

DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Chapter 89 (14 **Del.C.** Ch. 89)
14 **DE Admin. Code** 235

FINAL

REGULATORY IMPLEMENTING ORDER

235 Teacher of the Year Award

I. SUMMARY OF THE EVIDENCE AND INFORMATION SUBMITTED

Pursuant to 14 **Del.C.** Chapter 89, the Secretary of Education intends to amend 14 **DE Admin. Code** 235 Teacher of the Year Award. This regulation is being amended to clarify the conditions under which these awards will be given, to clarify how Teacher of the Year Award funds may be used by the award recipient, and to comply with the Delaware Administrative Code Style Manual.

Notice of the proposed regulation was published in the *News Journal* and *Delaware State News* on April 1, 2019, in the form hereto attached as *Exhibit "A"*. No comments were received for this regulation. However, the Department did make minor grammatical clarifications to the regulation.

II. FINDINGS OF FACTS

The Secretary finds that it is appropriate to amend 14 **DE Admin. Code** 235 Teacher of the Year Award in order to clarify the conditions under which these awards will be given, to clarify how Teacher of the Year Award funds may be used by the award recipient, and to comply with the Delaware Administrative Code Style Manual.

III. DECISION TO AMEND THE REGULATION

For the foregoing reasons, the Secretary concludes that it is appropriate to amend 14 **DE Admin. Code** 235 Teacher of the Year Award. Therefore, pursuant to 14 **Del.C.** §122, 14 **DE Admin. Code** 235 Teacher of the Year Award attached hereto as *Exhibit "B"* is hereby amended. Pursuant to the provision of 14 **Del.C.** §122(e), 14 **DE Admin. Code** 235 Teacher of the Year Award hereby amended shall be in effect for a period of five years from the effective date of this order as set forth in Section V. below.

IV. TEXT AND CITATION

The text of 14 **DE Admin. Code** 235 Teacher of the Year Award amended hereby shall be in the form attached hereto as *Exhibit "B"*, and said regulation shall be cited as 14 **DE Admin. Code** 235 Teacher of the Year Award in the *Administrative Code of Regulations* for the Department of Education.

V. EFFECTIVE DATE OF ORDER

The actions hereinabove referred to were taken by the Secretary pursuant to 14 **Del.C.** §122 on May 15, 2019. The effective date of this Order shall be ten (10) days from the date this Order is published in the Delaware *Register of Regulations*.

IT IS SO ORDERED the 15th day of May 2019.

Department of Education

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

Approved this 15th day of May 2019

235 Teacher of the Year Award

~~This program shall be administered in accordance with 14 **Del.C.** Ch. 89, and the following rules and regulations.~~

1.0 Purpose

Pursuant to 14 Del.C. Ch. 89, this regulation provides guidance to Delaware public schools, districts and charter schools regarding the qualifications and nomination of candidates for Teacher of the Year.

2.0 Definitions

The 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.

“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.

“Teacher of the Year Award” means recognition and a monetary award given by either [their a teacher’s] employing school, district or charter school, or the Department of Education as a way to reward outstanding teachers in the state.

“Teacher of the Year Award Fund” means a \$5000 set aside fund within the budget of the Department to be used for the statewide Teacher of the Year Award recipient’s exclusive assignment and disbursement.

4.03.0 Qualifications for a local Teacher of the Year Award

3.1 To be considered for the local Teacher of the Year award a person shall:

4.13.1.1 Have taught, continuously or intermittently, for an accumulative period of three years or more in a Delaware public school previous to the date of such person’s nomination. nomination;

4.23.1.2 Have been formally nominated. nominated;

4.33.1.3 Be actively teaching in [their the nominating] district or charter school in this state Delaware at the time of [their] nomination.

1.4 Continue to actively teach in the nominating district or charter school for the duration of the school year of their nomination.

1.4.1 If the nominee chooses to leave the district or charter school during the selection period the district or charter school shall submit another nominee.

4.53.1.4 Meet all the requirements for a Standard Certificate for the position held and hold a valid and current license, as approved by the Professional Standards Board, the Department of Education and the State Board of Education.

7 DE Reg. 1178 (03/01/04)

9 DE Reg. 1182 (02/01/06)

2.04.0 Nominations Nomination Procedure for state Teacher of the Year Award

4.1 The following procedure shall apply in preparing nominations in accordance with the requirements of the Act. for identifying and nominating candidates for the state Teacher of the Year:

2.14.1.1 The Department of Education shall meet annually with the district coordinators of the Teacher of the Year Program appropriate district personnel and the representative for the charter schools for the purpose of providing [them with] detailed instructions and proper forms for the presentation nomination of nominees. Each district is invited to nominate one teacher employed by the district and the charter schools are invited to select one nominee to represent all of the charter schools candidates for the state Teacher of the Year Award.

4.1.2 Each district is invited to nominate one teacher employed by the district who has been chosen as a Teacher of the Year from amongst one of its school buildings.

4.1.3 Charter schools are invited to select one teacher to represent all of the charter schools.

2.14.1.4 Nominees for the state Teacher of the Year Award shall be skillful and dedicated teachers, teachers who teach a grade prekindergarten through grade 12. Administrative personnel such as principals and guidance counselors are not eligible to be considered for State Teacher of the Year. Nominees for State Teacher of the Year who are not actively engaged in teaching in a public school at the time at which observations are made pursuant to Section 2.2 below shall be disqualified.

4.1.5 Nominees for State Teacher of the Year Award who are not actively engaged in teaching in a public school at the time at which observations are made pursuant to Section 5.0 below shall be disqualified.

4.1.6 Administrative personnel such as principals and school counselors are not eligible to be considered for the State Teacher of the Year Award.

5.0 Requirements for state Teacher of the Year Award nominees

- ~~2.2~~ Nominees shall submit a portfolio describing themselves and setting forth their positions on educational ~~issues~~. ~~Format will be based on issues in a Department-approved format that is also consistent with the National Teacher of the Year program.~~

6.0 Evaluation and Selection of the state Teacher of the Year Award Recipient

- 6.1 The following procedure shall occur to evaluate and select the state Teacher of the Year award recipient from amongst all nominated candidates:
- ~~2.36.1.1~~ Following the submission of the portfolios, selected Department of Education staff members and selected former state and local ~~district~~ Teachers of the Year shall be assigned in pairs to read the portfolios of two nominees and observe those nominees in the classroom based on the criteria stipulated in the Teacher of the Year Program Guide that is updated each year.
- 6.1.2 Another group of Department of Education ~~Staff~~ staff members shall be assigned to read all of the portfolios and rate them based on forms found in the Teacher of the Year Program Guide. Based on the numerical ratings from both the portfolio readers and from the observations, three nominees shall be identified as finalists for consideration by a panel of judges.
- ~~2.46.1.3~~ The panel of judges shall include: the current State Teacher of the Year; the President of the State Parent Teacher Association; the President of the Future Educators Association; a member of the State Board of Education; a representative of the Chamber of Commerce; the President of the Delaware State Education Association; and the Chair of the Professional Standards Board or, if necessary, their designees.
- ~~2.56.1.4~~ The judges shall recommend one person for the Secretary of Education to declare as the State Teacher of the Year.
- 6.1.5 The final selection of the state Teacher of the Year Award recipient is made solely at the discretion of the Secretary of Education and the Secretary's decision shall be final.

7.0 Funding and Use of Funds

- 7.1 The Teacher of the Year Award Fund, in the amount of \$5,000, shall be set aside within the budget of the Department to be used for the statewide Teacher of the Year Award Recipient's exclusive assignment and disbursement.
- 7.1.1 The Teacher of the Year Award Funds, shall not be used for the personal benefit of the award recipient, but shall be used solely to accomplish educational purposes or objectives for students; however that in the use of such funds for educational purposes, the recipient may be an indirect or incidental beneficiary as teacher of the benefited pupils.
- 7.1.1.1 In the event all funds for an Award recipient have not been completely expended by the time a subsequent award is granted, the remainder of the former recipient's award shall not revert, but shall remain set aside in the name of the former recipient such time as it is totally expended or the recipient dies or leaves the state.
- 7.1.2 In order to withdraw funds, the Recipient shall present to the superintendent of the local school district in which the recipient is employed a plan for utilization of the award in order to avoid wasteful duplication of materials or violation of school district policy.
- 7.1.3 Possible use of funds includes, but is not limited to:
- 7.1.3.1 Purchase of non-consumable materials and supplies (library books, audio/visual equipment, computer equipment, etc.);
- 7.1.3.2 Purchase of otherwise consumable materials that are used in the production of a student designed item (artist's paper, canvas, instruments, wood, etc.);
- 7.1.3.3 Payment for student travel (museum, theatres, historic sites, etc.);
- 7.1.3.4 Employment of performers or consultants (musical group, author, poet or historian; or
- 7.1.3.5 Reimbursements to the recipient, not to exceed \$500, for personal expenses.
- 7.1.4 Materials, equipment or other items purchased with such funds shall be the property of the Delaware public school district in which the recipient is employed at the time of expenditure.
- 7.1.5 Invoices, purchase orders or personal reimbursement forms related to withdrawals from the Teacher of the Year Award Fund shall be retained by the local school district and shall be available for inspection as public records and subject to regular audit by the State Auditor of Accounts.

3 DE Reg. 104 (07/01/99)

7 DE Reg. 1178 (03/01/04)

9 DE Reg. 1182 (02/01/06)

14 DE Reg. 805 (02/01/11)
18 DE Reg. 692 (03/01/15)
22 DE Reg. 1003 (06/01/19) (Final)