

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 1522

PROPOSED

PUBLIC NOTICE

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

1522 Elementary School Counselor

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 1522 Elementary School Counselor. The regulation concerns the requirements for a Standard Certificate for Elementary School Counselor pursuant to 14 Del.C. §1220. The proposed amendments include striking the non-regulatory note at the beginning of the regulation; adding defined terms to Section 2.0; clarifying the requirements for issuing a standard certificate in Section 3.0; specifying the education, knowledge, and skill requirements for obtaining a first and second or subsequent standard certificate in Section 4.0; specifying the application requirements in Section 5.0; adding Sections 6.0 and 7.0, which concern validity and revocation of a standard certificate; adding Section 8.0, which concerns requests for the Secretary of Education to review standard certificate applications; and adding Section 9.0, which concerns recognizing past certification.

Persons wishing to present their views regarding this matter may do so in writing by the close of business on or before November 1, 2019 to the Department of Education, Office of the Secretary, Attn: Regulation Review, 401 Federal Street, Suite 2, Dover, Delaware 19901 or to DODEregulations.comment@doe.k12.de.us. 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 Department of Education’s Office of the Secretary, 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 a standard certificate 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 a standard certificate 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.

1522 Elementary School Counselor

~~Non-regulatory note: Passage on an examination of content knowledge may also be required to obtain this certification. Pursuant to 14 Del.C. §1220 and 14 DE Admin. Code 1505, an examination of content knowledge is required when applicable and available. An examination of content knowledge is applicable and available when approved by the Professional Standards Board with the concurrence of the State Board of Education. See the Department of Education website for additional information.~~

20 DE Reg. 42 (07/01/16)

1.0 Content

- 4.1 This regulation shall apply to the issuance of a Standard Certificate, pursuant to 14 Del.C. §1220(a), for Elementary School Counselor. This ~~Certification~~ is required for grades K to five (5), and is valid in grades six (6) to eight (8) in a ~~Middle Level~~ middle level school. A ~~Middle Level School Counselor~~ middle level school counselor must hold either an Elementary School Counselor Standard Certificate or a Secondary School Counselor Standard Certificate.
- 4.2 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.

16 DE Reg. 759 (01/01/13)

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

"CAEP (Council for the Accreditation of Educator Preparation)" — A nonprofit and nongovernmental agency that accredits educator preparation providers (EPPs), which was created when the National Council for Accreditation of Teacher Education (NCATE) and the Teacher Education Accreditation Council (TEAC) merged in 2013.

"Certification" means the issuance of a Standard Certificate, which may occur regardless of a recipient's assignment or employment status.

"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 promulgated by the Professional Standards Board and approved by the State Board of Education. The term 'educator' does not include substitute teachers.

"Employing Authority" means any entity which employs educators, and includes, but is not limited to, school districts, charter schools, boards of directors, and management companies.

"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 the educator's unfitness or otherwise.

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

"Major or Its Equivalent" means a minimum of thirty (30) semester hours of coursework in a particular content area.

"Regionally Accredited" means educational accreditation by a regional accrediting agency that is recognized by the U.S. Secretary of Education as a reliable authority concerning the quality of education offered by the institutions of higher education it accredits, including Middle States Commission on Higher 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.

"Standards Board" means the Professional Standards Board established pursuant to 14 Del.C. §1201.

"Valid and Current License or Certificate from Another State" means a current full or permanent certificate or license issued by another state. This means the educator is fully credentialed by having met all of the requirements for full licensure or certification in another state. It does not include temporary, emergency, conditional certificates of eligibility or expired certificates or licenses issued from another state.

3.0 Standard Certificate

- 3.1 In accordance with 14 Del.C. §1220(a), the Department shall issue a an Elementary School Counselor Standard Certificate as an Elementary School Counselor to an educator Educator who has met the following:
- 3.1.1 Holds a valid Delaware Initial, Continuing, or Advanced License; License, or a Professional Status Certificate issued by the Department prior to August 31, 2003; and, and meets the requirements set forth in Section 4.0 of this regulation; or
 - 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; and
 - 3.1.3 Has satisfied the additional requirements in this regulation.
 - 3.1.2 Has met the requirements for licensure and holds a Valid and Current License or Certificate from Another State in elementary school counseling; or
 - 3.1.3 Has met the requirements for a Meritorious New Teacher Candidate Designation adopted pursuant to 14 Del.C. §1203.
- 3.2 Notwithstanding any provision to the contrary herein, the Department shall not act on an application for Certification if the applicant is under official investigation by any national, state, or local authority with the power to issue educator licenses or certifications. The Department shall not act 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.

16 DE Reg. 759 (01/01/13)

4.0 Additional Requirements Prescribed Education, Knowledge, and Skill Requirements

- 4.1 Has satisfied at least one of the following additional education requirements:
- 4.1.1 Graduated from a NCATE or CAEP educator preparation unit or from a state approved educator preparation program, where the state approval body employed the appropriate national specialty organization standards, offered by a regionally accredited college or university, with a Masters degree in Elementary School Counseling; or
 - 4.1.2 Graduated from a regionally accredited college or university with a Master's degree in any content area and satisfactorily completed thirty nine (39) credits of graduate course work or the equivalent in professional development as approved by the Department in the areas of:
 - 4.1.2.1 Introduction to School Counseling & Theories (3 credits);
 - 4.1.2.2 Human Behavior and Child Development (3 credits);
 - 4.1.2.3 Ethical Issues in School Counseling (3 credits);
 - 4.1.2.4 College & Career Readiness K-12 (3 credits);
 - 4.1.2.5 Testing, Measurements, and Research in School Counseling (3 credits);
 - 4.1.2.6 The Counselor as Consultant (3 credits);
 - 4.1.2.7 Special Education Law & the School Counselor's Role (3 credits);
 - 4.1.2.8 Group Counseling (3 credits);
 - 4.1.2.9 Individual Counseling Skills & Strategies (6 credits);
 - 4.1.2.10 Family Counseling (3 credits);
 - 4.1.2.11 Principles and Practices of a School Counseling Program (6 Credits); and
- 4.2 Has completed one of the following:
- 4.2.1 Educators not holding a Standard Certificate Secondary School Counselor must complete 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.
 - 4.2.2 Educators holding Standard Certificate Secondary School Counselor, who are seeking Elementary School Counselor certification, must complete 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; or
 - 4.2.3 Educators 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.~~

- 4.1 For an applicant who is applying for the applicant's first Standard Certificate, the applicant shall have satisfied the requirements in subsections 4.1.1, 4.1.2, and 4.1.3.

4.1.1 The applicant shall have:

- 4.1.1.1 Earned and currently maintain the School Counseling certificate from the National Board for Professional Teaching Standards; or
- 4.1.1.2 Completed a master's degree from a Regionally Accredited college or university with a Major or Its Equivalent in elementary school counseling from an educator preparation program approved or recognized by the Council for Accreditation of Counseling and Related Educational Programs (CACREP) or a state where the state approval body employed the appropriate standards; or
- 4.1.1.3 Satisfactorily completed a Department-approved educator preparation program in elementary school counseling; or
- 4.1.1.4 Completed a master's degree from a Regionally Accredited college or university in any content area and satisfactory completed 39 credits of graduate level coursework related to school counseling in the areas provided in subsection 4.1.1.4.1 that is taken either as part of a degree program or in addition to a degree program from a Regionally Accredited college or university.
- 4.1.1.4.1 The areas for the 39 credits of graduate coursework related to school counseling shall include:
- 4.1.1.4.1.1 Introduction to School Counseling & Theories (3 credits);
- 4.1.1.4.1.2 Human Behavior and Child Development (3 credits);
- 4.1.1.4.1.3 Ethical Issues in School Counseling (3 credits);
- 4.1.1.4.1.4 College & Career Readiness K-12 (3 credits);
- 4.1.1.4.1.5 Testing, Measurements, and Research in School Counseling (3 credits);
- 4.1.1.4.1.6 The Counselor as Consultant (3 credits);
- 4.1.1.4.1.7 Special Education Law & the School Counselor's Role (3 credits);
- 4.1.1.4.1.8 Group Counseling (3 credits);
- 4.1.1.4.1.9 Individual Counseling Skills & Strategies (6 credits);
- 4.1.1.4.1.10 Family Counseling (3 credits); and
- 4.1.1.4.1.11 Principles and Practices of a School Counseling Program (6 Credits).

- 4.1.2 The applicant shall have achieved on the Praxis Subject Assessment – Professional School Counselor (ETS Test Code # 5421) a Passing Score of 156.

4.1.3 The applicant shall have completed one of the following:

- 4.1.3.1 An applicant shall complete 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 (grades K-8) which is part of a graduate degree program in elementary school counseling; or
- 4.1.3.2 An applicant who is seeking initial certification of both an Elementary School Counselor Standard Certificate and a Secondary School Counselor Standard Certificate simultaneously, must complete 350 hours of clinical experience in an elementary school setting (grades K-8) 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 (grades 6-12) under the direct supervision of a state department of education certified secondary school counselor.
- 4.1.3.2.1 For an applicant seeking dual certification, clinical hours in grades 6-8 shall only be used in one setting.

- 4.2 For an applicant who is applying for the applicant's second or subsequent Standard Certificate and who does not hold a Secondary School Counselor Standard Certificate, the applicant shall have satisfied the requirements in subsections 4.2.1, 4.2.2, and 4.2.3.

4.2.1 The applicant shall have:

- 4.2.1.1 Earned and currently maintain the School Counseling certificate from the National Board for Professional Teaching Standards; or
- 4.2.1.2 Completed a master's degree from a Regionally Accredited college or university with a Major or Its Equivalent in elementary school counseling from an educator preparation program approved or recognized by the Council for Accreditation of Counseling and Related Educational Programs (CACREP) or a state where the state approval body employed the appropriate standards; or

- 4.2.1.3 Satisfactorily completed a Department-approved educator preparation program in elementary school counseling; or
- 4.2.1.4 Completed a master's degree from a Regionally Accredited college or university in any content area and satisfactory completed 39 credits of graduate level coursework related to school counseling in the areas provided in subsection 4.2.1.4.1 that is taken either as part of a degree program or in addition to a degree program from a Regionally Accredited college or university.
- 4.2.1.4.1 The areas for the 39 credits of graduate coursework related to school counseling shall include:
- 4.2.1.4.1.1 Introduction to School Counseling & Theories (3 credits);
- 4.2.1.4.1.2 Human Behavior and Child Development (3 credits);
- 4.2.1.4.1.3 Ethical Issues in School Counseling (3 credits);
- 4.2.1.4.1.4 College & Career Readiness K-12 (3 credits);
- 4.2.1.4.1.5 Testing, Measurements, and Research in School Counseling (3 credits);
- 4.2.1.4.1.6 The Counselor as Consultant (3 credits);
- 4.2.1.4.1.7 Special Education Law & the School Counselor's Role (3 credits);
- 4.2.1.4.1.8 Group Counseling (3 credits);
- 4.2.1.4.1.9 Individual Counseling Skills & Strategies (6 credits);
- 4.2.1.4.1.10 Family Counseling (3 credits); and
- 4.2.1.4.1.11 Principles and Practices of a School Counseling Program (6 Credits).
- 4.2.2 The applicant shall have achieved on the Praxis Subject Assessment – Professional School Counselor (ETS Test Code # 5421) a Passing Score of 156.
- 4.2.3 The applicant shall have completed one of the following:
- 4.2.3.1 An applicant shall complete 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 (grades K-8) which is part of a graduate degree program in elementary school counseling; or
- 4.2.3.2 An applicant who is seeking initial certification of both an Elementary School Counselor Standard Certificate and a Secondary School Counselor Standard Certificate simultaneously, must complete 350 hours of clinical experience in an elementary school setting (grades K-8) 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 (grades 6-12) under the direct supervision of a state department of education certified secondary school counselor.
- 4.2.3.2.1 For an applicant seeking dual certification, clinical hours in grades 6-8 shall only be used in one setting.
- 4.3 For an applicant who holds a Secondary School Counselor Standard Certificate and is seeking an Elementary School Counselor Standard Certificate, the applicant shall have satisfied the requirements in subsections 4.3.1 and 4.3.2.
- 4.3.1 The applicant shall have achieved on the Praxis Subject Assessment – Professional School Counselor (ETS Test Code # 5421) a Passing Score of 156.
- 4.3.2 The applicant shall have completed 350 hours of additional clinical experience in an elementary school setting (grades K-5) under the direct supervision of a state department of education certified elementary school counselor.
- 7 DE Reg. 775 (12/01/03)**
11 DE Reg. 745 (12/01/07)
16 DE Reg. 759 (01/01/13)
20 DE Reg. 42 (07/01/16)

5.0 Effective Date of Section 4.0

Section 4.0 of this regulation shall be effective on January 1, 2017.

5.0 Application Requirements

- 5.1 If an applicant is applying for an Initial License, a Standard Certificate must be applied for simultaneously with application for an Initial License, and the applicant shall also provide all required documentation for the License.
- 5.2 For applicants who are applying for their first Standard Certificate, the following documentation is required with the application for an Elementary School Counselor Standard Certificate:

- 5.2.1 Evidence of obtaining a School Counseling certificate from the National Board for Professional Teaching Standards, if applicable; and
- 5.2.2 Official transcript from the applicant's Regionally Accredited college or university.
- 5.2.2.1 Electronic transcripts may be submitted by the Employing Authority or by the applicant's Regionally Accredited college or university; or
- 5.2.2.2 Sealed paper transcripts may be submitted.
- 5.2.2.3 The Department will not accept copies of transcripts; and
- 5.2.3 Official score on the *Praxis* Subject Assessment as provided in subsection 4.1.2; and
- 5.2.4 If applicable, an experience form must be completed in full and signed by the applicant; and
- 5.2.5 The Department-approved form verifying the applicant's completion of the clinical experience as provided in subsection 4.1.3; and
- 5.2.6 Additional documentation as required by the Department.
- 5.3 For applicants who are applying for their second or subsequent Standard Certificate and who do not hold a Secondary School Counselor Standard Certificate, the following documentation is required in the application for an Elementary School Counselor Standard Certificate:
- 5.3.1 Evidence of obtaining a School Counseling certificate from the National Board for Professional Teaching Standards, if applicable; and
- 5.3.2 Official transcript from the applicant's Regionally Accredited college or university.
- 5.3.2.1 Electronic transcripts may be submitted by the Employing Authority or by the applicant's Regionally Accredited college or university; or
- 5.3.2.2 Sealed paper transcripts may be submitted.
- 5.3.2.3 The Department will not accept copies of transcripts; and
- 5.3.3 Official score on the *Praxis* Subject Assessment as provided in subsection 4.2.2; and
- 5.3.4 If applicable, an experience form must be completed in full and signed by the applicant; and
- 5.3.5 The Department-approved form verifying the applicant's completion of the clinical experience as provided in subsection 4.2.3; and
- 5.3.6 Additional documentation as required by the Department.
- 5.4 For applicants who hold a Secondary School Counselor Standard Certificate, the following documentation is required in the application for an Elementary School Counselor Standard Certificate:
- 5.4.1 Official score on the *Praxis* Subject Assessment as provided in subsection 4.3.1; and
- 5.4.2 The Department-approved form verifying the applicant's completion of the clinical experience as provided in subsection 4.3.2; and
- 5.4.3 Additional documentation as required by the Department.
- 5.5 For applicants who have met the requirements for licensure and hold a Valid and Current License or Certificate from Another State in elementary school counseling, the following documentation is required in the application for an Elementary School Counselor Standard Certificate:
- 5.5.1 An official copy of the valid and current educator license or certificate from another state or professional license.

20 DE Reg. 42 (07/01/16)

6.0 Validity of a Standard Certificate

- 6.1 An Elementary School Counselor Standard Certificate is valid regardless of the assignment or employment status of the holder provided that the Educator's License remains current and valid.
- 6.2 An Elementary School Counselor Standard Certificate is not subject to renewal.

7.0 Revocation of a Standard Certificate

- 7.1 An Educator's Elementary School Counselor Standard Certificate shall be revoked in the event the Educator's Initial, Continuing, or Advanced License or Standard or Professional Status Certificate is revoked or the Educator made a materially false or misleading statement in the Educator's Standard Certificate application in accordance with 14 Del.C. §1222.
- 7.2 An Educator whose Standard Certificate is noticed for revocation is entitled to a full and fair hearing before the Standards Board.
- 7.2.1 Hearings shall be conducted in accordance with 14 DE Admin. Code 1515 Hearing Procedures and Rules.

8.0 Secretary of Education Review

The Secretary of Education may, upon the written request of a local school district or charter school, review credentials submitted in an application for an Elementary School Counselor Standard Certificate on an individual basis and grant such a Standard Certificate to an applicant who otherwise does not meet the requirements for an Elementary School Counselor Standard Certificate but whose effectiveness is documented by the local school district or charter school.

9.0 Past Certificate Recognized

The Department shall recognize an Elementary School Counselor Standard Certificate that was issued prior to the effective date of this regulation. An educator holding such a Standard Certificate issued by the Department before the effective date of this regulation shall be considered certified in elementary school counseling.

20 DE Reg. 42 (07/01/16)

23 DE Reg. 278 (10/01/19) (Prop.)