

# DEPARTMENT OF EDUCATION

## OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Sections 122(a) and 8905(a) (14 **Del.C.** §§122(a) & 8905(a))  
14 **DE Admin. Code** 235

### PROPOSED

### PUBLIC NOTICE

#### Educational Impact Analysis Pursuant to 14 Del.C. §122(d)

#### 235 Teacher of the Year Award

#### A. TYPE OF REGULATORY ACTION REQUESTED

Amendment to Existing Regulation

#### B. SYNOPSIS OF SUBJECT MATTER OF REGULATION

Pursuant to 14 **Del. C.** §122(a) and 14 **Del. C.** §8905(a), the Secretary of Education seeks to amend 14 **DE Admin. Code** 235 Teacher of the Year Award. This regulation is being amended to add former Teachers of the Year as individuals who will read submitted portfolios as part of the evaluation and selection process for the annual Teacher of the Year Award. Other grammatical changes were made as needed to comply with the *Delaware Administrative Code Drafting and Style Manual*.

Persons wishing to present their views regarding this matter may do so in writing by submitting them to the Department of Education, Office of the Secretary, Attn: Regulation Review, 401 Federal Street, Suite 2, Dover, Delaware 19901 or through the Department's online submission form at <https://education.delaware.gov/community/delaware-education-laws-and-regulations/provide-public-comment/> by the close of business (4:30 p.m. EST) on or before May 31, 2024. Any person who wishes to receive a copy of the proposed regulation may obtain a copy from the Department at the Office of the Secretary on the second floor of the Townsend Building, 401 Federal Street, Dover, Delaware.

#### C. IMPACT CRITERIA

1. Will the amended regulation help improve student achievement as measured against state achievement standards? The amended regulation does not help address an improvement in student achievement against state achievement standards.

2. Will the amended regulation help ensure that all students receive an equitable education? The amended regulation will help ensure all students receive an equitable education.

3. Will the amended regulation help to ensure that all students' health and safety are adequately protected? The amended regulation does not specifically address students' health and safety.

4. Will the amended regulation help to ensure that all students' legal rights are respected? The amended regulation continues to help ensure that all student's legal rights are respected.

5. Will the amended regulation preserve the necessary authority and flexibility of decision making at the local board and school level? The amended regulation does not change the decision making 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 any unnecessary reporting or administrative requirements or mandates on decision makers.

7. Will the decision making authority and accountability for addressing the subject to be regulated be placed in the same entity? The amended regulation does not change the decision making authority and accountability for addressing the subject to be regulated.

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.

9. Is there a less burdensome method for addressing the purpose of the regulation? There is no less burdensome method for addressing the purpose of the regulation.

10. What is the cost to the State and to the local school boards of compliance with the regulation? There are no expected material costs to implementing this amended regulation.

#### 235 Teacher of the Year Award

## 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.

**22 DE Reg. 1003 (06/01/19)**

## 2.0 Definitions

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

“**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 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.

**22 DE Reg. 1003 (06/01/19)**

**27 DE Reg. 247 (10/01/23)**

## 3.0 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:

3.1.1 Have taught, continuously or intermittently, for an accumulative period of 3 years or more in a Delaware public school previous to the date of such person's nomination;

3.1.2 Have been formally nominated;

3.1.3 Be actively teaching in the nominating district or charter school in Delaware at the time of nomination.

3.1.4 Meet all the requirements for a Standard Certificate for the position held and hold a valid and current license, as issued by the Department pursuant to the regulations promulgated by the Professional Standards Board and approved by the State Board of Education.

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

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

**22 DE Reg. 1003 (06/01/19)**

**27 DE Reg. 247 (10/01/23)**

## 4.0 Nomination Procedure for State Teacher of the Year Award

4.1 The following procedure shall apply for identifying and nominating candidates for the state Teacher of the Year:

4.1.1 The Department shall meet annually with appropriate district personnel and the representative for the charter schools for the purpose of providing detailed instructions and proper forms for the nomination of candidates for the state Teacher of the Year Award.

4.1.2 Each district is invited to nominate 1 teacher employed by the district who has been chosen as a Teacher of the Year from amongst 1 of its school buildings.

4.1.3 Charter schools are invited to select 1 teacher to represent all of the charter schools.

4.1.4 Nominees for the state Teacher of the Year Award shall be skillful and dedicated teachers who teach a grade prekindergarten through grade 12.

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.

**22 DE Reg. 1003 (06/01/19)**

## 5.0 Requirements for State Teacher of the Year Award nominees

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

**22 DE Reg. 1003 (06/01/19)**

## **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:
- 6.1.1 Following the submission of portfolios, selected Department staff members and selected former ~~state and local~~ Teachers of the Year shall be assigned in pairs to read the portfolios of 2 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 staff members and former Teachers of the Year 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, 3 nominees shall be identified as finalists for consideration by a panel of judges.
  - 6.1.3 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.
  - 6.1.4 The judges shall recommend 1 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.

### **22 DE Reg. 1003 (06/01/19)**

## **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 or the head of the charter school 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 or charter school policy.
  - 7.1.3 Possible use of funds includes:
    - 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, etc.); 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 or charter school 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 or charter school 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)**

**27 DE Reg. 247 (10/01/23)**

