

**DEPARTMENT OF EDUCATION
PROFESSIONAL STANDARDS BOARD**

Statutory Authority: 14 Delaware Code, Sections 1203 and 1205(b) and 29 Delaware Code, Section 10113(b)(4) (14 **Del.C.** §§1203 & 1205(b); & 29 **Del.C.** §10113(b)(4))
14 **DE Admin. Code** 1543

FINAL

REGULATORY IMPLEMENTING ORDER

1543 Secondary Science Teacher

I. SUMMARY OF THE EVIDENCE AND INFORMATION SUBMITTED

Pursuant to 14 **Del.C.** §§1203 and 1205(b), the Professional Standards Board, acting in consultation and cooperation with the Delaware Department of Education ("Department"), developed amendments to 14 **DE Admin. Code** 1543 Secondary Science Teacher. The regulation concerns the requirements for a Secondary Science Teacher Standard Certificate in accordance with 14 **Del.C.** §1220. The proposed amendments include specifying the required certificates for teachers who are assigned to teach integrated science courses in subsection 1.2.1; specifying the required certificates for teachers who are assigned to teach physical science courses in subsection 1.2.2; adding defined terms to Section 2.0; clarifying the requirements for issuing a Secondary Science Teacher Standard Certificate in Section 3.0; specifying the education, knowledge, and skill requirements for obtaining a Secondary Science Teacher Standard Certificate in Section 4.0; specifying the application requirements in Section 5.0; adding Section 6.0, which concerns the validity of a Secondary Science Teacher Standard Certificate; adding Section 7.0, which concerns disciplinary actions; adding Section 8.0, which concerns requests for the Secretary of Education to review standard certificate applications; and adding Section 9.0, which concerns recognizing past certificates that were issued by the Department.

Notice of the proposed regulation was published in the *Register of Regulations* on April 1, 2021. The Professional Standards Board did not receive any written submittals concerning the proposed amendments.

II. FINDINGS OF FACTS

On May 6, 2021, the Professional Standards Board voted to propose 14 **DE Admin. Code** 1543 Secondary Science Teacher, 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** 1543 Secondary Science Teacher.

III. DECISION TO AMEND THE REGULATION

For the foregoing reasons, the Department concludes that it is appropriate to amend 14 **DE Admin. Code** 1543 Secondary Science Teacher subject to the State Board of Education's approval. Therefore, pursuant to 14 **Del.C.** §§1203 and 1205(b), 14 **DE Admin. Code** 1543 Secondary Science Teacher, attached hereto as Exhibit A, is hereby amended.

IV. TEXT AND CITATION

The text of 14 **DE Admin. Code** 1543 Secondary Science Teacher adopted hereby shall be in the form attached hereto as Exhibit A and said regulation shall be cited as 14 **DE Admin. Code** 1543 Secondary Science Teacher 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 20th day of May, 2021.

Department of Education

Susan S. Bunting, Ed.D., Secretary of Education

Approved this 20th day of May, 2021.

State Board of Education

/s/ Whitney Sweeney, President

Wali W. Rushdan, II, Vice President (Absent)

/s/ Shawn Brittingham

/s/ Candace Fifer

/s/ Vincent Lofink

/s/ Audrey J. Noble, Ph.D.

Provey Powell, Jr. (Absent)

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

REGULATORY IMPLEMENTING ORDER

1543 Secondary Science Teacher

I. SUMMARY OF THE EVIDENCE AND INFORMATION SUBMITTED

Pursuant to 14 **Del.C.** §§1203 and 1205(b), the Professional Standards Board, acting in consultation and cooperation with the Delaware Department of Education ("Department"), developed amendments to 14 **DE Admin. Code** 1543 Secondary Science Teacher, which concerns the requirements for a Secondary Science Teacher Standard Certificate in accordance with 14 **Del.C.** §1220. Notice of the proposed regulation was published in the *Register of Regulations* on April 1, 2021. The Professional Standards Board did not receive any written submittals concerning the proposed amendments.

On May 6, 2021, the Professional Standards Board voted to propose 14 **DE Admin. Code** 1543 Secondary Science Teacher for adoption by the Department subject to the State Board of Education's approval. On May 20, 2021, the State Board of Education approved the proposed regulation.

Thereafter, the Professional Standards Board determined that the title of the Praxis Subject Assessment in subsection 4.1.2.4 erroneously included "Astronomy." In addition, the Professional Standards Board determined that the ETS Test Code # of the Praxis Subject Assessment - General Science: Content Knowledge in subsection 4.1.2.5 is incorrect and that "5435" is the correct ETS Test Code # for the Praxis Subject Assessment. On June 3, 2021, the Professional Standards Board voted to strike "Astronomy" from subsection 4.1.2.4 and to replace "5235" with "5435" in subsection 4.1.2.5. The amendments are exempt from the requirement of public notice and comment and are adopted informally in accordance with 29 **Del.C.** §10113(b)(4).

II. FINDINGS OF FACTS

The Department finds that the proposed amendments to the regulation are nonsubstantive changes to correct technical errors. Accordingly, the Department finds that it is appropriate to amend 14 **DE Admin. Code** 1543 Secondary Science Teacher pursuant to 14 **Del.C.** §§1203 and 1205(b) and 29 **Del.C.** §10113(b)(4).

III. DECISION TO AMEND THE REGULATION

For the foregoing reasons, the Department concludes that it is appropriate to amend 14 **DE Admin. Code** 1543 Secondary Science Teacher. Therefore, pursuant to 14 **Del.C.** §§1203 and 1205(b) and 29 **Del.C.** §10113(b)(4), 14 **DE Admin. Code** 1543 Secondary Science Teacher, attached hereto as Exhibit A, is hereby amended.

IV. TEXT AND CITATION

The text of 14 **DE Admin. Code** 1543 Secondary Science Teacher adopted hereby shall be in the form attached hereto as Exhibit A and said regulation shall be cited as 14 **DE Admin. Code** 1543 Secondary Science Teacher 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 9th day of June, 2021.

Department of Education

Exhibit A

1543 Secondary Science Teacher

1.0 Content

- 1.1 This regulation shall apply to the issuance of a ~~Standard Certificate, pursuant to 14 Del.C. §1220(a), for Secondary Science Teacher in the individual secondary science curricular areas of Biology, Chemistry, Earth Science, Integrated Science, Physical Science, and Physics~~ Secondary Science Teacher Standard Certificate in the individual secondary science curricular areas of Biology, Chemistry, Earth Science, Integrated Science, Physical Science, and Physics pursuant to 14 Del.C. §1220(a).
- 1.2 An ~~educator~~ Educator shall hold a Standard Certificate in each secondary science curricular area the ~~educator is teaching,~~ Educator teaches in grades nine (9) to ~~twelve (12)~~ 12 in Delaware public schools unless subsection 1.2.1 or 1.2.2 applies.
 - 1.2.1 ~~Notwithstanding the requirements in 1.2, a secondary science teacher who holds a Standard Certificate in each of the secondary science curricular areas within a discrete integrated science course, may teach the course without holding a Standard Certificate~~ Secondary Science Teacher Integrated Science An Educator who is assigned to teach an integrated science course may hold a Secondary Science Teacher Standard Certificate in any of the secondary science curricular areas relevant to the course the Educator is assigned to teach.
 - 1.2.2 An Educator who is assigned to teach a physical science course may hold a Secondary Science Teacher Standard Certificate in the secondary curricular areas of Biology, Chemistry, Earth Science, Physical Science, or Physics.
- 1.3 ~~Any~~ The Secondary Science Teacher Standard Certificate in any secondary science curricular area may be used in lieu of 14 DE Admin. Code 1533 Middle Level Science Teacher for teachers teaching middle level science in grades six (6) to eight (8) for grades 6, 7, 8 in a middle level Delaware public school in lieu of the Middle Level Science Teacher Standard Certificate.
- 1.4 ~~Except as otherwise provided, the requirements set forth in 14 DE Admin. Code 1505 Standard Certificate, including any subsequent amendment or revision thereto, are incorporated herein by reference.~~

11 DE Reg. 1646 (06/01/08)

16 DE Reg. 627 (12/01/12)

2.0 Definitions

~~The definitions set forth in 14 DE Admin. Code 1505 Standard Certificate, including any subsequent amendment or revision thereto, are incorporated herein by reference.~~

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

"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" 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 and may reasonably be found to impair an educator's effectiveness by reason of the educator's unfitness or otherwise.

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

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

"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.

"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" means a current full or permanent certificate or license issued by another state or jurisdiction. This means the educator is fully credentialed by having met all of the requirements for full licensure or certification 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.

11 DE Reg. 1646 (06/01/08)

16 DE Reg. 627 (12/01/12)

3.0 Issuance of a Standard Certificate

3.1 In accordance with 14 ~~Del.C.~~ §1220(a), the Department shall issue a Secondary Science Teacher Standard Certificate as a Secondary Science Teacher in the individual secondary science curricular areas of Biology, Chemistry, Earth Science, Integrated Science, Physical Science, and Physics to an ~~educator~~ applicant who ~~has met the following:~~

3.1.1 Holds a valid Delaware Initial, Continuing, or Advanced ~~License; License~~ or a ~~Limited Standard, Standard or Professional Status Certificate issued by the Department prior to August 31, 2003; and, 2003 and meets the requirements set forth in Section 4.0 of this regulation; or~~

3.1.2 ~~Has met the requirements as set forth in 14 DE Admin. Code 1505 Standard Certificate, including any subsequent amendment or revision thereto. Has met the requirements for licensure and presents proof of a Valid and Current License or Certificate as a secondary science teacher in the secondary science curricular area sought.~~

3.2 Notwithstanding any provision to the contrary herein, the Department shall not act on an application for Secondary Science Teacher 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, misconduct in office, incompetence, willful neglect of duty, disloyalty, or falsification of credentials until the applicant provides evidence of the investigation's resolution.

16 DE Reg. 627 (12/01/12)

4.0 Testing Prescribed Education, Knowledge, and Skill Requirements

~~Pursuant to 14 Del.C. §1220, where an examination of content knowledge such as a Praxis™ II examination is applicable and available in the individual secondary science curricular area, the applicant shall achieve a passing score as established by the Standards Board, in consultation with the Department and with the concurrence of the State Board for each Standard Certificate issued.~~

4.1 For an applicant who does not hold a content area Standard Certificate, the applicant shall have satisfied the requirements in subsections 4.1.1 and 4.1.2.

4.1.1 The applicant shall have:

4.1.1.1 Obtained and currently maintain a Science certificate in the secondary science curricular area sought from the National Board for Professional Teaching Standards; or

4.1.1.2 Earned a bachelor's degree from a Regionally Accredited college or university with a minimum of 30 semester hours of coursework in secondary science education from an educator preparation program approved or recognized by the National Council for the Accreditation of Teacher Education (NCATE), the Council for the Accreditation of Educator Preparation (CAEP), or a state where the state approval body employed the appropriate standards; or

4.1.1.3 Satisfactorily completed an alternative routes for licensure or certification program to teach secondary science as provided in 14 Del.C. §§1260 – 1266; or

4.1.1.4 Satisfactorily completed a Department-approved educator preparation program in secondary science education.

4.1.2 The applicant shall have achieved a Passing Score on the Praxis Subject Assessment as provided in subsections 4.1.2.1 through 4.1.2.5.

4.1.2.1 For a Secondary Science Teacher Standard Certificate – Biology, the applicant shall have achieved on the Praxis Subject Assessment – Biology: Content Knowledge (ETS Test Code #5235) a Passing Score of 150.

4.1.2.2 For a Secondary Science Teacher Standard Certificate – Chemistry, the applicant shall have achieved on the Praxis Subject Assessment – Chemistry: Content Knowledge (ETS Test Code #5245) a Passing Score of 151.

- 4.1.2.3 For a Secondary Science Teacher Standard Certificate – Physics, the applicant shall have achieved on the Praxis Subject Assessment – Physics: Content Knowledge (ETS Test Code #5265) a Passing Score of 140.
- 4.1.2.4 For a Secondary Science Teacher Standard Certificate – Earth Science, the applicant shall have achieved on the Praxis Subject Assessment – ~~[Astronomy, Earth, Earth]~~ and Space Sciences: Content Knowledge (ETS Test Code #5571) a Passing Score of 150.
- 4.1.2.5 For a Secondary Science Teacher Standard Certificate – Integrated or Physical Science, the applicant shall have achieved on the Praxis Subject Assessment – General Science: Content Knowledge (ETS Test Code #~~[5235 5435]~~) a Passing Score of 151.
- 4.2 For an applicant who holds at least one content area Standard Certificate, the applicant shall have achieved a Passing Score on the Praxis Subject Assessment as provided in subsection 4.1.2.

16 DE Reg. 627 (12/01/12)

5.0 Application Requirements

- 5.1 If an applicant is applying for an Initial License, a Standard Certificate must be applied for simultaneously with the application for an Initial License, and the applicant shall also provide all required documentation for the License.
- 5.2 For applicants who are applying for a Secondary Science Teacher Standard Certificate under subsections 3.1.1 and 4.1, the following documentation is required:
 - 5.2.1 Evidence of obtaining and maintaining a Science certificate from the National Board for Professional Teaching Standards, if applicable; and
 - 5.2.2 Official transcript from the applicant's Regionally Accredited college or university.
 - 5.2.2.1 Electronic transcripts may be submitted by the Employing Authority or by the applicant's Regionally Accredited college or university; or
 - 5.2.2.2 Sealed paper transcripts may be submitted.
 - 5.2.2.3 The Department will not accept copies of transcripts; and
 - 5.2.3 Official score on the Praxis Subject Assessment as provided in subsection 4.1.2; and
 - 5.2.4 Additional documentation as required by the Department.
- 5.3 For applicants who are applying for a Secondary Science Teacher Standard Certificate under subsections 3.1.1 and 4.2, the following documentation is required:
 - 5.3.1 Official score on the Praxis Subject Assessment as provided in subsection 4.2; and
 - 5.3.2 Additional documentation as required by the Department.
- 5.4 For applicants who are applying for the Secondary Science Teacher Standard Certificate under 3.1.2, the following documentation is required:
 - 5.4.1 An official copy of the Valid and Current License or Certificate; and
 - 5.4.2 Additional documentation as required by the Department.

6.0 Validity of a Standard Certificate

- 6.1 A Secondary Science Teacher Standard Certificate is valid regardless of the assignment or employment status of the holder provided that the Educator's License remains current and valid.
- 6.2 A Secondary Science Teacher Standard Certificate is not subject to renewal.

7.0 Disciplinary Action

- 7.1 An Educator's Secondary Science Teacher 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.
- 7.2 An Educator's Secondary Science Teacher Standard Certificate shall be revoked if the Educator's Initial, Continuing, or Advanced License 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.
- 7.3 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.

8.0 Secretary of Education Review

- 8.1 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 Secondary Science Teacher Standard Certificate on an individual basis and grant such a Standard Certificate to an applicant who otherwise does not meet the requirements for a Secondary Science Teacher Standard Certificate but whose effectiveness is documented by the local 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.

9.0 Past Certificate Recognized

The Department shall recognize a Secondary Science Teacher Standard Certificate that was issued by the Department prior to the effective date of this regulation. An Educator holding such a Standard Certificate shall be considered certified to teach secondary science in the secondary science curricular area for which the certificate was issued.

6 DE Reg. 319 (09/01/02)

7 DE Reg. 775 (12/01/03)

8 DE Reg. 1138 (02/01/05)

10 DE Reg. 100 (07/01/06)

Renumbered effective 06/01/07 - see Conversion Table

11 DE Reg. 1646 (06/01/08)

16 DE Reg. 627 (12/01/12)

25 DE Reg. 84 (07/01/21) (Final)