

DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Chapter 11 (14 **Del.C.** Ch. 11)
14 **DE Admin. Code** 240

FINAL

REGULATORY IMPLEMENTING ORDER

240 Recruiting and Training of Professional Educators for Critical Curricular Areas

I. SUMMARY OF THE EVIDENCE AND INFORMATION SUBMITTED

Pursuant to 14 **Del.C.** Ch. 11, the Secretary of Education seeks the consent of the State Board of Education to repeal 14 **DE Admin. Code** 240 Recruiting and Training of Professional Educators for Critical Curricular Areas. The Department has reviewed the regulation in order to comply with 29 **Del.C.** §10407 which requires regulations to be reviewed on a recurring basis every four years and concluded that the regulation should be repealed as the content of this regulation is covered in other Department regulations and this regulation is no longer needed.

Notice of the proposed regulation was published in the *News Journal* and the *Delaware State News* on February 1, 2020, in the form hereto attached as Exhibit "A". No comments were received.

II. FINDINGS OF FACTS

The Secretary finds that it is appropriate to repeal 14 **DE Admin. Code** 240 Recruiting and Training of Professional Educators for Critical Curricular Areas in order to be in compliance with 29 **Del.C.** §10407 which requires regulations to be reviewed on a recurring basis every four years and concluded that the regulation should be repealed as the content of this regulation is covered in other Department regulations and this regulation is no longer needed.

III. DECISION TO AMEND THE REGULATION

For the foregoing reasons, the Secretary concludes that it is appropriate to repeal 14 **DE Admin. Code** 240 Recruiting and Training of Professional Educators for Critical Curricular Areas. Therefore, pursuant to 14 **Del.C.** §122, 14 **DE Admin. Code** 240 Recruiting and Training of Professional Educators for Critical Curricular Areas attached hereto as Exhibit "B" is hereby repealed. Pursuant to the provision of 14 **Del.C.** §122(e), 14 **DE Admin. Code** 240 Recruiting and Training of Professional Educators for Critical Curricular Areas hereby repealed shall be in effect for a period of five years from the effective date of this order as set forth in Section V. below.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** 240 Recruiting and Training of Professional Educators for Critical Curricular Areas in the form attached hereto as Exhibit "B" is hereby repealed.

V. EFFECTIVE DATE OF ORDER

The actions hereinabove referred to were taken by the Secretary pursuant to 14 **Del.C.** §122 on April 23, 2020. 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 23th day of April 2020.

Department of Education

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

Approved this 23th day of April 2020

State Board of Education

/s/ Whitney Townsend Sweeney, President

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

/s/ Candace Fifer

/s/ Nina Lou Bunting

/s/ Wali W. Rushdan, II

/s/ Provey Powell, Jr.

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

240 Recruiting and Training of Professional Educators for Critical Curricular Areas

~~The programs shall be administered in accordance with 14 Del.C. Ch. 11, and the following rules and regulations pursuant to the appropriation of funds in the annual Budget Bill.~~

1.0 Designation of Critical Curricular Areas

~~Annually, on a date not later than the July meeting of the State Board of Education, the Secretary of Education shall present a recommendation to the State Board on the Critical Curricular Areas to be addressed during that fiscal year. This recommendation will be based upon supply and demand information obtained from local school districts and from state and national sources.~~

2.0 Allocation of Funds

~~Annually, on a date not later than the July meeting of the State Board of Education, the Secretary of Education shall present a recommendation to the State Board of Education on the preliminary allocation of funds among the five programs authorized by Chapter 11. Final allocations will be based upon the total appropriation for that fiscal year and the number of eligible applicants for the five programs.~~

3.0 Applications

~~All applicants for funds under any of the five programs shall be required to complete an application on a form prescribed by the Department of Education and shall be required to provide whatever information and documents the Department determines are necessary for the effective and efficient management of the programs.~~

4.0 Academic Year Institute

~~The Academic Year Institute is an ongoing program specifically designed to meet certification requirements in the critical areas of teacher shortage as determined by the Department of Education. This is a part time program which shall be offered during the regular school year. Participants will register for a maximum of three semester hours of graduate or undergraduate college courses per semester. The Institute will be sponsored by the Department of Education and will be located at the University of Delaware and/or Delaware State University.~~

~~4.1 Eligibility~~

- ~~4.1.1 The candidate shall be employed as a teacher in the public schools of Delaware or in another State agency offering secondary education programs.~~
- ~~4.1.2 The candidate shall submit a completed application and other documentation and information by the specified closing date for application.~~
- ~~4.1.3 The candidate shall express an intent to enroll in a course or courses which will lead to certification in one or more of the critical curricular areas.~~

~~4.2 Financial Aid~~

- ~~4.2.1 Academic Year Institute participants shall receive full support for tuition, textbooks, laboratory fees and mileage for approved courses.~~
- ~~4.2.2 Depending upon the institution and the course or courses in which the participant is enrolled, the Department of Education shall either make direct payment to the institution for tuition and laboratory fees or will reimburse the participant for costs upon receipt of proper documentation of the participant's expenses.~~
- ~~4.2.3 The Department of Education shall reimburse the participant for expenditures for textbooks and mileage upon receipt of a completed personal reimbursement form.~~

~~4.3 Selection Procedures~~

- ~~4.3.1 Participants shall be selected competitively from the eligible applicants for the program within the limits of the funds authorized for the program.~~
- ~~4.3.2 An application review panel, composed of Department of Education staff members, shall meet twice each year after the close of the application period for each semester to review applications and select participants.~~

5.0 Summer Inservice Program (Summer Institute)

The Summer Institute Program is a summer program specifically designed to meet certification requirements in the critical areas of teacher shortage as determined by the Department of Education. The program will be offered during a six week period in the summer beginning not later than the last week in June. Participants shall register for a minimum of six semester hours of graduate and undergraduate credit in a specifically designed program focused on building skills and knowledge in the critical curricular areas. The Summer Institute, modeled after the National Science Foundation format, shall be sponsored by the Department of Education and will be located at the University of Delaware and/or Delaware State University.

5.1 Eligibility

- 5.1.1 The candidate shall be employed as a teacher in the public schools of Delaware or in another State agency offering secondary education programs.
- 5.1.2 The candidate shall not be currently certifiable in the critical curricular area being addressed by the Summer Institute for which application is made.
- 5.1.3 The candidate shall submit a completed application and other required information and documentation by the closing date for application.
- 5.1.4 The candidate shall express an interest and intent to pursue certification in one or more of the critical curricular areas for which he or she is not currently certifiable.
- 5.1.5 The candidate shall submit a letter of recommendation from the Superintendent or an appropriate supervisor of the candidate's school district or agency.

5.2 Financial Aid

- 5.2.1 Summer Institute participants shall receive full support for tuition, textbooks, and laboratory fees. Depending on the institution and the program in which the participant is enrolled, the Department of Education shall either make direct payment to the institution for these costs or shall reimburse the participant upon receipt of proper documentation of the participant's expenses.
- 5.2.2 The participants shall also receive a stipend as determined by the Department of Education. This stipend shall be paid by the Department of Education to the participant upon receipt of notification from the institution that the participant successfully completed all courses taken with a minimum grade of "C".

5.3 Selection Procedures

- 5.3.1 Participants shall be selected competitively from the eligible applicants for the program within the limits of the funds authorized for the program.
- 5.3.2 An application review panel, composed of Department of Education staff members, shall meet annually after the close of the application period to review applications and select participants.

6.0 Program For Persons From Other Professions Who Will Prepare To Teach

This program is designed to provide financial assistance to persons from other professions who possess the training and skills to teach in the critical curricular areas of teacher shortage as determined by the Department of Education but who lack the professional education courses required to qualify for a standard certificate. Participants shall be permitted to enroll in the institution of higher education of their choice and shall be reimbursed for the tuition costs, within limits specified below, for up to six semester hours of credit per semester.

6.1 Eligibility

- 6.1.1 The candidate shall be a resident of the State of Delaware.
- 6.1.2 The candidate shall have a graduate or undergraduate degree from an accredited institution of higher education in a field related to one or more of the critical curriculum areas.
- 6.1.3 The candidate shall first submit official transcripts to the Department of Education for evaluation.
- 6.1.4 Candidates who lack no more than six semester credits of coursework from meeting the content area requirements in one or more of the critical curriculum areas shall be invited to apply for participation in the program.
- 6.1.5 The candidate shall submit a completed application form and must express an interest and intent to pursue certification.
- 6.1.6 The candidate shall submit a plan outlining educational plans, including a timeline, to complete the professional education courses needed to obtain certification.

6.2 Financial Aid

- 6.2.1 The participant shall receive financial support for tuition costs for up to six semester hours of credit per semester.

- 6.2.2 The participant may receive assistance for a maximum of thirty semester credits of professional education courses but must update his or her application and receive approval in advance each semester.
- 6.2.3 The participant shall be reimbursed for tuition costs in an amount not greater than the tuition charged a Delaware resident by the University of Delaware for a course or courses of equal credit value.
- 6.2.4 The Department of Education shall reimburse the participant upon receipt of proper documentation of the participant's expenses and upon receipt of notification from the institution that the participant successfully completed the courses for which reimbursement is requested with a minimum grade of "C".

6.3 Selection Procedures

- 6.3.1 An application review panel, composed of Department of Education staff members shall meet on an as needed basis to review applications and select participants.
- 6.3.2 Participants shall be selected from eligible applicants on a first come basis, except that applicants approved for one semester will be given preference in future semesters until they complete their educational requirements, use their total eligibility, or are unsuccessful in achieving the minimum grade of "C" in approved courses.
- 6.3.3 Participants shall be limited and the approval process will be terminated when authorized funds for this program in any fiscal year have been allocated.

7.0 Teacher Scholarship Loan Programs

The Teacher Scholarship Loan Program is designed to meet certification requirements in the critical areas of teacher shortage as determined by the Department of Education. This is a full time program offered during the regular school year. As a minimum, participants shall register for the number of semester hours required of a full time student.

7.1 Eligibility

- 7.1.1 The candidate shall have taught in a Delaware public school for at least one year prior to the year in which the scholarship is to be used.
- 7.1.2 The candidate shall be employed as a teacher in a Delaware public school and/or must be a resident of the State of Delaware at the time of application.
- 7.1.3 The candidate shall express an interest and intent to pursue certification in one or more of the critical curricular areas identified by the Department of Education.
- 7.1.4 The candidate shall hold a standard Delaware teaching certificate but must not be currently certifiable in the critical curricular area specified in 7.1.3 above.
- 7.1.5 The candidate shall submit a completed application and other documentation and information by the specified closing date for application.
- 7.1.6 The candidate shall, if currently employed, have prior approval from his or her employing local district board of education.
- 7.1.7 The candidate shall be accepted into an approved program in an institution of higher education leading to certification in the critical curriculum area specified in 7.1.3 above.

7.2 Financial Aid

- 7.2.1 Teacher Scholarship Loan Program participant shall receive a scholarship in an amount equal to the salary he or she would receive for service as a teacher, as specified in 14 ~~Del.C.~~ Ch. 13.
- 7.2.2 A participant, who was employed by a Delaware public school district in the year prior to receipt of the scholarship and who is on leave of absence during the year of the scholarship, shall continue to receive all State supported employee benefits through a grant from the Department of Education to the employing district. (Such participants shall be considered to be on sabbatical leave and for purposes of salary increments and pension eligibility and computation, a year of leave shall be considered a year of experience as provided in 14 ~~Del.C.~~ §1325(9).
- 7.2.3 A participant may receive a local salary supplement and local employee benefits if the employing district elects to provide them at the expense of the employing district.
- 7.2.4 A district shall also be eligible to receive an interest free loan, in an amount to be determined by the Department of Education, which the participant may use to defray the cost of tuition and books. The actual amount of the loan will be dependent upon estimated costs of these two items and other financial resources available to the participant.
- 7.2.5 Participants receiving a loan shall execute a promissory note, in the amount of the loan, to the State Treasurer. This note will be forgiven at the rate of one third of the loan for each of three years of teaching in a Delaware public school after completion of the study authorized. In any year the teacher fails to meet the teaching obligation, the loan shall be due and payable for the unpaid balance plus interest specified in the note.

7.3 Selection Procedures

- 7.3.1 Participants shall be selected competitively from the eligible applicants for the program within the limits of the funds authorized for the program.
- 7.3.2 The applicant review panel, composed of Department of Education staff members, shall meet once each year at the close of the application period to review applications.

8.0 Student Loan Program

The Student Loan Program is for Delaware residents who are accepted into an institution of higher learning to be trained as a teacher in the critical area of teacher shortage as determined by the Department of Education. A student selected for the program may attend any accredited college or university in the United States where the appropriate training will result in certification as a teacher for a critical area of teacher shortage as determined by the Department of Education.

8.1 Eligibility

- 8.1.1 The candidate shall have been a Delaware resident for a period of one year at the time of application.
- 8.1.2 The candidate shall have Scholastic Aptitude Test (SAT) scores of 500 verbal and 500 quantitative. Candidates already in a college or university program must be maintaining a "C" average or better in courses in the critical curriculum areas.
- 8.1.3 The candidate shall have been admitted to an accredited college or university program directed toward certification in a critical curricular area as determined by the Department of Education.
- 8.1.4 The candidate shall submit a completed application and other documentation and information by the specified date for application.

8.2 Financial Aid

- 8.2.1 Student Loan Program participants shall receive a loan, the amount to be determined by the Department of Education, for one year's study, less scholarship aid available from other sources.
- 8.2.2 The loan may be renewed from year to year through a four year training program.
- 8.2.3 Participants in the Student Loan Program shall execute a promissory note, in the amount of the loan, to the State Treasurer. The entire note will be forgiven on the basis of two years of teaching in a Delaware public school in a critical curriculum area for each year of loan granted.
- 8.2.4 Each year of the loan will be interest free to those who meet the two year teaching obligation for each year of loan granted.
- 8.2.5 In the event that the participant does not graduate, does not continue to study in the critical curriculum area, or does not meet the teaching obligation, the entire loan, with interest specified by the State Treasurer, shall be due and payable. Payment of the note and interest shall be in accordance with the time schedule specified in the note.

8.2.5.1 Pursuant to 14 Del.C. §1108(b) an exception may be made to 8.2.5 of this regulation in that the loan may be forgiven by the Secretary of Education if it is determined that the recipient is unable to meet his or her payment obligation because of total and permanent disability or death. For purposes of this regulation, total and permanent disability shall mean the loan recipient is unable to work and earn money because of an injury or illness that is expected to continue indefinitely or result in death. In order to qualify for this exception the loan recipient must provide documentation that has been completed, signed and certified by a licensed doctor of medicine or doctor of osteopathy with the following information:

"I certify, in my best professional judgment, the loan recipient _____ is unable to work and earn money because of an injury or illness that is expected to continue indefinitely or result in death. I understand that any recipient able currently or in the future to work and earn money, even on a limited basis, is not considered to have a Total or Permanent Disability.

I am a (check one) ___ doctor of medicine ___ doctor of osteopathy legally authorized to practice in the state of _____ and my professional license number issued by that state is _____.

Physician's signature — Name (printed) — Date

Address City, State, Zip
() _____
Telephone

In the case of death, a surviving family member must provide a certified copy of the death certificate.

8.3 Selection Procedures

~~8.3.1 Participants shall be selected competitively from the eligible applicants for the program within the limits of the funds authorized for the program.~~

~~8.3.2 The applicant review panel, composed of Department of Education staff members, shall meet twice each year at the close of the application period for each semester to review applications.~~

3 DE Reg. 100 (07/01/99)

7 DE Reg. 994 (02/01/04)

12 DE Reg. 1205 (03/01/09)

23 DE Reg. 1008 (06/01/20) (Final)