

DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Section 122(d) (14 Del.C. §122(d))
14 DE Admin. Code 385

PROPOSED

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

385 Permits Substitute Teachers

A. Type of Regulatory Action Requested

Repeal

B. Synopsis of Subject Matter of Regulation

The Department of Education seeks to repeal Regulation 14 DE Admin.Code §385 Permits Substitute Teachers because House Bill No. 250 of the 144th General Assembly Epilogue section 345 amends 14 Del.C. Chapter 12 by deleting the subchapter related to substitute teachers.

Persons wishing to present their views regarding this matter may do so in writing by the close of business on October 5, 2007 to Dr. Susan Haberstroh, Regulation Review, 401 Federal Street, Dover, Delaware 19901. Copies of this regulation are available from the above address or may be viewed at the Delaware Department of Education.

C. Impact Criteria

1. Will the repeal of the regulations help improve student achievement as measured against state achievement standards? The repealed regulation concern certifications for educators, not student achievement.
2. Will the repeal of the regulations help ensure that all students receive an equitable education? The repealed regulation concern certification regulations for educators, not equitable education for students.
3. Will the repeal of the regulations help to ensure that all students' health and safety are adequately protected? The repealed regulation concern certification of educators, not students' health and safety.
4. Will the repeal of the regulations help to ensure that all students' legal rights are respected? The repealed regulation address educator certification, not students' legal rights.
5. Will the repealed regulations preserve the necessary authority and flexibility of decision makers at the local board and school level? The repeal of the regulation will preserve the authority and flexibility of decision makers at the local board and school level.
6. Will the repealed regulations place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels? The repeal of the 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 regulation remains at in same entity as practice.
8. Will the repeal of the regulations 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 repeal of the 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 repeal of regulations? The repeal of regulation is designed to reduce the burden placed on school districts.
10. What is the cost to the state and to the local school boards of compliance with the repeal of the regulations? There will be no cost to the state or to local school boards resulting from the repeal of the regulation.

385 Permits Substitute Teachers

Effective July 1, 1993

1.0 Permits shall be issued according to the following four categories

1.1 ~~Class A, A Class A certificate may be issued to an applicant who holds or is eligible to hold a valid Standard Delaware teacher's certificate or such a certificate that has expired. In the case of a certificate that has expired, the applicant for the substitute certificate shall not be required to present refresher courses for issuance of the substitute's certificate.~~

1.2 ~~Class B, A Class B certificate may be issued to an applicant with or without a Bachelor's degree who meets at least the requirements for a temporary emergency certificate as set forth in Types of Certificates, Section IV.~~

1.3 ~~Class C, A Class C certificate may be issued to an applicant who is not eligible for either Class A or Class B certification but who is recommended to the Secretary of Education by the local district superintendent of a Delaware public school district.~~

1.3.1 ~~A student currently enrolled in a four year degree granting institution who desires to serve as a substitute teacher may be employed as a Class C substitute without the formality of submitting a transcript or health certificate. (State Board of Education, November 12, 1970)~~

1.4 ~~Class D, A Class D certificate may be issued to an applicant who is eligible for or holds a Class A, B, or C certificate, but who prefers on a given date to perform substitute teaching assignments as a volunteer worker, or at a wage rate to be determined by the Board of Education of the employing school district.~~

~~NOTE: Your attention is called to the fact that there must be local board action to implement this classification. (Class D Substitute, Approved by the State Board of Education, December 16, 1971 in compliance with 14 Del.C. §1230).~~

11 DE Reg. 248 (09/01/07) (Prop.)