of 5 years.	The documented goal is a curricular component and/or an encompassing assessment. A Product Shall Be Made Available for Verification component, an encompassing assessment, or both a curricular component and an encompassing assessment. A product shall be made available for verification.	A certificate of participation; a professional development transcript from PDMS (that did not electronically transfer to DEEDS) or a comparable professional development program; or the completed Activity Documentation Form as well as the final product which documents the goals and results of the Action Research or other Educational Project shall be presented to the Department. A certificate of participation or the completed Activity Documentation Form as well as the final product.
<u>Mentoring or coaching through a Comprehensive Educator Induction Program</u>	Verified Clock Hours involved in mentoring or coaching activities.	<u>Documentation of the lead coach, coach, or mentor that involves observation, feedback, training, presentations, facilitation of Professional Learning Communities, professional learning, and other activities directly related to the preparation and guidance of mentees or coaches within a Comprehensive Educator Induction Program.</u>	<u>A completed Activity Documentation Form.</u>
<u>Micro-credential</u>	<u>Verified Clock Hours of completed Micro-credentials through a Department-approved issuer.</u>	<u>Verified hours for successfully completing, preparing, and submitting evidence based on evaluation criteria. Paraeducators must demonstrate their competence via evidence submitted and reviewed by trained evaluators.</u>	<u>The Paraeducator's credentialing documentation must be completed and approved by the Micro-credential evaluator.</u>

<p>Planned Professional Development Activity or Program</p>	<p>Verified Clock Hours of service or experience.</p>	<p>The Planned Professional Development Program shall focus on the school, district or charter school's success plan which may be targeting curriculum, instruction, assessment, school climate, or other identified need or shall be related to the educator's work with students or staff. The planned professional development activity or program shall focus on the Paraeducator's or the school's success plan which may be targeting curriculum, instruction, assessment, school climate, or an other identified need or shall be related to the Paraeducator's work with students or staff. The activity or program may be in-State or out-of-State and held in-person or virtually.</p>	<p>A certificate of participation; a professional development transcript from PDMS (that did not electronically transfer to DEEDS) or a comparable professional development program; or the completed Activity Documentation Form as well as the final product which documents the goals and results of the Action Research or other Educational Project shall be presented to the Department participation or other documentation to verify attendance.</p>
<p>Presentation</p>	<p>Verified Clock Hours of presentation and preparation as a workshop or conference presenter or course instructor. The ratio of preparation to presentation is 3:1. Each presentation topic may be submitted one 1 time. Maximum of 15 Clock Hours.</p>	<p>The Presentation shall contribute to the education profession or add to the body of knowledge in the educator's presentation shall be related to the individual's professional responsibilities and shall contribute to the education profession or add to the body of knowledge in the Paraeducator's specific field. The Presentation presentation shall be made at a local, state, regional or national conference.</p>	<p>The completed Activity Documentation Form and conference agenda listing the Presentation shall be presented to the Department presentation.</p>

Professional Committee, Conference, Workshop, Institute or Academy	Verified Clock Hours of service or experience.	<p>The educator Paraeducator may include time spent in those portions of the Professional Committee, Conference, Workshop, Institute or Academy professional committee, conference, workshop, institute, or academy that contribute to the educator's Knowledge and Skills Paraeducator's knowledge and skills, competence, performance or effectiveness in education that are directly connected to the school, district or charter school's Paraeducator's or the school's success plan or State initiative. This option activity includes workshops offered by districts or other employing authorities either as part of a professional development day or during after school hours. Examples of expected student or educator Paraeducator outcomes are anticipated. The professional committee, conference, workshop, institute, or academy may be in-State or out-of-State and held in-person or virtually.</p>	The completed Activity Documentation Form and Form , the original certificate of attendance or completion or a letter from the Professional Committee, Conference, Workshop, Institute or Academy professional committee, conference, workshop, institute or academy staff shall be presented to the Department.
<u>Professional Learning Community (PLC)</u>	<u>Verified Clock Hours of participation.</u>	<u>The Paraeducator shall be a contributing member of a formal or informal Professional Learning Community whose documented goal for participants is a product or new set of knowledge and skills which are focused on student learning. The PLC must consist of a group of Paraeducators with the following attributes: supportive and shared leadership, collective creativity, shared values and vision, supportive conditions, shared personal practice, and focus on improving student learning with an accountability measure built into their process.</u>	<u>A certificate of participation or the completed Activity Documentation Form.</u>
<u>Paraprofessional of the Year or other district, state, or national recognition award or program activities</u>	<u>Verified Clock Hours involved in the application and selection process activities that do not fall under 1 of the activities above.</u>	<u>Candidates for paraprofessional of the year at the building, district, or state level may use hours that they have accrued in the application and selection process. Activities required for consideration for district, state, or national recognition awards or programs may also be included.</u>	<u>The completed Activity Documentation Form.</u>

14 DE Reg. 560 (12/01/10)
17 DE Reg. 919 (03/01/14)
22 DE Reg. 590 (01/01/19)

9.0 Criminal Conviction History

9.1 An applicant shall disclose his or her criminal conviction history upon application for any Paraeducator Permit.

- 9.2 Failure to disclose a criminal conviction history is grounds for denial or revocation of a Paraeducator Permit as specified in 14 ~~Del.C.~~ §1219.

10.0 Validity of a Paraeducator Permit

- 10.1 For an applicant who applied for and met the requirements of the Paraeducator Permit under subsections 3.1.1 or 3.1.2, the Paraeducator Permit is issued for a period of 5 years.
- 10.2 For an applicant who applied for and met the requirements for renewal of the applicant's Paraeducator Permit under Section 8.0, the Paraeducator Permit may be renewed for a 5-year period.

11.0 Requirements Related to Retention of the Paraeducator Permit

- 11.1 In order to retain a Paraeducator Permit, the Paraeducator shall:
- 11.1.1 For a Paraeducator who was issued a Paraeducator Permit under subsection 4.1.1.4, hold and maintain the Registered Behavior Technician certificate issued by the Behavior Analyst Certification Board.
- 11.1.2 For a Paraeducator who was issued a Paraeducator Permit under subsection 4.1.1.5, hold and maintain the Applied Behavior Analysis Technician certificate issued by the Qualified Applied Behavior Analysis Credentialing Board.
- 11.2 If a Paraeducator fails to meet any of the requirements related to retaining a Paraeducator Permit, the Paraeducator shall immediately notify the Department in writing.
- 11.3 The requirements set forth in subsection 11.1 apply to all Paraeducators regardless of the date the Paraeducator Permit was issued.

12.0 Disciplinary Action

- 12.1 A Paraeducator's Paraeducator Permit may be revoked, suspended, or limited for cause as provided in 14 **DE Admin. Code** 1514 Limitation, Suspension, and Revocation of Licenses, Certificates, and Permits or for the Paraeducator's failure to comply with the requirements related to the retention of a Paraeducator Permit as provided in Section 11.0.
- 12.2 A Paraeducator's Paraeducator Permit shall be revoked if the Paraeducator made a materially false or misleading statement in the Paraeducator's application in accordance with 14 **Del.C.** §1222.
- 12.3 A Paraeducator whose Paraeducator Permit is noticed for disciplinary action is entitled to a full and fair hearing before the Standards Board. Hearings shall be conducted in accordance with 14 **DE Admin. Code** 1515 Hearing Procedures and Rules.

13.0 Contact Information and Change of Name or Address

- 13.1 All applicants and Paraeducators are required to update their contact information in Delaware Educator Data System (DEEDS) if their contact information changes.
- 13.2 A Paraeducator who legally changes the Paraeducator's name and wishes to change the name on the Paraeducator Permit shall provide a notarized copy of evidence of the name change such as a marriage license or court action.
- 13.3 An applicant or Paraeducator whose mailing address, email address, or phone number changes, shall provide the Department with the new mailing address, email address, or phone number within 14 calendar days of the change.

14.0 Past Title I Paraeducator Permit Recognized

The Department shall recognize a Title I Paraeducator Permit that was issued by the Department prior to the effective date of this regulation. An individual holding such a Title I Paraeducator Permit shall be considered permitted to work as an Instructional Paraeducator.

5 DE Reg. 856 (10/01/01)

7 DE Reg. 1006 (02/01/04)

8 DE Reg. 1141 (02/01/05)

9 DE Reg. 139 (07/01/05)

9 DE Reg. 232 (08/01/05)

Renumbered effective 06/01/07 - see Conversion Table

14 DE Reg. 560 (12/01/10)

17 DE Reg. 919 (03/01/14)

22 DE Reg. 590 (01/01/19)
27 DE Reg. 230 (10/01/23) (Prop.)