

**DEPARTMENT OF EDUCATION
PROFESSIONAL STANDARDS BOARD**

Statutory Authority: 14 Delaware Code, Sections 1203, 1205(b), and 1206(d) and 29 Delaware Code, Section 10113(b)(2) (14 **Del.C.** §§1203, 1205(b), & 1206(d) and 29 **Del.C.** §10113(b)(2))

FINAL

ORDER

1516 Professional Standards Board Standing Committees

I. SUMMARY OF THE EVIDENCE AND INFORMATION SUBMITTED

Pursuant to 14 **Del.C.** §§1203, 1205(b), and 1206(d), the Delaware Department of Education ("Department"), in consultation and cooperation with the Professional Standards Board, developed amendments to 14 **DE Admin. Code** 1516 Professional Standards Board Standing Committees. The regulation sets forth rules of practice and procedure used by the Professional Standards Board and is being amended under the provision of 29 **Del.C.** §10113(b)(2). The proposed amendments include striking the phrase "unless the context clearly indicates otherwise" from Section 2.0 and amending subsection 4.6 to remove "co-chairpersons" and add chairperson and vice chairperson.

The amendments are exempt from the requirement of public notice and comment and are adopted informally in accordance with 29 **Del.C.** §§10113(b)(2).

II. FINDINGS OF FACT

The Department finds that the regulation sets forth rules of practice and procedure used by the Professional Standards Board. Accordingly, the Department finds that it is appropriate to amend 14 **DE Admin. Code** 1516 Professional Standards Board Standing Committees.

III. DECISION TO AMEND THE REGULATION

For the foregoing reasons, the Department concludes that it is appropriate to amend 14 **DE Admin. Code** 1516 Professional Standards Board Standing Committees. Therefore, pursuant to 14 **Del.C.** §§1203, 1205(b), and 1206(d) and 29 **Del.C.** §10113(b)(2), 14 **DE Admin. Code** 1516 Professional Standards Board Standing Committees, attached hereto as Exhibit "A," is hereby amended.

IV. TEXT AND CITATION

The text of 14 **DE Admin. Code** 1516 Professional Standards Board Standing Committees amended hereby shall be in the form attached hereto as Exhibit "A" and said regulation shall be cited as 14 **DE Admin. Code** 1516 Professional Standards Board Standing Committees 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

1516 Professional Standards Board Standing Committees

1.0 Applicability

This regulation shall apply to the Professional Standards Board's standing committees pursuant to 14 **Del.C.** §1206(d).

2.0 Definitions

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

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

"**Executive Director**" means the Delaware Professional Standards Board's Executive Director.

"**LCCC**" means the Licensure and Certification Criteria Committee established pursuant to 14 **Del.C.** §1206(d)(1).

“PDACC” means the Professional Development and Associated Compensation Committee established pursuant to 14 Del.C. §1206(d)(2).

“Secretary” means the Secretary of the Delaware Department of Education.

“Standards Board” means the Delaware Professional Standards Board established pursuant to 14 Del.C. §1201.

3.0 Standing Committees

3.1 The Standards Board’s standing committees are:

3.1.1 LCCC; and

3.1.2 PDACC.

3.2 The LCCC makes recommendations for developing and amending, as necessary, regulations in the areas of licensure and certification.

3.3 The PDACC makes recommendations for developing and amending, as necessary, regulations in the areas of professional development and salary supplements for educators pursuant to 14 Del.C. Ch. 13.

4.0 Standing Committee Membership

4.1 Each committee shall consist of no more than 15 committee members.

4.2 Each committee shall include at least ~~one~~ 1 current Standards Board member.

4.3 Committee members shall have expertise in the committee’s subject matter.

4.4 Committee membership shall be geographically representative of the ~~three~~ 3 counties and may include teachers from the elementary, middle, and high school levels, education specialists, administrators, local school board members, parents, higher education representatives, and Department representatives.

4.5 The Executive Director shall make a call for applications to fill vacancies on committees. Prospective committee members shall submit an application to the Executive Director. The Standards Board’s Chairperson and the Secretary shall review applications and appoint committee members.

4.6 Each committee shall elect ~~co-chairpersons~~ a chairperson and a vice chairperson annually. The committee ~~co-chairpersons~~ chairpersons shall preside over all meetings of their respective committees. A committee vice chairperson shall serve in the capacity of the committee's chairperson in the chairperson's absence. As part of its annual election, each committee may elect other officers as it deems necessary.

4.7 Committee members shall serve staggered 3-year terms.

4.8 Prior to the expiration of a committee member’s term, the Executive Director shall verify the committee member’s continued interest in serving on the committee. The Executive Director shall submit the names of the committee members who are interested in serving another term to the Standards Board’s Chairperson and the Secretary for reappointment.

4.9 Committee members who miss 3 consecutive meetings shall be reported to the Standards Board’s Chairperson and the Secretary, who may appoint replacement committee members.

4.10 The Board’s Chairperson and the Secretary may remove a committee member whose actions are contradictory to the committee’s purpose or the Standards Board’s purpose or are in violation of applicable law. In such case, the Board’s Chairperson and the Secretary shall appoint a replacement committee member.

5.0 Committee Reports and Recommendations

5.1 Each committee shall provide a progress report, including any recommendations, to the Standards Board after each meeting.

5.2 Committees shall submit the report in writing to the Standards Board or designate at least one committee member to deliver the report at the Standards Board’s next regularly scheduled meeting.

27 DE Reg. 173 (09/01/23) (Final)