

**DEPARTMENT OF EDUCATION
PROFESSIONAL STANDARDS BOARD**

Statutory Authority: 14 Delaware Code, Sections 1203, 1205(b), and 1210 (14 **Del.C.** §§1203, 1205(b), & 1210)
14 **DE Admin. Code** 1510

FINAL

ORDER

1510 Initial License

I. SUMMARY OF THE EVIDENCE AND INFORMATION SUBMITTED

Pursuant to 14 **Del.C.** §§1203, 1205(b), and 1210, the Professional Standards Board ("Board"), acting in consultation and cooperation with the Delaware Department of Education ("Department"), developed amendments to 14 **DE Admin. Code** 1510 Initial License. The regulation sets forth the requirements for issuance and retention of an educator's Initial License. The proposed amendments include amending and striking terms in Section 2.0; revising subsections 3.1.2 and 3.1.4; amending Section 4.0, which concerns the requirements for an Initial License; amending Section 5.0, which provides reciprocity requirements; amending Section 6.0, which concerns expired Delaware educators' licenses; amending Section 7.0, which concerns application requirements; amending Section 9.0, which concerns the validity of an Initial License, and adding the requirements for placement on active and inactive status; removing the performance assessment requirement in Section 15.0; and adding Section 17.0, which concerns applicants' and Educators' contact information with the Department and specifies how they can change their name or address. The proposed amendments are consistent with HB 315 w/ HA 2 of the 151st General Assembly, which was signed into law on August 4, 2022.

Notice of the proposed regulation was published in the *Register of Regulations* on June 1, 2023. The Professional Standards Board received three written submittals concerning the proposed regulation. The Executive Board Members of the Delaware Association for Behavior Analysis ("DEABA") commented that the proposed regulation includes a \$100 fee to obtain a Standard Certificate and that it is not clear if the cost is accounted for in districts' budgets. DEABA further commented that the majority of states have licensure requirements in place that acknowledge BACB's BCBA and BCaBA as the preferred credential for behavior analysis. DEABA also commented that behavior-analytic service providers working in schools and their administrative support teams did not have sufficient awareness of the proposed regulation in order to provide meaningful consideration and feedback during the public comment period. Nicole Gouge commented that the fee should be reconsidered due to the "costly fees involved with obtaining and maintaining BCBA credentials coupled with the high turnover rates for BCBA and BCaBAs. Ms. Gouge further commented that BCBAs, BCaBAs, and school teams have not had the proper time to review the proposed regulations and provide eloquent feedback. Ms. Gouge also commented that behavior analytic service providers should be part of the process in creating the proposed regulations and that the language concerning Secretary of Education review should be reconsidered. Sarah D'Amico commented that she is against the proposed regulation. She stated that DEABA's Executive Board has been working on a plan to pursue licensure for behavior analysts in the State. In addition, Ms. D'Amico commented that QBAs are not overseen, regulated, or certified by the BACB.

II. FINDINGS OF FACTS

On August 3, 2023, the Professional Standards Board considered the written submittals. The Professional Standards Board found that there are two organizations that certify behavior analysts and QBAs were included at the suggestion of the head of Delaware's Statewide Autism Program. Additionally, the Professional Standards Board found that there is a \$100 fee for all applicants for an Initial License that is reimbursed for applicants who become employed at a Delaware public school (14 **Del.C.** §122(b)(27)). The Professional Standards Board further found that it proposed numerous changes throughout the regulation but behavior analysts and behavior analyst assistants are referenced in only two of the proposed subsections. The Professional Standards Board did not make any changes as a result of the written submittals and voted to propose 14 **DE Admin. Code** 1510 Initial License, in the form attached hereto as Exhibit A, for adoption by the Department subject to the State Board of Education's approval.

The Department finds that the proposed amendments to the regulation are necessary to implement 14 **Del.C.** Ch. 12 and are designed to improve the quality of the Delaware educator workforce and to improve student performance. Accordingly, the Department finds that it is appropriate to amend 14 **DE Admin. Code** 1510 Initial License.

III. DECISION TO AMEND THE REGULATION

For the foregoing reasons, the Department concludes that it is appropriate to amend 14 **DE Admin. Code** 1510 Initial License subject to the State Board of Education's approval. On August 10, 2023, the State Board of Education approved amending 14 **DE Admin. Code** 1510 Initial License. Therefore, pursuant to 14 **Del.C.** §§1203, 1205(b), and 1210, 14 **DE**

Admin. Code 1510 Initial License, attached hereto as Exhibit A, is hereby amended.

IV. TEXT AND CITATION

The text of 14 **DE Admin. Code 1510 Initial License** amended hereby shall be in the form attached hereto as Exhibit A and said regulation shall be cited as 14 **DE Admin. Code 1510 Initial License** in the *Administrative Code of Regulations* for the Department.

V. EFFECTIVE DATE OF ORDER

The effective date of this Order shall be ten days from the date this Order is published in the *Register of Regulations*.

IT IS SO ORDERED the 10th day of August, 2023.

Department of Education

Mark A. Holodick, Ed.D., Secretary of Education

Approved this 10th day of August, 2023.

State Board of Education:

/s/ Shawn Brittingham, President

/s/ Rev. Provey Powell, Jr.

/s/ Deborah Stevens, Vice President

/s/ Wali W. Rusdan, II

/s/ Candice Fifer

***Please note: Electronic signatures ("/s/") were accepted pursuant to 6 Del.C. §12A-107(d).**

1510 Initial License

1.0 Content

This regulation shall apply to the issuance and retention of an Initial License for educators pursuant to 14 **Del.C. §1210.**

22 DE Reg. 221 (09/01/18)

24 DE Reg. 1066 (06/01/21)

2.0 Definitions

The following words and terms, when used in this regulation, shall have the following meaning:

"Comprehensive Educator Induction Program" means an educator induction program approved by the Department to provide mentoring and professional development for Educators.

~~**"Content Area"** means any subject or area that is not a category certificate.~~

~~**"Date of Hire"** means the effective date of employment by a public school district or charter school.~~

"Department" means the Delaware Department of Education.

"Educator" means a person licensed and certified by the State under 14 **Del.C. Ch. 12** to engage in the practice of instruction, administration or other related professional support services in Delaware public schools, including charter schools, pursuant to rules and regulations developed by the Standards Board, in consultation and cooperation with the Department, and approved by the State Board. The term 'educator' does not include substitute teachers.

~~**"Exigent Circumstances"** means unanticipated circumstances or circumstances beyond the educator's control, including, but not limited to, expiration of a license during the school year, serious illness of the educator or a member of the educator's immediate family, activation to active military duty, and other serious emergencies which necessitate the educator's temporarily leaving active service.~~

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

~~**"Passing Score"** means a minimum score as established by the Standards Board, in consultation with the Department, and with the approval of the State Board of Education.~~

~~**"Performance Assessment"** means an approved multiple measure assessment in the professional area of licensure to ensure that novice educators can demonstrate application of content, pedagogy skills, and reflective practice, adopted pursuant to 14 **Del.C. Ch. 12** and as provided in Section 18.0 of this regulation. A performance assessment is not a multiple choice assessment and may require written commentary,~~

submission of artifacts, and submission of a video. It is designed to identify an educator's strengths and areas of improvement to practice in order to develop effective educators in the classroom.

"Regionally Accredited" means educational accreditation by a regional accrediting agency that is recognized by the U.S. Secretary of Education as a reliable authority concerning the quality of education offered by the institutions of higher education it accredits, including Middle States Commission on Higher Education.

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

"Specialist" means an educator other than a teacher recognized in this regulation who is eligible to apply for both licensure and certification from the State pursuant to 14 Del.C. Ch. 12 in order to engage in other related professional support services.

"Standard Certificate" means a credential issued to certify 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.

"Standards Board" means the Professional Standards Board established pursuant to 14 Del.C. §1201.

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

"Student Teaching Program" means a traditional student teaching placement within a ~~National Council for the Accreditation of Teacher Education (NCATE) or the Council for the Accreditation of Educator Preparation (CAEP)~~ approved program offered by a college or university, or such alternatives as deemed appropriate to the program, such as supervised internships or other field based experience recognized as a required component of the regionally accredited educator preparation program or a student teaching placement within a state-approved educator preparation program where the state approval body employed the appropriate standards.

"Supervised Clinical Nursing Experience" means that the applicant has worked as a licensed Registered Nurse in a clinical setting providing care to patients and that the applicant was supervised and evaluated by a licensed Registered Nurse supervisor or other healthcare provider. For the purpose of this regulation, other healthcare provider means a licensed physician, advanced practice registered nurse, or physician assistant.

~~**"Teaching Experience"** means meeting students on a regularly scheduled basis, planning and delivering instruction, developing or preparing instructional materials, and evaluating student performance with annual summative evaluations on the State's current evaluation system or the equivalent thereof on a state approved alternative educator evaluation system under a state credential in any Pre-K to 12 public school setting or an equivalent setting as approved by the Department.~~

"Valid and Current License or Certificate" means a current full or permanent certificate or license as an educator issued by another state or jurisdiction. This means the educator applicant is fully credentialed by having met all of the requirements for full licensure or certification as an educator in another state or jurisdiction and is in good standing in that state or jurisdiction. It does not include temporary, emergency, conditional certificates of eligibility or expired certificates or licenses issued from another state or jurisdiction.

18 DE Reg. 218 (09/01/14)

22 DE Reg. 221 (09/01/18)

23 DE Reg. 38 (07/01/19)

24 DE Reg. 1066 (06/01/21)

3.0 Issuance of an Initial License

- 3.1 In accordance with 14 Del.C. §1210, the Department shall issue an Initial License to an applicant who:
 - 3.1.1 Meets the requirements for issuance of an Initial License as set forth in Section 4.0 of this regulation; or
 - 3.1.2 Presents proof of a Valid and Current License or Certificate as an educator from another state or jurisdiction whose requirements are substantially similar to the requirements in Section 4.0 of this regulation and completion of ~~at least one year of Teaching Experience~~ experience as an educator working under a state credential in any Pre-K to 12 public school; or
 - 3.1.3 Meets the requirements for reciprocity as set forth in Section 5.0 of this regulation; or
 - 3.1.4 Meets the requirements for an applicant whose Delaware ~~Initial License~~ educator's license expired as set forth in Section 6.0 of this regulation.
- 3.2 Notwithstanding any provision to the contrary herein, the Department shall not act on an application for an Initial License 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.

18 DE Reg. 218 (09/01/14)

22 DE Reg. 221 (09/01/18)
23 DE Reg. 38 (07/01/19)
24 DE Reg. 1066 (06/01/21)

4.0 Requirements for an Initial License

- 4.1 Pursuant to 14 **Del.C.** §1210(a), the Department may issue an Initial License to an applicant who has satisfied the requirements in subsections 4.1.1 through 4.1.3.
- 4.1.1 The applicant shall have earned, at a minimum, a bachelor's degree from a ~~four-year~~ 4-year Regionally Accredited college or university. Notwithstanding the foregoing requirement, an applicant for a Skilled and Technical Sciences Teacher Standard Certificate (14 **DE Admin. Code** 1559) shall complete the coursework specified in Section 4.0 of 14 **DE Admin. Code** 1559 prior to the expiration of the Initial License.
- 4.1.2 The applicant shall have simultaneously applied for and met the requirements of at least ~~one Content Area~~ 1 content area Standard Certificate.
- 4.1.2.1 An Initial License will not be issued if the applicant does not meet the requirements of the ~~Content Area~~ content area Standard Certificate sought or is ineligible for an Emergency Certificate.
- 4.1.2.2 Subsection 4.1.2 does not apply to applicants who applied for a specialist Standard Certificate as provided in subsection 4.1.3.3.1 or a Skilled and Technical Sciences Standard Certificate.
- 4.1.3 The applicant shall have completed a Student Teaching Program or meet the requirements of ~~one~~ 1 of the ~~following alternatives to student teaching;~~ teaching as provided in subsections 4.1.3.1 through 4.1.3.5.
- 4.1.3.1 ~~Completion of~~ The applicant completed a minimum of 91 days of successful long-term substitute teaching ~~in up to 2 assignments in the same content area relevant to the content area Standard Certificate sought~~ in a Delaware public school as part of a planned hiring process that leads to a full-time teaching position.
- 4.1.3.1.1 Subsection 4.1.3.1 applies to applicants who have applied for a ~~Content Area~~ content area Standard Certificate. Subsection 4.1.3.1 does not apply to applicants who seek an Early Childhood Teacher Standard Certificate, Elementary Teacher Standard Certificate, ~~Middle Level English Teacher Standard Certificate, High School English Teacher Standard Certificate, Middle Level Math Teacher Standard Certificate, High School Math Teacher Standard Certificate, Middle Level Science Teacher Standard Certificate, High School Science Teacher Standard Certificate, Middle Level Social Studies Teacher Standard Certificate, High School Social Studies Teacher Standard Certificate,~~ or a category Standard Certificate.
- 4.1.3.1.2 Teaching experience from an Alternative Routes for Teacher Licensure and Certification program may not be used to satisfy the requirement in subsection 4.1.3.1.
- 4.1.3.1.3 The minimum of 91 days of long-term substitute teaching shall ~~commence after the Department is notified and in one assignment relevant to the Content Area Standard Certificate sought within one school year of the date of application for the Initial License~~ be completed within 2 consecutive school years. The application for an Initial License must be submitted within 1 year of the completion of the 91 days.
- 4.1.3.1.4 ~~The applicant shall simultaneously apply for the relevant Content Area Standard Certificate as provided in subsection 4.1.2. If the applicant does not apply for the relevant Content Area Standard Certificate or meet the requirements to be issued the relevant Content Area Emergency Certificate, the applicant will not meet the qualifications for an Initial License. At the conclusion of the long-term substitute teaching assignment or assignments, if the applicant does not meet the requirements of the relevant content area Standard Certificate or meet the requirements to be issued the relevant content area Emergency Certificate, the applicant will not meet the qualifications for issuance of an Initial License.~~
- 4.1.3.1.5 The applicant shall ~~have received at least two formative evaluations and not more than one unsatisfactory evaluation during the minimum 91-day period of long-term substitute teaching~~ submit an attestation from a representative of the applicant's employing school district or charter school that the applicant is competent to engage in the practice of instruction.
- 4.1.3.2 The applicant completed a minimum of 91 days of substitute teaching per year over a 3-year period while employed as a permanent, full-time substitute in 1 or more assignments in a Delaware public school under 14 **Del.C.** §1716G.
- 4.1.3.2.1 Subsection 4.1.3.2 applies to applicants who have applied for at least 1 content area Standard Certificate.

- 4.1.3.2.2 Teaching experience from an Alternative Routes for Teacher Licensure and Certification program may not be used to satisfy the requirement in subsection 4.1.3.2.
- 4.1.3.2.3 The substitute teaching shall be completed within 3 consecutive school years. The application for an Initial License must be submitted within 1 year of the completion of the 91 days per year for 3 years.
- 4.1.3.2.4 At the conclusion of the substitute teaching assignment or assignments, if the applicant does not meet the requirements of a content area Standard Certificate or meet the requirements to be issued a content area Emergency Certificate, the applicant will not meet the qualifications for issuance of an Initial License.
- 4.1.3.2.5 The applicant shall submit an attestation from a representative of the applicant's employing school district or charter school that the applicant is competent to engage in the practice of instruction.
- ~~4.1.3.2~~ 4.1.3.3 Enrollment and participation ~~The applicant shall be enrolled and participating~~ in an Alternative Routes for Teacher Licensure and Certification program pursuant to Subchapter VI of 14 **Del.C.** Ch. 12.
- ~~4.1.3.3~~ 4.1.3.4 Completed ~~The applicant completed~~ a supervised practical experience in the specialty area for which the specialist Standard Certificate is sought.
- ~~4.1.3.3.4~~ 4.1.3.4.1 Subsection ~~4.1.3.3~~ 4.1.3.4 applies to an applicant who has applied for a specialist Standard Certificate. The specialist Standard Certificates are Elementary School Counselor, Secondary School Counselor, School Library Media Specialist, School Nurse, School Psychologist, and School Social Worker.
- ~~4.1.3.3.2~~ 4.1.3.4.2 An applicant for an Elementary School Counselor Standard Certificate (14 **DE Admin. Code** 1522), shall have completed ~~one~~ 1 of the following supervised practical experiences:
- ~~4.1.3.3.2.1~~ 4.1.3.4.2.1 An applicant who does not hold a Secondary School Counselor Standard Certificate shall complete a supervised school counseling clinical experience under the direct supervision of a state department of education certified and practicing elementary school counselor of 700 hours in an elementary school setting (grades K-8) which is part of a graduate degree program in elementary school counseling; or
- ~~4.1.3.3.2.2~~ 4.1.3.4.2.2 ~~An applicant who holds a Secondary School Counselor Standard Certificate shall have completed 350 hours of additional clinical experience in an elementary school setting (grades K-5) under the direct supervision of a state department of education certified elementary school counselor; or~~
- ~~4.1.3.3.2.3~~ 4.1.3.4.2.2 An applicant who is seeking both an Elementary School Counselor Standard Certificate and a Secondary School Counselor Standard Certificate simultaneously must complete 350 hours of clinical experience in an elementary school setting (grades K-8) under the direct supervision of a state department of education certified and practicing elementary school counselor and 350 hours of clinical experience in a secondary school setting (grades 6-12) under the direct supervision of a state department of education certified and practicing secondary school counselor. Clinical hours in grades 6-8 shall only be used in ~~one~~ 1 setting.
- ~~4.1.3.3.3~~ 4.1.3.4.3 An applicant for a Secondary School Counselor Standard Certificate (14 **DE Admin. Code** 1545), shall have completed ~~one~~ 1 of the following supervised practical experiences:
- ~~4.1.3.3.3.1~~ 4.1.3.4.3.1 An applicant who does not hold an Elementary School Counselor Standard Certificate shall complete a supervised school counseling clinical experience under the direct supervision of a state department of education certified and practicing secondary school counselor of 700 hours in a secondary school setting (grades 6-12) which is part of a graduate degree program in secondary school counseling; or
- ~~4.1.3.3.3.2~~ 4.1.3.4.3.2 ~~An applicant who holds an Elementary School Counselor Standard Certificate shall have completed 350 hours of additional clinical experience in a secondary school setting (grades 6-12) under the direct supervision of a state department of education certified secondary school counselor; or~~
- ~~4.1.3.3.3.3~~ 4.1.3.4.3.2 An applicant who is seeking both an Elementary School Counselor Standard Certificate and a Secondary School Counselor Standard Certificate simultaneously must complete 350 hours of clinical experience in an elementary school setting (grades K-8) under the direct supervision of a state department of education certified and practicing elementary school counselor and 350 hours of clinical experience in a secondary school setting (grades 6-12) under the direct supervision of a state department of education certified and practicing secondary school counselor. Clinical hours in grades 6-8 shall only be used in ~~one~~ 1 setting.

- ~~4.1.3.3.4~~ 4.1.3.4.4 An applicant for a School Library Media Specialist Standard Certificate (14 **DE Admin. Code** 1580) shall have completed ~~one~~ 1 of the following supervised practical experiences:
- ~~4.1.3.3.4.1~~ 4.1.3.4.4.1 A supervised internship or practicum that is a requirement to earn a master's or doctoral degree in School Library Media from an American Library Association-approved program at a Regionally Accredited college or university; or
- ~~4.1.3.3.4.2~~ 4.1.3.4.4.2 A supervised internship or practicum that is part of a Department-approved School Library Media program that meets the American Library Association's standards.
- ~~4.1.3.3.5~~ 4.1.3.4.5 An applicant for a School Nurse Standard Certificate (14 **DE Admin. Code** 1582) shall have completed ~~three~~ 3 years of Supervised Clinical Nursing Experience as a registered nurse consisting of a minimum of 500 hours per year for a total of 1,500 hours during the ~~three-year~~ 3-year period. This requirement shall not be met in a school setting.
- ~~4.1.3.3.6~~ 4.1.3.4.6 An applicant for a School Psychologist Standard Certificate (14 **DE Admin. Code** 1583) shall have completed a ~~supervised internship in an institution or agency approved by the Department or the applicant's graduate program~~ supervised, culminating, comprehensive field experience of at least 1,200 hours, 600 hours of which must have been completed in an educational setting, in an institution or agency that is approved by the applicant's graduate program or the Department, completed at or near the end of formal training, through which the applicant had the opportunity to integrate and apply professional knowledge and skills acquired in prior courses and practica as well as to acquire new competencies consistent with training program goals.
- ~~4.1.3.3.6.1~~ 4.1.3.4.6.1 ~~The internship shall be a supervised, culminating, comprehensive field experience, completed at or near, the end of formal training, through which school psychology candidates have the opportunity to integrate and apply professional knowledge and skills acquired in prior courses and practica, as well as to acquire new competencies consistent with training program goals.~~
- ~~4.1.3.3.6.2~~ 4.1.3.4.6.2 ~~The following recognized internships meet the requirement in subsection 4.1.3.3.6: an internship that is part of an organized graduate level program of study in "School Psychology" offered by a Regionally Accredited college or university and approved by the National Association of School Psychologists (NASP) or the American Psychological Association (APA), culminating in an Educational Specialist (Ed.S.) degree or its equivalent or a doctoral degree in School Psychology, and an internship completed to earn a Nationally Certified School Psychologist (NCSP) Certificate from the National Association of School Psychologists (NASP).~~
- ~~4.1.3.3.7~~ 4.1.3.4.7 An applicant for a School Social Worker Standard Certificate (14 **DE Admin. Code** 1584) shall have completed ~~two years of full-time work experience as a social worker as approved by the Department. Post-degree supervised clinical social work experience completed in order to obtain an LCSW license shall count as work experience~~ a supervised internship or practicum that is a requirement to earn a master's or doctoral degree in social work from a Regionally Accredited college or university.
- ~~4.1.3.4.8~~ 4.1.3.4.8 ~~An applicant for a School Behavior Analyst Standard Certificate (14 **DE Admin. Code** 1585) shall have completed the requisite number of supervised clinical hours for certification as a Board Certified Behavior Analyst or a Qualified Behavior Analyst.~~
- ~~4.1.3.4.9~~ 4.1.3.4.9 ~~An applicant for a School Behavior Analyst Assistant Standard Certificate (14 **DE Admin. Code** 1586) shall have completed the requisite number of supervised clinical hours for certification as a Board Certified Assistant Behavior Analyst or a Qualified Autism Service Practitioner Supervisor.~~
- ~~4.1.3.4~~ 4.1.3.5 ~~Completed one~~ The applicant completed 1 of the following experience requirements for a Skilled and Technical Sciences Teacher Standard Certificate (14 **DE Admin. Code** 1559).
- ~~4.1.3.4.1~~ 4.1.3.5.1 Six years of work experience in an area related to the STS-specific career area, at least ~~two~~ 2 of which shall have been within the last ~~five~~ 5 years prior to the date of the application; or
- ~~4.1.3.4.2~~ 4.1.3.5.2 Six years of work experience by teaching in or direct supervision of educators in an area related to the STS-specific career area, at least ~~two~~ 2 of which shall have been within the last ~~five~~ 5 years prior to the date of the application.

- 7.3.1.2 Sealed paper transcripts may be submitted.
- 7.3.1.3 The Department will not accept copies of transcripts; and
- 7.3.2 Proof the applicant completed a Student Teaching Program or an alternative to student teaching as required in subsection 4.1.3.
- 7.3.3 Additional documentation as required by the Department.
- 7.4 For applicants who are applying for the Initial License under subsection 3.1.2, the following documentation is required:
 - 7.4.1 An official copy of the Valid and Current License or Certificate; and
 - 7.4.2 Proof the applicant completed ~~at least one year of Teaching Experience~~ but less than ~~four~~ 4 years of Teaching Experience experience as an educator working under a state credential in any Pre-K to 12 public school; and
 - 7.4.3 Additional documentation as required by the Department.
- 7.5 For applicants who are applying for the Initial License under subsection 3.1.3, the following documentation is required:
 - 7.5.1 An official copy of the Valid and Current License or Certificate; and
 - 7.5.2 Official transcript from the applicant's Regionally Accredited college or university.
 - 7.5.2.1 Electronic transcripts may be submitted by the Employing Authority or by the applicant's Regionally Accredited college or university; or
 - 7.5.2.2 Sealed paper transcripts may be submitted.
 - 7.5.2.3 The Department will not accept copies of transcripts; and
 - 7.5.3 Proof the applicant ~~has Teaching Experience as required by subsection 5.1.4~~ completed less than 4 years of experience as an educator working under a state credential in any Pre-K to 12 public school.
 - 7.5.4 Additional documentation as required by the Department.
- 7.6 For applicants who are applying for the Initial License under subsection 3.1.4, the following documentation is required:
 - 7.6.1 Proof the applicant previously held a Delaware Initial License that has expired; and
 - 7.6.2 Proof the applicant has been out of the profession for ~~four~~ 4 years or less; and
 - 7.6.3 Additional documentation as required by the Department.
- 7.7 Applicants with credentials issued from institutions outside of the United States and United States territories must provide an analysis of the degree equivalency in a format approved by the Department together with all other required application documents and materials.

18 DE Reg. 218 (09/01/14)

22 DE Reg. 221 (09/01/18)

23 DE Reg. 38 (07/01/19)

24 DE Reg. 1066 (06/01/21)

8.0 Secretary of Education Review

- 8.1 The Secretary of Education may, at the written request of a school district or charter school, review credentials submitted in an application for an Initial License on an individual basis and grant an Initial License to an applicant who otherwise does not meet the requirements for an Initial License but whose effectiveness is documented by the school district or charter school.
 - 8.1.1 For school districts, requests shall be approved by the superintendent of the school district.
 - 8.1.2 For charter schools, requests concerning the head of school of the charter school shall be approved by the charter school's board of directors and requests concerning all other applicants shall be approved by the charter school's head of school.

8.0 9.0 Validity of an Initial License

- ~~8.1~~ 9.1 For an applicant who applied for and met the requirements of the Initial License under subsection 3.1.1, the Initial License is issued for a period of ~~four~~ 4 years.
- ~~8.2~~ 9.2 For an applicant who applied for and met the requirements of the Initial License under subsection 3.1.2 or 3.1.3, the Initial License will be issued based on the years of ~~teaching~~ experience as an educator working under a state credential in any Pre-K to 12 public school.
- ~~8.2.1~~ 9.2.1 For applicants who have completed ~~one~~ 1 year of ~~teaching~~ experience as an educator, the Initial License is issued for a period of ~~three~~ 3 years.

- ~~8.2.2~~ 9.2.2 For applicants who have completed ~~two~~ 2 years of ~~teaching~~ experience as an educator, the Initial License is issued for a period of ~~two~~ 2 years.
- ~~8.2.3~~ 9.2.3 For applicants who have completed ~~three~~ 3 years of ~~teaching~~ experience as an educator, the Initial License is issued for a period of ~~one~~ 1 year.
- ~~8.3~~ 9.3 For an applicant who applied for and met the requirements of the Initial License under subsection 3.1.4, the Initial License will be issued based on the number of years of the applicable Comprehensive Educator Induction Program that the applicant is required to complete.
- 9.3.1 For applicants who have not completed any years of the program, the Initial License is issued for a period of 4 years.
- ~~8.3.4~~ 9.3.2For applicants who completed year ~~one~~ 1 of the program, the Initial License is issued for a period of ~~three~~ 3 years.
- ~~8.3.2~~ 9.3.3For applicants who completed years ~~two~~ 2 and ~~three~~ 3 of the program, the Initial License is issued for a period of ~~two~~ 2 years.
- ~~8.3.3~~ 9.3.4For applicants who completed years ~~one~~ 1, ~~two~~ 2, and ~~three~~ 3 of the program, the Initial License is issued for a period of ~~one~~ 1 year.
- ~~8.4~~ 9.4 Notwithstanding subsections ~~8.4~~ 9.1, ~~8.2~~ 9.2, and ~~8.3~~ 9.3, for applicants who are applying for the Skilled and Technical Sciences Teacher Standard Certificate, the Initial License is issued for a period of up to ~~six~~ 6 years.
- ~~8.5~~ 9.5 Educators who hold an active, valid Initial License are permitted to engage in the practice of instruction, administration, or other related professional support services at a school district or charter school in Delaware. Initial Licenses are issued for the number of years specified in subsections ~~8.1~~, ~~8.2~~, ~~8.3~~ 9.1, 9.2, 9.3, and ~~8.4~~ 9.4. Initial Licenses may not be renewed, so in order to continue engaging in the practice of instruction, administration, or other related professional support services at a school district or charter school in Delaware, an Educator must apply for and be granted a Continuing License.
- ~~8.6~~ 9.6 An Initial License issued to an applicant who is not currently employed by a public school district or charter school shall be inactive until such time as an the applicant is employed by a public school district or charter school will not be engaged in the practice of instruction, administration, or other related professional support services at a school district or charter school in Delaware at the time of application shall be placed on inactive status. Once the applicant is employed, the Initial License is issued for four years from the Date of Hire until the last day of the month of issuance four years later or up to six years later if the applicant applied for and met the requirements of the Skilled and Technical Sciences Teacher Standard Certificate.
- 9.7 If an Educator who holds an active Initial License and at least 1 Standard Certificate becomes no longer engaged in the practice of instruction, administration, or other professional support services at a school district or charter school in Delaware, the Educator shall notify the Department in writing. The Educator's Initial License will be placed on inactive status effective the date the educator is no longer engaged in the practice of instruction, administration, or other related professional support services at a school district or charter school in Delaware. If an Educator fails to notify the Department that the Educator is no longer engaged in the practice of instruction, administration, or other related professional support services at a school district or charter school in Delaware, the Educator's Initial License will remain active until the Initial License expires. Once the Initial License expires, Section 6.0 of this regulation applies.
- 9.8 If an Educator who holds an active Initial License and an Emergency Certificate or Certificate of Eligibility becomes no longer engaged in the practice of instruction, administration, or other professional support services at a school district or charter school in Delaware, the Educator, the Educator's school district or charter school, and, if applicable, the ARTC program shall notify the Department in writing. The Educator's Initial License will be placed on expired status, effective the date the educator is no longer engaged in the practice of instruction, administration, or other related professional support services at a school district or charter school in Delaware. Once the Initial License expires, Section 6.0 of this regulation applies.
- 9.9 If an Educator who holds an inactive Initial License decides to re-engage in the practice of instruction, administration, or other related professional support services at a school district or charter school in Delaware, the applicant may submit an application to resume active status to the Department. If the application to resume active status is granted by the Department, the Initial License is placed on active status and the Educator is permitted to engage in the practice of instruction, administration, or other related professional support services at a school district or charter school in Delaware for up to 4 years or up to 6 years if the applicant applied for and met the requirements of the Skilled and Technical Sciences Teacher Standard Certificate, depending on the period of time for which the Initial License was issued.

18 DE Reg. 218 (09/01/14)

22 DE Reg. 221 (09/01/18)

24 DE Reg. 1066 (06/01/21)

9.0 10.0 Extension for Exigent Circumstances

~~9.4~~ 10.1 The Department may extend an Initial License for a period not to exceed ~~one~~ 1 year, upon the license holder's showing of exigent circumstances warranting the necessity of such extension. Exigent circumstances are unanticipated circumstances or circumstances beyond the license holder's control, including serious illness of the license holder or a member of the license holder's immediate family, activation to active military duty, and serious emergencies that necessitate the license holder's temporarily leaving active service as an Educator.

10.2 A license holder whose Initial License expires during the school year may have the Initial License extended until the last day of the fiscal year upon a request from the public school district superintendent or charter school administrator. This extension shall be considered an exigent circumstance and shall not exceed ~~one~~ 1 year in length.

22 DE Reg. 221 (09/01/18)

24 DE Reg. 1066 (06/01/21)

40.0 11.0 Leave of Absence

~~40.4~~ 11.1 An Educator who holds an Initial License may take a leave of absence for up to ~~three~~ 3 years with no effect upon the validity or expiration of the Educator's Initial License if approved by the Department.

~~40.2~~ 11.2 The Educator shall submit to the Department a request with documentation that the Educator is approved by the Educator's employing school district or charter school to take a leave of absence and the length of the leave of absence.

~~40.3~~ 11.3 If the Department approves the Educator's request, the Educator's Initial License will be frozen for an amount of time that is commensurate with the length of the leave of absence up to ~~three~~ 3 years.

18 DE Reg. 218 (09/01/14)

22 DE Reg. 221 (09/01/18)

24 DE Reg. 1066 (06/01/21)

41.0 ~~Secretary of Education Review~~

~~41.1~~ The Secretary of Education may, at the written request of a school district or charter school, review credentials submitted in an application for an Initial License on an individual basis and grant an Initial License to an applicant who otherwise does not meet the requirements for an Initial License but whose effectiveness is documented by the school district or charter school.

~~41.1.1~~ For school districts, requests shall be approved by the superintendent of the school district.

~~41.1.2~~ For charter schools, requests concerning the head of school of the charter school shall be approved by the charter school's board of directors and requests concerning all other applicants shall be approved by the charter school's head of school.

22 DE Reg. 221 (09/01/18)

23 DE Reg. 38 (07/01/19)

24 DE Reg. 1066 (06/01/21)

12.0 Requirements Related to the Retention of an Initial License

12.1 In order to retain an Initial License, the Educator shall:

12.1.1 Complete the applicable Comprehensive Educator Induction Program as provided in 14 **DE Admin. Code** 1503.

12.1.2 For an Educator who is issued an Emergency Certificate, complete the requirements for a Standard Certificate prior to the Emergency Certificate ~~lapsing~~ expiring if the Educator does not hold a Standard Certificate;

12.1.3 For an Educator in an Alternative Routes for Teacher Licensure and Certification program, continue to be enrolled and participating in the program.

12.2 If an Educator fails to meet any of the requirements related to retaining an Initial License, the Educator shall immediately notify the Department in writing.

12.3 The requirements set forth in subsection 12.1 apply to all Educators regardless of the date the Initial License was issued.

24 DE Reg. 1066 (06/01/21)

13.0 Disciplinary Action

- 13.1 An Educator's Initial License 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 Educator's failure to comply with the requirements related to the retention of an Initial License as provided in Section 12.0.
- 13.2 An Educator's Initial License shall be revoked if the Educator's Initial, Continuing, or Advanced License or Standard or Professional Status Certificate is revoked or the Educator made a materially false or misleading statement in the Educator's application in accordance with 14 **Del.C.** §1222.
- 13.3 An Educator whose certificate 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.

24 DE Reg. 1066 (06/01/21)

14.0 Reporting

The Department shall provide to the Standards Board, upon request, specific data reports regarding licensure, certification, and professional development.

18 DE Reg. 218 (09/01/14)

22 DE Reg. 221 (09/01/18)

24 DE Reg. 1066 (06/01/21)

15.0 Requirements for Educators Who Intend to Apply for a Continuing License

- 15.1 If an Educator who holds a Delaware Initial License intends to apply for a Continuing License, the Educator shall complete the requirements in subsections 15.1.1 through ~~15.1.3~~ and 15.1.2 before the Educator's Initial License expires.

~~15.1.1 The Educator shall obtain a Passing Score on an approved Performance Assessment as set forth below. An Educator who was issued a Delaware Initial License pursuant to subsection 3.1.2, 3.1.3, or 3.1.4 of this regulation is not required to obtain a Passing Score on an approved Performance Assessment.~~

Assessment	Cut Score	Effective Date	Provider
edTPA	13-Rubric Handbooks — 33 15-Rubric Handbooks — 38 18-Rubric Handbooks — 46	As adopted by the Standards Board with the approval of the State Board	Pearson Education, Inc.
PPAT Assessment	38	As adopted by the Standards Board with the approval of the State Board	ETS
In accordance with 14 Del.C. §1210(j), a state created and approved performance assessment from another state or jurisdiction	Minimum passing score established by the other state or jurisdiction		Other state or jurisdiction

~~15.1.2~~ 15.1.1The Educator shall complete the applicable Comprehensive Educator Induction Program as provided in 14 **DE Admin. Code** 1503 ~~Educator Mentoring~~ Comprehensive Educator Induction Programs.

~~15.1.2.1~~ 15.1.1.1For an Educator who was issued an Initial License pursuant to subsection 3.1.1 of this regulation, the Educator shall be required to complete years ~~one 1, two 2, three 3, and four 4~~ of the program.

~~15.1.2.2~~ 15.1.1.2For an Educator who has completed ~~one 1~~ year of teaching experience and was issued an Initial License pursuant to subsection 3.1.2 or 3.1.3, the Educator shall be required to complete years ~~two 2, three 3, and four 4~~ of the program.

~~15.1.2.3~~ 15.1.1.3For an Educator who has completed ~~two 2~~ years of teaching experience and was issued an Initial License pursuant to subsection 3.1.2 or 3.1.3, the Educator shall be required to complete years ~~three 3 and four 4~~ of the program.

~~15.1.2.4~~ 15.1.1.4For an Educator who has completed ~~three 3~~ years of teaching experience and was issued an Initial License pursuant to subsections 3.1.2 or 3.1.3, the Educator shall be required to complete year ~~four 4~~ of the program.

~~15.1.2.5~~ 15.1.1.5 For an Educator who has completed the first year of the program and was issued an Initial License pursuant to subsection 3.1.4, the Educator shall be required to complete years ~~two 2,~~ three 3, and ~~four 4~~ of the program.

~~15.1.2.6~~ 15.1.1.6 For an Educator who has completed the first and second years of the program and was issued an Initial License pursuant to subsection 3.1.4, the Educator shall be required to complete years ~~three 3~~ and ~~four 4~~ of the program.

~~15.1.2.7~~ 15.1.1.7 For an Educator who has completed the first, second, and third years of the program and was issued an Initial License pursuant to subsections 3.1.4, the Educator shall be required to complete year ~~four 4~~ of the program.

~~15.1.3~~ 15.1.2 The Educator has been evaluated every year and has not received more than ~~one 1~~ unsatisfactory annual evaluation from the Educator's employing school district, charter school, or contracting agency during the period of the Educator's Initial License.

22 DE Reg. 221 (09/01/18)

24 DE Reg. 1066 (06/01/21)

16.0 Past License Recognized

The Department shall recognize an Initial License that was issued ~~by the Department~~ prior to the effective date of this regulation. An Educator holding such an Initial License shall be considered licensed in accordance with 14 **Del.C.** Ch. 12.

22 DE Reg. 221 (09/01/18)

24 DE Reg. 1066 (06/01/21)

17.0 Effective Date Contact Information and Change of Name or Address

~~This regulation shall be effective on July 1, 2021.~~

17.1 All applicants and Educators are required to update their contact information in DEEDS if their contact information changes.

17.2 An Educator who legally changes the Educator's name and wishes to change the name on the Initial License shall provide a notarized copy of evidence of the name change such as a marriage license or court action.

17.3 An applicant or Educator 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.

7 DE Reg. 161 (08/01/03)

7 DE Reg. 623 (11/01/03)

7 DE Reg. 1181 (03/01/04)

12 DE Reg. 945 (01/01/09)

17 DE Reg. 610 (12/01/13)

18 DE Reg. 218 (09/01/14)

22 DE Reg. 221 (09/01/18)

23 DE Reg. 38 (07/01/19)

24 DE Reg. 1066 (06/01/21)

27 DE Reg. 171 (09/01/23) (Final)