

DEPARTMENT OF EDUCATION
PROFESSIONAL STANDARDS BOARD

Statutory Authority: 14 Delaware Code Sections 1203, 1205(b), and 1220 (14 **Del.C.** §§1203,
1205(b), and 1220)
14 **DE Admin. Code** 1596

FINAL

ORDER

1596 Charter School Leader

I. Summary of the Evidence and Information Submitted

Pursuant to 14 **Del.C.** §§1203, 1205(b), and 1220, the Professional Standards Board (“Board”), acting in consultation and cooperation with the Delaware Department of Education (“Department”), developed amendments to 14 **DE Admin. Code** 1596 Charter School Leader. The regulation concerns the requirements for a Charter School Leader in accordance with 14 **Del.C.** §1220. The proposed amendments in this regulation include revising the title to Charter School Instructional Administrator, Section 1.0 to add instructional administrators and clarifying who is required and who is exempt; adding a definition of the term “Instructional Administrator” and “non-instructional administrator” in Section 2.0; revising the term “Regionally Accredited” based on the changes the U.S. Department of Education made to its recognition of accrediting bodies in Section 2.0; adding reciprocity language and striking a redundant phrase in Section 3.0; revising the requirements in Section 4.0; adding Section 5.0, which concerns reciprocity; and revising the application requirements in Section 6.0. The proposed amendments include grammatical and style changes to comply with the *Delaware Administrative Code Drafting and Style Manual*.

Notice of the proposed regulation was originally published in the *Register of Regulations* on October 1, 2024. At the November 7, 2024 and December 5, 2024 Board meetings, the Board deliberated on the public comments and votes to move the regulation forward failed. Subsequently, the Board voted to revise and republish the regulation. The revised regulation was published in the *Register of Regulations* on February 1, 2025. The Board deliberated on the revised regulation at its meeting on March 6, 2025. While the Board voted to approve the regulation as proposed, the final regulation was NOT approved by the State Board of Education. Therefore, the Board withdrew the proposed regulation published on February 1, 2025 and resubmitted further revisions.

Notice of the proposed regulation was published in the *Register of Regulations* on August 1, 2025. The written public comment period was open until September 2, 2025. The Board received the following written submittals:

1. Susannah Eaton, State Council for Persons with Disabilities (SCPD) Ms. Eaton stated that she is in favor of the amendments. However, the SCPD urges the Delaware Department of Education to build upon existing certification training to better prepare charter school leaders, particularly by including special education legal/regulatory requirements, to address disparities and ensure all students receive a Free Appropriate Public Education (FAPE). Considering potential federal rollbacks to IDEA protections, implementing strong state-level safeguards of the upmost importance the proposed regulation will restrict access to leadership opportunities by limiting the ability to hire instructional administrators with the ARTC (“Alternative Routes to Certification”) program. The proposed regulation imposes a restriction that does not see the value of alternative pathways to certification.
2. Kendall Massett, Delaware Charter Schools Network, is in favor of the amendments and thanked everyone for their collaboration and engagement in the development of this regulation.
3. William Doolittle, Chairperson, Governor’s Advisory Council for Exceptional Citizens (GACEC) reiterates their previous comments that they support the amendments. However, they would still like the DDOE to look to existing training for other certifications/licensures and determine how to enhance the training for charter school leaders. They also have concerns around the federal attempt to rollback protections provided through the Individual with Disabilities Education Act (IDEA).

**II. ASSESSMENT OF THE IMPACT ON ACHIEVEMENT OF THE STATE’S GREENHOUSE GAS EMISSIONS
REDUCTION TARGETS AND RESILIENCY TO CLIMATE CHANGE**

The Secretary of Education has reviewed the proposed regulation as required by 29 **Del.C.** §10118(b)(3) and has determined that any assessment of the impact of the proposed regulation is not practical.

III. Findings of Facts

The Board deliberated on the proposed regulation at its September 4, 2025 meeting. Prior to deliberations, the Board reviewed each written submittal. In reaching its determination on the proposed regulation, the Board considered both the

proposed regulation and all written submittals. The Board found it had deliberated earlier on similar comments and found that the proposed Alternative Routes program for certification as a charter school instructional administrator includes necessary coursework and training to prepare school leaders to address the needs of students with disabilities and determined that no further revisions were necessary.

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 1596** Charter School Leader.

IV. Decision to AMEND the Regulation

For the foregoing reasons, the Department concludes that it is appropriate to amend 14 **DE Admin. Code 1596** Charter School Leader subject to the State Board of Education's approval. On September 18, 2025, the State Board of Education approved amending 14 **DE Admin. Code 1596** Charter School Leader. Therefore, pursuant to 14 **Del.C.** §§1203, 1205(b), and 1220, 14 **DE Admin. Code 1596** Charter School Leader.

V. Text and Citation

The text of 14 **DE Admin. Code 1596** Charter School Leader amended hereby and said regulation shall be cited as 14 **DE Admin. Code 1596** Charter School Leader in the *Administrative Code of Regulations* for the Department.

VI. 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 18th day of September, 2025.

Department of Education

Cynthia Marten, Secretary of Education

Approved this 18th day of September, 2025.

State Board of Education

/s/ Shawn Brittingham
Shawn Brittingham, President

(Absent)
Deborah Stevens, Vice President

/s/ Meredith L. Griffin, Jr.
Meredith L. Griffin, Jr.

/s/ Rajalakshmi Lodhavia
Rajalakshmi Lodhavia

/s/ Rev. Provey Powell, Jr.
Rev. Provey Powell, Jr.

/s/ James L. Simmons III
James L. Simmons III

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

1596 Charter School Leader Instructional Administrator

1.0 Content

- 1.1 This regulation shall apply to the issuance of a Charter School ~~Leader-Instructional Administrator~~ Standard Certificate pursuant to 14 **Del.C.** §1220(a). The Charter School ~~Leader-Instructional Administrator~~ Standard Certificate is required for ~~leaders-instructional administrators~~ of Charter Schools in Delaware ~~who were hired prior to June 30, 2023~~. The Charter School ~~Leader-Instructional Administrator~~ Standard Certificate authorizes an individual to practice as a ~~leader-an instructional administrator~~ in a ~~Charter School charter school~~. Heads of charter schools exempt under 14 Del.C. §507(c) and non-instructional administrators are not required to hold a Charter School Instructional Administrator Standard Certificate.

- 1.2 The Charter School Leader ~~Instructional Administrator~~ Standard Certificate shall not be used to practice as a school leader in a traditional or vocational-technical public school in Delaware.
- 1.3 The Charter School Leader Standard Certificate shall not be used for any Charter School Leader hired after June 30, 2023. In order to practice as a leader in a Charter School, the individual must In lieu of the Charter School Instructional Administrator Standard Certificate, an instructional administrator in a charter school may hold 1 of the following Standard Certificates:
 - 1.3.1 School Principal and Assistant School Principal Standard Certificate (14 DE Admin. Code 1591); or
 - 1.3.2 Certified Central Office Personnel (14 DE Admin. Code 1592); or
 - 1.3.3 Superintendent or Assistant Superintendent Standard Certificate (14 DE Admin. Code 1593); or
 - 1.3.4 Special Education Director (14 DE Admin. Code 1594).

2.0 Definitions

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

"Charter School school" means a public school that operates under a charter granted by a public school district or the Department pursuant to 14 Del.C. Ch. 5.

"Charter School Leader" means an administrator at a 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 promulgated by the Professional Standards Board and approved by the State Board of Education. The term 'educator' does not include substitute teachers.

"Employing Authority authority" means any entity which employs educators, and ~~includes, but is not limited to,~~ includes 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 and may reasonably be found to impair an educator's effectiveness by reason of the educator's unfitness or otherwise.

"Instructional administrator" means a charter school administrator who supervises and evaluates educators, instructs students by means of designing and implementing curriculum, or instructs, trains, mentors, or coaches teachers.

"License" means a credential which authorizes the holder to engage in the practice for which the license is issued.

"Non-instructional administrator" means a charter school administrator whose role is to oversee and manage operational aspects of the school that focus on supporting the logistical and functional aspects of the school environment and ensure that essential services and resources are effectively coordinated and utilized. A non-instructional administrator's responsibilities may include finance, transportation, nutrition, facilities management, safety and security, human resources, and technology infrastructure.

"Regionally Accredited 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 institutional accreditation from an agency that was designated as a regional accreditor before July 1, 2020, and is currently recognized by the U.S. Secretary of Education as a reliable indicator of the institution's educational quality.

"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.

"Valid and Current License or Certificate 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 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.

3.0 Issuance of a Standard Certificate

- 3.1 In accordance with 14 Del.C. §1220(a), the Department shall issue a Charter School Leader ~~Instructional Administrator~~ Standard Certificate to an applicant who:
 - 3.1.1 Holds a valid Delaware Initial, Continuing, or Advanced License or a Standard or Professional Status Certificate issued by the Department prior to August 31, 2003 and meets the requirements set forth in Section 4.0 of this regulation; or
 - 3.1.2 Has met the requirements for an educator's license in Delaware and presents proof of a Valid and Current License or Certificate valid and current license or certificate as a charter school leader ~~instructional~~

administrator issued by another state or jurisdiction, jurisdiction whose requirements are substantially similar to the requirements in Section 4.0 of this regulation; or

3.1.3 Has met the requirements for an educator's license in Delaware and meets the requirements 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 Charter School ~~Leader~~Instructional Administrator Standard Certificate 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~~immorality, misconduct in office, incompetence, willful neglect of duty, disloyalty, or falsification of credentials until the applicant provides evidence of the investigation's resolution.

4.0 Prescribed Education, Knowledge, and Skill Requirements

4.1 The applicant shall have satisfied the requirements in subsections 4.1.1 and ~~4.1.2~~ through 4.1.3.

4.1.1 The applicant earned a bachelor's degree from a ~~Regionally Accredited~~regionally accredited college or university in any content area.

4.1.2 The applicant ~~completed a charter leader portfolio by June 30, 2024 and earned a rating of accomplished based on the Delaware Performance Appraisal System II for administrators~~ satisfactorily completed an alternative routes for licensure or certification program for charter school instructional administrators approved by the Department as provided in 14 Del.C. §1260-1266 and 14 DE Admin. Code 291, which is aligned to the 14 DE Admin. Code 1590 Delaware Administrator Standards.

4.1.3 The applicant shall have completed a minimum of 4 years of 1 or any combination of the following experience requirements in subsections 4.1.3.1 through 4.1.3.4.

4.1.3.1 Experience as an educator in a charter school.

4.1.3.2 Related services in a charter school.

4.1.3.3 Teaching or leadership experience in a public school, independent or private school, or postsecondary institution.

4.1.3.4 A record of effective leadership in any instructional, developmental, or training setting, such as military, charter, nonprofit, or workforce preparation environments, demonstrating success in improving systems, supporting learner growth, or advancing organizational goals.

4.1.4 The educators who utilize the Charter School Instructional Administrator alternative routes to certification program may either be issued an emergency certificate that allows the individual to work as an instructional administrator in a charter school or may be an individual seeking certification and aspiring to a role as an instructional administrator.

4.1.4.1 Educators issued an emergency certificate must have undergone an extensive hiring process that ensures the applicant has effective leadership skills that meet the needs of students, staff, community, and the mission of the school.

4.1.4.2 Applicants of the alternative routes to certification program who are not employed by a charter school are eligible to enroll only after completing an extensive application process that includes proof of a track record of effective leadership success that equates to leading and educating adults.

5.0 Reciprocity

5.1 If an applicant is already licensed or certified as a charter school instructional administrator in a state or jurisdiction whose requirements are not substantially similar to the requirements in Section 4.0 of this regulation, the applicant shall have satisfied the requirements in subsections 5.1.1 through 5.1.3 in order for the Department to issue a Charter School Instructional Administrator Standard Certificate.

5.1.1 The applicant shall hold a valid and current license or certificate as a charter school instructional administrator.

5.1.2 The applicant shall have completed a preparation program for charter school instructional administrators.

5.1.3 The applicant shall have earned a bachelor's degree from a regionally accredited college or university.

5.06.0 Application Requirements

5.16.1 If an applicant is applying for an Initial License, a Standard Certificate must be applied for simultaneously with the application for the Initial License, and the applicant shall also provide all required documentation for the License license.

5.26.2 If the applicant is also applying for the issuance or renewal of an educator's license or paraeducator's permit, the applicant must disclose the applicant's criminal conviction history upon application. Failure to disclose a criminal conviction history is grounds for denial of the license or permit application as specified in 14 Del.C. §1219 and it could delay the processing or result in the denial of the application for a Charter School ~~Leader~~Instructional Administrator Standard Certificate.

- 5.36.3 For an applicant who is applying under subsection 3.1.1 of this regulation, the following documentation is required with the application for a Charter School ~~Leader-Instructional Administrator~~ Standard Certificate:
- 5.3.16.3.1 Official transcript from the applicant's ~~Regionally Accredited~~ regionally accredited college or university.
 - 5.3.1.16.3.1.1 Electronic transcripts may be submitted by the ~~Employing Authority~~ employing authority or by the applicant's ~~Regionally Accredited~~ regionally accredited college or university; or
 - 5.3.1.26.3.1.2 Sealed paper transcripts may be submitted.
 - 5.3.1.36.3.1.3 The Department will not accept copies of transcripts; and
 - 5.3.26.3.2 Documentation verifying completion a ~~charter leader portfolio and a rating of accomplished based on the Delaware Performance Appraisal System II for administrators, if applicable of an alternative routes for licensure or certification program for charter school instructional administrators as required in subsection 4.1.2 of this regulation;~~ and
 - 5.3.36.3.3 Additional documentation as required by the Department.
- 5.46.4 For an applicant who is applying under subsection 3.1.2 of this regulation, the following documentation is required with the application for a Charter School ~~Leader-Instructional Administrator~~ Standard Certificate:
- 5.4.16.4.1 An official copy of the ~~Valid and Current License or Certificate~~ valid and current license or certificate; and
 - 5.4.26.4.2 Additional documentation as required by the Department.
- 6.5 For an applicant who is applying under subsection 3.1.3 of this regulation, the following documentation is required with the application for a Charter School Instructional Administrator Standard Certificate:
- 6.5.1 An official copy of the valid and current license or certificate; and
 - 6.5.2 Official transcript from the applicant's regionally accredited college or university.
 - 6.5.2.1 Electronic transcripts may be submitted by the employing authority or by the applicant's regionally accredited college or university; or
 - 6.5.2.2 Sealed paper transcripts may be submitted.
 - 6.5.2.3 The Department will not accept copies of transcripts; and
 - 6.5.3 Proof of completion of a preparation program for charter school instructional administrators; and
 - 6.5.4 Additional documentation as required by the Department.

6.07.0 Secretary of Education Review

The Secretary of Education may, upon the written request of a local school district or charter school, review credentials submitted in an application for a Charter School ~~Leader-Instructional Administrator~~ Standard Certificate on an individual basis and grant such a Standard Certificate to an applicant who otherwise does not meet the requirements for a Charter School ~~Leader-Instructional Administrator~~ Standard Certificate but whose effectiveness is documented by the local school district or charter school. 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.

7.08.0 Validity of a Standard Certificate

- 7.18.1 A Charter School ~~Leader-Instructional Administrator~~ Standard Certificate is valid regardless of the assignment or employment status of the holder provided that the ~~Educator's License~~ educator's license remains current and valid.
- 7.28.2 A Charter School ~~Leader-Instructional Administrator~~ Standard Certificate is not subject to renewal.

8.09.0 Disciplinary Action

- 8.19.1 An ~~Educator's~~ educator's Charter School ~~Leader-Instructional Administrator~~ Standard Certificate 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.
- 8.29.2 An ~~Educator's~~ educator's Charter School ~~Leader-Instructional Administrator~~ Standard Certificate shall be revoked if the ~~Educator's~~ educator's Initial, Continuing, or Advanced License or Professional Status Certificate is revoked or the ~~Educator~~ educator made a materially false or misleading statement in the ~~Educator's~~ educator's application in accordance with **14 Del.C. §1222**.
- 8.39.3 An ~~Educator~~ 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.

9.010.0 Contact Information and Change of Name or Address

- 9.110.1 All applicants and ~~Educators~~ educators are required to update their contact information in DEEDS if their contact information changes.

- 9.210.2 An ~~Educator-educator~~ who legally changes the ~~Educator's_educator's~~ name and wishes to change the name on the Charter School ~~Leader-Instructional Administrator~~ Standard Certificate shall provide a notarized copy of evidence of the name change such as a marriage license or court action.
- 9.310.3 An applicant or ~~Educator-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.