

**DEPARTMENT OF EDUCATION
PROFESSIONAL STANDARDS BOARD**

Statutory Authority: 14 Delaware Code, Sections 1203 and 1205(b) (14 **Del.C.** §§1203 & 1205(b))
14 **DE Admin. Code** 1510

PROPOSED

PUBLIC NOTICE

Education Impact Analysis Pursuant To 14 Del.C. §122(d)

1510 Issuance of Initial License

A. TYPE OF REGULATORY ACTION REQUESTED

Amendment to Existing Regulation

B. SYNOPSIS OF SUBJECT MATTER OF REGULATION

The Professional Standards Board ("Board"), acting in consultation and cooperation with the Delaware Department of Education ("Department"), developed amendments to 14 **DE Admin. Code** 1510 Issuance of Initial License. The regulation applies to the issuance of an initial license for educators pursuant to 14 **Del.C.** §1210. The proposed changes in this regulation include revising the definition of the term "Performance Assessment" in Section 2.0; amending subsection 3.3, which concerns the requirements that must be met prior to the issuance of an Initial License; and amending Section 16.0, which concerns Secretary of Education review requests.

Persons wishing to present their views regarding this matter may do so in writing by the close of business on or before June 3, 2019 to Mr. Chris Kenton, Executive Director, Delaware Professional Standards Board, The Townsend Building, 401 Federal Street, Suite 2, Dover, Delaware 19901. A copy of this regulation may be viewed online at the Registrar of Regulation's website, http://regulations.delaware.gov/services/current_issue.shtml or obtained at the Professional Standards Board's Office, located at the address above.

C. IMPACT CRITERIA

1. Will the amended regulation help improve student achievement as measured against state achievement standards? The amended regulation will help to improve student achievement as measured against state achievement standards.
2. Will the amended regulation help ensure that all students receive an equitable education? The amended regulation will help ensure that all students receive an equitable education.
3. Will the amended regulation help to ensure all students' health and safety are adequately protected? The amended regulation addresses an initial license for educators, not students' health and safety.
4. Will the amended regulation help to ensure that all students' legal rights are respected? The amended regulation addresses an initial license for educators, not students' legal rights.
5. Will the amended regulation preserve the necessary authority and flexibility of decision-makers at the local board and school level? The amended regulation does not change authority and flexibility of decision makers at the local board and school level.
6. Will the amended regulation place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels? The amended regulation does not place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels.
7. Will decision making authority and accountability for addressing the subject to be regulated be placed in the same entity? The Department implements the rules and regulations promulgated and adopted pursuant to 14 **Del.C.** Ch. 12 relating to licensure and certification of educators.
8. Will the amended regulation be consistent with and not an impediment to the implementation of other state educational policies, in particular to state educational policies addressing achievement in the core academic subjects of mathematics, science, language arts, and social studies? The amended regulation is consistent with, and not an impediment to, the implementation of other state educational policies, and in particular to state educational policies addressing achievement in the core academic subjects of mathematics, science, language arts, and social studies.
9. Is there a less burdensome method for addressing the purpose of the amended regulation? There is not a less burdensome method for addressing the purpose of this amended regulation.
10. What is the cost to the state and to the local school boards of compliance with the adopted regulation? There is no expected cost to the state and to the local school boards of complying with this amended regulation.

1510 Issuance of Initial License

1.0 Content

This regulation shall apply to the issuance of an Initial License for educators pursuant to 14 **Del.C.** §1210.

17 DE Reg. 610 (12/01/13)

22 DE Reg. 221 (09/01/18)

2.0 Definitions

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

"Alternative Routes for Teacher Licensure and Certification" means programs pursuant to 14 **Del.C.** Ch. 12, Subchapter VI.

"Certification" means holding a Standard Certificate in a particular area, subject, or category.

"Content Area" means any subject or area that is not a category certificate.

"Content-Readiness Exam" means an assessment, either by examination of content knowledge or the approved equivalent that demonstrates an educator's knowledge, skills, and readiness to perform responsibilities of a certification area.

"Core Content Area" means any subject area tested by the state assessment system, including mathematics, English/language arts, science, and social studies.

"Date of Hire" means the effective date of employment by a public school district or 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 developed by the Standards Board, in consultation and cooperation with the Department, and approved by the State Board. The term 'educator' does not include substitute teachers.

"Exigent Circumstances" means unanticipated circumstances or circumstances beyond the educator's control, including, but not limited to, expiration of a license during the school year, serious illness of the educator or a member of his or her immediate family, activation to active military duty, and other serious emergencies which necessitate the educator's temporarily leaving active service.

"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 his or her unfitness or otherwise.

"Jurisdiction" means a state, territory or country.

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

"Mentoring" means activities, training, and service in mentoring support or assistance provided through a formally organized approved comprehensive induction program or such supplemental mentoring programs as required by regulation or by the educator's employing authority. Mentoring includes, but is not limited to, the mentoring that occurs in the approved comprehensive induction programs required for educators during their four (4) year Initial Licensure period, Continuing Licensure period, or any other mentoring program as required by law.

"Performance Assessment" means a an approved multiple measure assessment in the professional area of licensure ~~and certification~~ to ensure that novice educators can demonstrate application of content, pedagogy skills, and reflective practice, adopted pursuant to 14 **Del.C.** Ch. 12 and as provided in Section 18.0 of this regulation. A performance assessment is not a multiple choice assessment and may require written commentary, submission of artifacts, and submission of a video. It is designed to identify an educator's strengths and areas of improvement to practice in order to develop effective educators in the classroom.

"Skilled and Technical Sciences (STS)" is also known as Trade and Industrial Education, Career and Technical Education, Career Technical Education or Career-Technical Education.

"Specialist" means an educator other than a teacher recognized in this regulation who is eligible to apply for both licensure and certification from the State pursuant to 14 **Del.C.** Ch. 12 in order to engage in other related professional support services.

"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.

"State Board" means the State Board of Education pursuant to 14 **Del.C.** §104.

"Student Teaching Program" means a traditional student teaching placement within a National Council for the Accreditation of Teacher Education (NCATE) or the Council for the Accreditation of Educator Preparation (CAEP) approved program offered by a college or university, or such alternatives as deemed appropriate to the program, such as supervised internships or other field based experience recognized as a required component of the regionally accredited educator preparation program or a student teaching placement within a state-approved educator preparation program where the state approval body employed the appropriate standards.

"Teaching Experience" means meeting students on a regularly scheduled basis, planning and delivering instruction, developing or preparing instructional materials, and evaluating student performance under a State credential in any PreK to 12 public school setting or an equivalent setting as approved by the Department.

17 DE Reg. 610 (12/01/13)

18 DE Reg. 218 (09/01/14)

22 DE Reg. 221 (09/01/18)

3.0 Requirements for Initial License

3.1 In accordance with 14 **Del.C.** §1210, an otherwise qualified applicant subject to the limits of Section 11.0 must meet the requirements in this section for the Department to issue an Initial License. All applicants must apply for at least one Standard Certificate in a Content Area simultaneously with an Initial License. An Initial License will not be issued if the applicant does not meet the requirements for certification.

3.2 The Department may issue an Initial License to an applicant who is currently licensed as an educator in another jurisdiction with at least one year of successful teaching experience but less than four years of successful ~~teaching experience~~ Teaching Experience.

3.2.1 An applicant who is issued an Initial License under subsection 3.2 must complete the professional development and mentoring activities required by 14 **DE Admin. Code** 1503.

3.3 Prior to the Department issuing an Initial License, all other applicants must meet the following requirements:

3.3.1 Meet the degree requirements in Section 5.0;

3.3.2 When applicable and available, achieve a passing score on an approved content readiness exam as specified by the Standards Board and the State Board;

3.3.3 ~~When applicable and available, achieve a passing score on an approved performance assessment, as specified in Section 18.0 of this regulation, within the first two (2) years of the Initial License;~~

3.3.4 Complete a ~~student teaching program~~ Student Teaching Program or meet the requirements of an approved alternative to student teaching; and

~~3.3.5~~ 3.4 Meet all other requirements of this regulation.

3.4 An applicant who previously held a Delaware Initial License that has since expired will be treated as a new applicant and must meet all the requirements in this regulation.

17 DE Reg. 610 (12/01/13)

18 DE Reg. 218 (09/01/14)

22 DE Reg. 221 (09/01/18)

4.0 Application requirements

4.1 An applicant for an Initial License must submit the completed application, official transcripts, and official scores on all required examinations and assessments to the Department.

4.1.1 Official transcripts shall be forwarded directly from the issuing institution or by the applicant in an unopened, unaltered envelope. Official electronic transcripts forwarded directly to the Department from the issuing institution or hiring authority shall be accepted by the Department.

17 DE Reg. 610 (12/01/13)

18 DE Reg. 218 (09/01/14)

22 DE Reg. 221 (09/01/18)

5.0 Degree Requirements

5.1 To qualify for an Initial License, an applicant must hold, at a minimum, a bachelor's degree from a regionally accredited 4 year college or university.

5.2 The equivalent education and experience recognized to fulfill the requirement of a bachelor's degree for an initial license and certification as a Skilled and Technical Sciences teacher is defined in 14 **DE Admin. Code** 1559.

17 DE Reg. 610 (12/01/13)

6.0 Student Teaching Requirements and Alternatives

- 6.1 To qualify for an Initial License, an applicant must successfully complete a student teaching program or meet the requirements of an approved alternative to student teaching.
- 6.2 Approved alternatives to student teaching are:
 - 6.2.1 One year of successful teaching experience in an area, subject, or category other than a Core Content Area as defined in Section 2.0 of this regulation; or
 - 6.2.1.1 The one year of teaching experience must have occurred within the last calendar year prior to submitting the application.
 - 6.2.1.2 The teaching experience must consist of a minimum of 91 days of long term teaching experience at one assignment within the same academic year during which regular evaluations were conducted, evidencing at least satisfactory performance.
 - 6.2.1.3 Experience from the Alternative Routes for Teacher Licensure and Certification program or the Special Institute for Teacher Licensure and Certification program may not be used to satisfy the one-year requirement in subsection 6.2.1 of this regulation.
 - 6.2.2 Enrollment and participation in the Special Institute for Teacher Licensure and Certification Program pursuant to subchapter V of 14 **Del.C.** Ch. 12; or
 - 6.2.3 Meets the requirements of an Alternative Routes for Teacher Licensure and Certification program pursuant to subchapter VI of 14 **Del.C.** Ch. 12.
- 6.3 An applicant who applies for an Initial License and certification as a specialist in one of the specialty areas specifically referenced in this subsection may, in lieu of student teaching, complete a supervised practical or clinical experience in the specialty area as specified in this subsection. In accordance with 14 **Del.C.** §1210(a)(4), the following specialists are recognized and an Initial License applicant may complete a supervised practical experience, as specified in this subsection, as a substitute for student teaching.
 - 6.3.1 School nurse
 - 6.3.1.1 For a school nurse, the equivalent practical experience for student teaching is three (3) years of supervised clinical nursing experience as a registered nurse consisting of a minimum of 500 hours per year for a total of 1,500 hours during the three-year period. This requirement shall not be met in a school setting.
 - 6.3.2 Elementary School Counselor
 - 6.3.2.1 For an elementary school counselor, the equivalent practical experience for student teaching is:
 - 6.3.2.1.1 For applicants not holding a Standard Certificate Secondary School Counselor, a supervised school counseling clinical experience under the direct supervision of a state department of education certified Elementary School Counselor of 700 hours in an elementary school setting which is part of a graduate degree program in Elementary School Counseling.
 - 6.3.2.1.2 For applicants holding a Standard Certificate Secondary School Counselor and seeking Elementary School Counselor certification, 350 hours of additional clinical experience in an elementary school setting under the direct supervision of a state department of education certified Elementary School Counselor.
 - 6.3.2.1.3 For applicants seeking initial certification of both a Standard Certificate Elementary School Counselor and a Standard Certificate Secondary School Counselor simultaneously must complete 350 hours of clinical experience in an elementary school setting under the direct supervision of a state department of education certified Elementary School Counselor and 350 hours of clinical experience in a secondary school setting under the direct supervision of a state department of education certified Secondary School Counselor.
 - 6.3.3 Secondary School Counselor
 - 6.3.3.1 For a secondary school counselor, the equivalent practical experience for student teaching is:
 - 6.3.3.1.1 For applicants not holding a Standard Certificate Elementary School Counselor, a supervised school counseling clinical experience under the direct supervision of a state department of education certified Secondary School Counselor of 700 hours in a secondary school setting which is part of a graduate degree program in Secondary School Counseling.
 - 6.3.3.1.2 For applicants holding a Standard Certificate Elementary School Counselor and seeking Secondary School Counselor certification, 350 hours of additional clinical experience in a

secondary school setting under the direct supervision of a state department of education certified Secondary School Counselor.

- 6.3.3.1.3 For applicants seeking initial certification of both a Standard Certificate Elementary School Counselor and a Standard Certificate Secondary School Counselor simultaneously must complete 350 hours of clinical experience in an elementary school setting under the direct supervision of a state department of education certified Elementary School Counselor and 350 hours of clinical experience in a secondary school setting under the direct supervision of a state department of education certified Secondary School Counselor.

6.3.4 School Library Media Specialist

- 6.3.4.1 For a school library media specialist, the equivalent practical experience for student teaching is one of the following:

- 6.3.4.1.1 Completion of a supervised internship or practicum required in obtaining a Masters or Doctoral degree from a regionally accredited college or university in an American Library Association approved program in School Library Media; or

- 6.3.4.1.2 Completion of a Department approved School Library Media program and supervised internship or practicum which meets American Library Association Standards.

6.3.5 School Psychologist

- 6.3.5.1 For a school psychologist the equivalent practical experience for student teaching is a supervised internship in an institution or agency approved by the Department or the applicant's graduate program.

- 6.3.5.1.1 The internship must be a supervised, culminating, comprehensive field experience, completed at or near, the end of formal training, through which school psychology candidates have the opportunity to integrate and apply professional knowledge and skills acquired in prior courses and practica, as well as to acquire new competencies consistent with training program goals.

- 6.3.5.1.2 The following recognized internships meet the requirements of this section: internships that are part of an organized graduate level program of study in "School Psychology" offered by a regionally accredited college or university and approved by the National Association of School Psychologists (NASP) or the American Psychological Association (APA), culminating in an Educational Specialist (Ed.S.) degree or its equivalent or a Doctoral degree in School Psychology, and an internship completed to earn a Nationally Certified School Psychologist (NCSP) Certificate from the National Association of School Psychologists (NASP).

6.3.6 School Social Worker

- 6.3.6.1 For a school social worker, the equivalent practical experience for student teaching is one of the following:

- 6.3.6.1.1 Two years of supervised successful full time work experience as a social worker and a minimum of one year supervised experience in a school setting.

- 6.3.6.1.2 One year supervised internship in a school setting consisting of a minimum of 1000 hours.

17 DE Reg. 610 (12/01/13)

18 DE Reg. 218 (09/01/14)

22 DE Reg. 221 (09/01/18)

7.0 Examination and Assessment Requirements

- 7.1 To qualify for an Initial License, an applicant must receive a passing score on an approved content-readiness exam when applicable and available as specified by the Standards Board and the State Board.

- 7.1.1 A candidate in an Alternative Routes for Teacher Licensure and Certification Program must achieve a passing score on a content-readiness exam, when applicable and available, within the time period set forth in 14 Del.C. §1260.

- 7.2 If an initial licensee intends to apply for a continuing license, the licensee shall obtain a passing score on an approved Performance Assessment, specified in Section 18.0 of this regulation, ~~within the first two (2) years of the Initial License.~~

17 DE Reg. 610 (12/01/13)

18 DE Reg. 218 (09/01/14)

22 DE Reg. 221 (09/01/18)

8.0 Submission of Testing and Performance Assessment Scores

- 8.1 Score(s) shall be official and sent directly from the test vendor or assessment provider to the Department.

- 8.2 Unopened, unaltered envelopes containing score(s) sent to the individual may be accepted as official. The Department shall determine whether the score(s) as presented are acceptable.
- 8.3 Test score(s) verified by another state's department of education or other entity may, in the discretion of the Department, be considered official. A copy of the score(s) must be forwarded directly from the other state's department of education or entity to the department.

17 DE Reg. 610 (12/01/13)

18 DE Reg. 218 (09/01/14)

22 DE Reg. 221 (09/01/18)

9.0 Skilled and Technical Sciences Teacher Educational and Experience Requirements

- 9.1 Notwithstanding any other requirements within this regulation, an applicant applying for an Initial License and Standard Certificate in a Skilled and Technical Sciences specific career area may be issued an Initial License for a period of up to 6 years to complete college course work or its equivalent in professional development or technical training required for certification as specified in 14 **DE Admin. Code** 1559.

- 9.1.1 Initial License applicants must pass an approved performance assessment before the expiration of the Initial License.

17 DE Reg. 610 (12/01/13)

18 DE Reg. 218 (09/01/14)

22 DE Reg. 221 (09/01/18)

10.0 Hold on Application

The Department shall not act on an application for licensure if the applicant is under official investigation by any state or local authority with the power to issue educator licenses or certifications, where the alleged conduct involves allegations of immorality, misconduct in office, incompetence, willful neglect of duty, disloyalty or falsification of credentials, until the applicant provides evidence of the investigation's resolution.

17 DE Reg. 610 (12/01/13)

11.0 Validity of Initial License

- 11.1 An Initial License is valid for four (4) years, unless revoked, and may not be renewed. Notwithstanding the foregoing, an Initial License issued to an applicant in a Skilled and Technical Sciences career area is valid for up to six (6) years.
- 11.2 An Initial License issued to an applicant who is not currently employed by a public school district or charter school shall be inactive until such time as an applicant is employed by a public school district or charter school. Once employed, the Initial License shall be in effect for four (4) years from the date of hire until the last day of the month of issuance four (4) years later, except Initial Licenses issued in Skilled and Technical Sciences career areas shall expire on the last day of the month of issuance six (6) years later.
- 11.3 If an initial licensee intends to apply for a Continuing License, the licensee shall, prior to the expiration of the Initial License, complete required professional development and mentoring activities as provided in 14 **DE Admin. Code** 1503.

- 11.3.1 During the period of the Initial License, license holders are required to participate in a comprehensive educator induction program including mentoring and other prescribed professional development activities offered by the Department and by the public school district or charter school in which they are employed.

17 DE Reg. 610 (12/01/13)

18 DE Reg. 218 (09/01/14)

22 DE Reg. 221 (09/01/18)

12.0 Applicants with Non-United States Credentials

Applicants with credentials issued from institutions outside of the United States and United States territories shall provide an analysis of the degree equivalency in a format approved by the Department, along with all other required application materials, which shall be reviewed by the Department.

17 DE Reg. 610 (12/01/13)

22 DE Reg. 221 (09/01/18)

13.0 Extension for Exigent Circumstances

- 13.1 The Department may extend an Initial License for a period not to exceed one (1) year, upon the license holder's showing of exigent circumstances warranting the necessity of such extension.

13.1.1 A license holder whose Initial License expires during the school year may have the Initial License extended until the last day of the fiscal year upon a request from the public school district superintendent or charter school administrator. This extension shall be considered an exigent circumstance and shall not exceed one (1) year in length.

17 DE Reg. 610 (12/01/13)
22 DE Reg. 221 (09/01/18)

14.0 Leave of Absence

- 14.1 At the discretion of the hiring district or charter school, an educator may take a leave of absence of up to three (3) years. The date of expiration of the Initial License will be extended commensurate with the length of the leave of absence.
- 14.2 The Department may require that the educator provide documentation sufficient to establish the leave of absence.
- 14.3 An educator's Initial License shall not be automatically extended under this section and the burden is on the educator to submit an extension request with sufficient documentation to the Department and to establish the leave of absence.

17 DE Reg. 610 (12/01/13)
18 DE Reg. 218 (09/01/14)
22 DE Reg. 221 (09/01/18)

15.0 Criminal Conviction History

An applicant shall disclose his or her criminal conviction history upon application for an Initial License. Failure to disclose a criminal conviction history is grounds for denial or revocation of an Initial License as specified in 14 **Del.C.** §1219.

17 DE Reg. 610 (12/01/13)

16.0 Secretary of Education Review

16.1 The Secretary of Education may, at the written request of ~~the superintendent of a public school district or charter school,~~ review licensure credentials on an individual basis and ~~grant a license~~ an Initial License to an applicant who otherwise does not meet the requirements for an Initial License, but whose effectiveness is documented by the ~~public school district or charter school.~~

16.1.1 For school districts, requests shall be approved by the superintendent of the school district.

16.1.2 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 educators shall be approved by the charter school's head of school.

17 DE Reg. 610 (12/01/13)
22 DE Reg. 221 (09/01/18)

17.0 Reporting

The Department shall provide to the Standards Board, upon request, specific data reports regarding licensure, certification, and professional development.

18 DE Reg. 218 (09/01/14)
22 DE Reg. 221 (09/01/18)

18.0 Approved Performance Assessments

Assessment	Cut Score	Effective Date	Provider
edTPA	13-Rubric Handbooks – 33 15-Rubric Handbooks – 38 18-Rubric Handbooks – 46	As adopted by the Standards Board with the approval of the State Board	Pearson Education, Inc.
PPAT Assessment	38	As adopted by the Standards Board with the approval of the State Board	ETS

In accordance with 14 Del.C. §1210(j), a state-created and approved performance assessment from another state or jurisdiction	Minimum passing score established by the other state or jurisdiction		Other state or jurisdiction
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19.0 Previous License Recognized

The Department shall recognize an Initial License issued before the effective date of this regulation. An educator holding such an Initial License issued by the Department before the effective date of this regulation shall be considered licensed in accordance with 14 **Del.C.** Ch. 12.

- 7 DE Reg. 161 (08/01/03)
- 7 DE Reg. 623 (11/01/03)
- 7 DE Reg. 1181 (03/01/04)
- 12 DE Reg. 945 (01/01/09)
- 17 DE Reg. 610 (12/01/13)
- 18 DE Reg. 218 (09/01/14)
- 22 DE Reg. 221 (09/01/18)
- 22 DE Reg. 899 (05/01/19) (Prop.)