

DEPARTMENT OF EDUCATION
PROFESSIONAL STANDARDS BOARD

Statutory Authority: 14 Delaware Code, Section 1205(b) (14 **Del.C.** §1205(b))
14 **DE Admin. Code** 1571

FINAL

REGULATORY IMPLEMENTING ORDER

1571 Secondary Exceptional Children Special Education Teacher

I. Summary of the Evidence and Information Submitted

The Professional Standards Board, acting in cooperation and consultation with the Department of Education, seeks the consent of the State Board of Education to amend 14 **DE Admin. Code** 1571 Secondary Exceptional Children Special Education Teacher. It is necessary to amend this regulation to align it with changes in statute. The passage of PRAXIS[®] II, a test of content knowledge, is now required, where applicable and available, in addition to academic preparation, for the issuance of a Standard Certificate. The grade configuration of the certificate is being changed from 7 to 12 to K to 12 to align it with the required PRAXIS[®] II test. This regulation sets forth the requirements for a teacher of Exceptional Children Special Education.

Notice of the proposed amendment of the regulation was published in the News Journal and the Delaware State News on Saturday, September 1, 2007 in the form hereto attached as Exhibit "A". The notice invited written comments. Written comments were received from the State Council for Persons with Disabilities and the Governor's Advisory Council for Exceptional Citizens.

The Professional Standards Board recognizes the concern that it may appear that 14 **Del. Admin Code** 1507 *Alternative Routes to Teacher Licensure and Certification Program* Section 3.1 could be read to allow certification to an individual without a bachelors degree and could be seen as 'watering down' the standards for a certificate. However, when the regulation is read in context with the definition section and the law (14 **Del.C.** §1260(a)(1)), it is the PSB's interpretation that it is clear that a bachelors degree is required. Additionally, 14 **Del.C.** §1210 requires a bachelor degree for an initial license and adds that the alternative routes program can be substituted for a student teaching program. The Standard Board interpretation is consistent with the principles of statutory interpretation that in the event that the regulation could be interpreted otherwise, the statutory provision will control in that the Standards Board could not by regulation require less than the bachelors degree required by the statute. The PSB appreciates the comments and will consider the concerns raised as any changes are made to the existing regulations.

The Professional Standards Board recognizes the concern that a national test is driving the decision to amend the regulation, however, at this time the PSB believes the best course is to combine the two regulations at this time. The Professional Standards Board recognizes the differences between an elementary and a secondary special education student, but also acknowledges that there are indeed teaching strategies, techniques and best practices which encompass all age groups. Under the current circumstances, if the regulations were to be split, an educator who passed the one Praxis II examination would qualify for both certificates. In the event that the Praxis II examinations change in the future, the PSB can review the regulation.

II. Findings of Facts

The Professional Standards Board and the State Board of Education find that it is appropriate to amend this regulation to comply with changes in statute.

III. Decision to Amend the Regulation

For the foregoing reasons, the Professional Standards Board and the State Board of Education conclude that it is appropriate to amend the regulation. Therefore, pursuant to 14 **Del.C.** §1205(b), the regulation attached hereto as Exhibit "B" is hereby amended. Pursuant to the provision of 14 **Del.C.** §122(e), the regulation 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 the regulation amended shall be in the form attached hereto as Exhibit "B", and said regulation shall be cited as 14 **DE Admin. Code** 1571 of the *Administrative Code of Regulations* of the Department of Education.

V. Effective Date of Order

The effective date of this Order shall be ten (10) days from the date this Order is published in the *Delaware Register of Regulations*.

APPROVED BY THE PROFESSIONAL STANDARDS BOARD ON THE 4TH DAY OF OCTOBER, 2007

Kathleen Thomas, Chair
Joanne Christian
Sandra Falatek
Barbara Grogg
Lori Hudson
Mary Mirabeau
Gretchen Pikus
Michael Thomas

Cathy Cathcart
Marilyn Dollard
Karen Gordon
Leslie Holden
Dorothy McQuaid
Wendy Murray
Karen Schilling-Ross
Carol Vukelich

FOR IMPLEMENTATION BY THE DEPARTMENT OF EDUCATION:
Valerie A. Woodruff, Secretary of Education

IT IS SO ORDERED THIS 18TH DAY OF OCTOBER, 2007

STATE BOARD OF EDUCATION

Jean W. Allen, President
Mary B. Graham, Esquire
Barbara Rutt
Dr. Terry M. Whittaker

Richard M. Farmer, Jr., Vice President
Jorge L. Melendez
Dennis J. Savage

~~1571 Secondary Exceptional Children Special Education Teacher~~

~~1.0 Content~~

~~This regulation shall apply to the requirements for a standard certificate, pursuant to 14 **Del.C.** §1220(a), for Teacher Exceptional Children Special Education Secondary (Grades 7 to 12).~~

~~2.0 Definitions~~

~~The following 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.~~

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

~~"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.

3.0 Standard Certificate

In accordance with ~~14 Del.C. §1220(a)~~, the Department shall issue a Standard Certificate as a Teacher Exceptional Children Special Education Secondary to an applicant who holds a valid Delaware Initial, Continuing, or Advanced License; or Standard or Professional status certificate issued by the Department prior to August 31, 2003, and who meets the following requirements:

3.1 A Bachelor's degree from a regionally accredited college or university and,

3.2 Professional Education

3.2.1 Completion of a teacher education program in the area of the standard certificate

sought or,

3.2.2 A minimum of 42 semester hours as follows:

3.2.2.1 Twenty four semester hours required core courses for all Exceptional

Teaching Licenses

3.2.2.1.1 Methods in Reading

3.2.2.1.2 Methods in Mathematics

3.2.2.1.3 Classroom Management

3.2.2.1.4 Introduction to Education of Exceptional Children

3.2.2.1.5 Adolescent Psychology and Development

3.2.2.1.6 Applied Behavior Analysis

3.2.2.2 Eighteen semester hours for Mildly and Moderately Disabled and

Physically Impaired (PI):

3.2.2.2.1 Issues in Secondary Transition and Vocational Education

3.2.2.2.2 Methods and Curriculum in area(s) of endorsement (secondary

based)

3.2.2.2.3 Diagnosis, Assessment, and IEP Development for

Exceptionalities

3.2.2.2.4 Assistive Technology (Mildly and Moderately Disabled) Assistive

Technology for Physically Impaired (PI)

3.2.2.2.5 Six semester hours from the following: Consultation, Social Skills

Training, Diagnosis and Correction of Reading Disabilities, Counseling Techniques, Research and Theories of Exceptional Children, Current Issues in Special Education and Multicultural Issues in Education.

3.2.2.3 Eighteen semester hours for Visually Impaired

3.2.2.3.1 Anatomy and Physiology of the Eye

3.2.2.3.2 Braille and Nemeth Code (preferably including instruction in

Braille)

3.2.2.3.3 Orientation and Mobility for the Teacher of the Visually Impaired

3.2.2.3.4 Education for the Visually Impaired (Adapting Materials/Methods)

3.2.2.3.5 Assistive Technology

3.2.2.3.6 Diagnosis, Assessment, and IEP Development

4.0 Effective Date

This regulation shall be effective through June 30, 2006 only. Applicants who apply for a standard certificate as a teacher exceptional children special education secondary after that date must comply with the requirements set forth in ~~14 DE Admin. Code 1505~~.

7-DE Reg. 775 (12/1/03)

Renumbered effective 6/1/07 see Conversion Table

1571 Exceptional Children Special Education 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 Exceptional Children Special Education Teacher. This certification is required for grades K to 12.

1.2 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.

2.0 Definitions

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

3.0 Standard Certificate

3.1 In accordance with 14 Del.C. §1220(a), the Department shall issue a Standard Certificate as an Exceptional Children Special Education Teacher to an educator who has met the following:

3.1.1 Holds a valid Delaware Initial, Continuing, or Advanced License; or a Limited Standard, Standard or Professional Status Certificate issued by the Department prior to August 31, 2003; and,

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.

11 DE Reg. 671 (11-01-07)(Final)