
TITLE 14 EDUCATION
DELAWARE ADMINISTRATIVE CODE

1

DEPARTMENT OF EDUCATION
PROFESSIONAL STANDARDS BOARD
1500 Professional Standards Board

1504 Certificate of Eligibility

1.0 Content

- 1.1 This regulation shall apply to the issuance, extension, and retention of a Certificate of Eligibility pursuant to 14 **Del.C.** §1221(2) for educators who are pursuing the following certifications:
- 1.1.1 14 **DE Admin. Code** 1570 Early Childhood Exceptional Children Special Education Teacher; or
 - 1.1.2 14 **DE Admin. Code** 1571 Special Education Teacher of Students with Disabilities; or
 - 1.1.3 14 **DE Admin. Code** 1573 Teacher of Students with Autism or with Severe Intellectual Disabilities; or
 - 1.1.4 14 **DE Admin. Code** 1574 Teacher of Students Who Are Deaf or Hard of Hearing; or
 - 1.1.5 14 **DE Admin. Code** 1575 Teacher of Students with Visual Impairments.
- 1.2 This regulation does not apply to an Emergency Certificate, which is a temporary credential that may be issued to an applicant who is not fully certified in a specific area to serve as the educator of record in that area while the applicant pursues a Standard Certificate.

27 DE Reg. 675 (03/01/24)

2.0 Definitions

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

"Certificate of Eligibility" means a credential which may be issued to teachers of students with disabilities if the employing district or charter school establishes that the proposed recipient meets the requirements of 14 **Del.C.** §1221(2).

"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.

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

"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.

27 DE Reg. 675 (03/01/24)

3.0 Issuance of a Certificate of Eligibility

- 3.1 In accordance with 14 **Del.C.** §1221(2), the Department may issue a Certificate of Eligibility to an applicant who satisfies all of the requirements in subsections 3.1.1 through 3.1.6.
- 3.1.1 The applicant shall meet the requirements for issuance of a Delaware Initial License or hold a valid and current Delaware Initial, Continuing, or Advanced License.
 - 3.1.2 The applicant seeks 1 of the Standard Certificates in subsection 1.1 but does not meet the requirements for issuance of the Standard Certificate sought.
 - 3.1.3 The applicant is enrolled and participating in a Department-approved Alternative Routes for Teacher Licensure and Certification (ARTC) program for teachers in the area of need for students with disabilities for which the Standard Certificate is sought.
 - 3.1.4 The applicant shall be employed as the educator of record for the Standard Certificate sought in a position in a Delaware traditional, vocational-technical, or charter school.

TITLE 14 EDUCATION

DELAWARE ADMINISTRATIVE CODE

- 3.1.5 The applicant's employing authority will support and assist the applicant in completing the requirements for the Standard Certificate sought.
- 3.1.6 The applicant shall also meet the requirements for the issuance of the applicable Certificate of Eligibility set forth in either Section 4.0 or Section 5.0.

27 DE Reg. 675 (03/01/24)

4.0 Certificate of Eligibility for Individuals Who Seek a Delaware Initial License and Content Area Standard Certificate

- 4.1 The Department may issue a Certificate of Eligibility to an applicant who meets the requirements in Section 3.0 and the applicant has applied for and met the requirements of a content area Standard Certificate or is eligible to be issued a content area Emergency Certificate.
- 4.2 The Department may extend a Certificate of Eligibility that was issued pursuant to subsection 4.1 up to 2 times if the educator meets the requirements in subsections 4.2.1 through 4.2.7.
 - 4.2.1 The educator shall hold a valid and current Delaware Initial, Continuing, or Advanced License.
 - 4.2.2 The educator continues to be enrolled and participating in a Department-approved ARTC program for teachers in the area of need for students with disabilities for which the Standard Certificate is sought.
 - 4.2.3 The educator continues to seek 1 of the Standard Certificates in subsection 1.1 and has not met the requirements for issuance of the Standard Certificate sought but shall be making satisfactory progress towards the completion of all program requirements.
 - 4.2.4 The educator has met the requirements for issuance of a content area Standard Certificate or has not met the requirements for issuance of the content area Standard Certificate sought but is making progress toward completing the requirements by completing coursework or achieving the minimum score on the examination of content knowledge.
 - 4.2.5 The educator's employing authority and program recommend an extension based on the educator's performance in the assignment and progress in the program.
 - 4.2.6 The educator shall be employed as the educator of record for both of the Standard Certificates sought in a position in a Delaware traditional, vocational-technical, or charter school.
 - 4.2.7 The educator's employing authority will continue to support and assist the educator in completing the requirements for the Standard Certificate sought.
- 4.3 Application Requirements
 - 4.3.1 If the applicant is applying for the issuance or renewal of an educator's license, the applicant must disclose the applicant's criminal conviction history upon application. Failure to disclose a criminal conviction history is grounds for denial of the license application as specified in 14 **Del.C.** §1219 and could delay the processing or result in the denial of the application for a Certificate of Eligibility.
 - 4.3.2 For applicants who seek a Certificate of Eligibility under subsection 4.1, the following documentation is required with the application:
 - 4.3.2.1 Documentation that the applicant meets the requirements for issuance of a Delaware Initial License or holds a valid and current Delaware Initial, Continuing, or Advanced License;
 - 4.3.2.2 A copy of the welcome letter from the applicant's ARTC program, documenting enrollment in the program in the area of need for students with disabilities for which the Standard Certificate is sought;
 - 4.3.2.3 Documentation that the applicant is employed as the educator of record for the Standard Certificate sought in a position in a Delaware traditional, vocational-technical, or charter school;
 - 4.3.2.4 Documentation that the applicant's employing authority will support and assist the applicant in completing the requirements for the Standard Certificate sought; and
 - 4.3.2.5 Documentation that the applicant has applied for and met the requirements of a content area Standard Certificate or is eligible to be issued a content area Emergency Certificate.
 - 4.3.3 For applicants who seek extension of a Certificate of Eligibility under subsection 4.2, the following documentation is required with the application:
 - 4.3.3.1 Documentation that the educator holds a valid and current Delaware Initial, Continuing, or Advanced License;
 - 4.3.3.2 A request from the applicant's employing authority, documenting that it recommends an extension based on the educator's performance in the assignment and progress in the program and that it

- will continue to support and assist the educator in completing the requirements for the Standard Certificate sought;
- 4.3.3.3 A letter from the educator's ARTC program, documenting that it recommends an extension based on the educator's performance in the assignment and progress in the program;
- 4.3.3.4 Documentation that the educator is employed as the educator of record for both of the Standard Certificates sought in a position in a Delaware traditional, vocational-technical, or charter school;
- 4.3.3.5 Official transcript from the applicant's Regionally Accredited college or university or, if applicable, documents verifying successful completion of Department-approved professional development; and
- 4.3.3.6 Official score on the examination of content knowledge for the Content Area Standard Certificate sought.
- 4.4 In order to retain the Certificate of Eligibility, the educator shall meet the requirements in subsections 4.4.1 through 4.4.5. If the educator fails to meet any of the requirements related to retaining the Certificate of Eligibility, the educator and the educator's employing authority shall immediately notify the Department in writing. The requirements set forth in this subsection apply to all educators regardless of the date the Certificate of Eligibility was issued.
 - 4.4.1 The educator shall hold an Initial, Continuing, or Advanced License.
 - 4.4.2 The educator shall continue to be employed as the educator of record for both of the Standard Certificates sought in a position in a Delaware traditional, vocational-technical, or charter school.
 - 4.4.3 The educator shall continue to be enrolled and participating in the Department-approved ARTC program for teachers of students with disabilities.
 - 4.4.4 The educator shall maintain satisfactory progress towards completion of all of the ARTC program's requirements.
 - 4.4.5 The educator shall make progress toward completing the requirements of the content area Standard Certificate sought.

27 DE Reg. 675 (03/01/24)

5.0 Certificate of Eligibility for Individuals Who Hold a Delaware Initial, Continuing, or Advanced License and Content Area Standard Certificate

- 5.1 The Department may issue a Certificate of Eligibility to an applicant who meets the requirements in Section 3.0 and the applicant holds a valid content area Standard Certificate.
- 5.2 The Department may extend a Certificate of Eligibility that was issued pursuant to subsection 5.1 up to 2 times if the educator meets the requirements in subsections 5.2.1 through 5.2.6.
 - 5.2.1 The educator shall hold a valid and current Delaware Initial, Continuing, or Advanced License.
 - 5.2.2 The educator continues to seek 1 of the Standard Certificates in subsection 1.1 and has not met the requirements for issuance of the Standard Certificate sought but shall be making satisfactory progress towards the completion of all program requirements.
 - 5.2.3 The educator holds a valid content area Standard Certificate.
 - 5.2.4 The educator's employing authority and program recommend an extension based on the educator's performance in the assignment and progress in the program.
 - 5.2.5 The educator shall be employed as the educator of record for the Standard Certificate sought in a position in a Delaware traditional, vocational-technical, or charter school.
 - 5.2.6 The educator's employing authority will continue to support and assist the educator in completing the requirements for the Standard Certificate sought.
- 5.3 Application Requirements
 - 5.3.1 If the applicant is applying for the issuance or renewal of an educator's license, the applicant must disclose the applicant's criminal conviction history upon application. Failure to disclose a criminal conviction history is grounds for denial of the license application as specified in 14 **Del.C.** §1219 and could delay the processing or result in the denial of the application for a Certificate of Eligibility.
 - 5.3.2 For applicants who seek a Certificate of Eligibility under subsection 5.1, the following documentation is required with the application:
 - 5.3.2.1 Documentation that the educator holds a valid and current Delaware Initial, Continuing, or Advanced License;

TITLE 14 EDUCATION

DELAWARE ADMINISTRATIVE CODE

- 5.3.2.2 A copy of the welcome letter from the applicant's ARTC program, documenting enrollment in the program in the area of need for students with disabilities for which the Standard Certificate is sought;
- 5.3.2.3 Documentation that the applicant is employed as the educator of record for the Standard Certificate sought in a position in a Delaware traditional, vocational-technical, or charter school;
- 5.3.2.4 Documentation that the applicant's employing authority will support and assist the applicant in completing the requirements for the Standard Certificate sought; and
- 5.3.2.5 Documentation that the applicant holds a valid content area Standard Certificate.

5.3.3 For applicants who seek extension of a Certificate of Eligibility under subsection 5.2, the following documentation is required with the application:

- 5.3.3.1 Documentation that the educator holds a valid and current Delaware Initial, Continuing, or Advanced License;
- 5.3.3.2 A request from the applicant's employing authority, documenting that it recommends an extension based on the educator's performance in the assignment and progress in the program and that it will continue to support and assist the educator in completing the requirements for the Standard Certificate sought;
- 5.3.3.3 A letter from the educator's ARTC program, documenting that it recommends an extension based on the educator's performance in the assignment and progress in the program;
- 5.3.3.4 Documentation that the educator is employed as the educator of record for the Standard Certificate sought in a position in a Delaware traditional, vocational-technical, or charter school; and
- 5.3.3.5 Documentation the applicant holds a valid content area Standard Certificate.

5.4 In order to retain the Certificate of Eligibility, the educator shall meet the requirements in subsections 5.4.1 through 5.4.5. If the educator fails to meet any of the requirements related to retaining the Certificate of Eligibility, the educator and the educator's employing authority shall immediately notify the Department in writing. The requirements set forth in this subsection apply to all educators regardless of the date the Certificate of Eligibility was issued.

- 5.4.1 The educator shall hold an Initial, Continuing, or Advanced License.
- 5.4.2 The educator shall continue to be employed as the educator of record for the Standard Certificate sought in a position in a Delaware traditional, vocational-technical, or charter school.
- 5.4.3 The educator shall continue to be enrolled and participating in the Department-approved ARTC program for teachers of students with disabilities.
- 5.4.4 The educator shall maintain satisfactory progress towards completion of all of the ARTC program's requirements.
- 5.4.5 The educator shall hold a content area Standard Certificate.

27 DE Reg. 675 (03/01/24)

6.0 Validity of a Certificate of Eligibility

- 6.1 A Certificate of Eligibility is issued for up to 1 school year and expires on June 30th of the end of the school year it is issued unless it is revoked.
- 6.2 Certificates of Eligibility that have been issued for 3 consecutive school years may not be extended, including for educators who have switched ARTC programs. The educator shall meet the requirements for issuance of a Standard Certificate in the area of need for students with disabilities for which the Standard Certificate is sought. Upon successful completion of a Department-approved ARTC program to teach students with disabilities, an educator who subsequently enrolls in an ARTC program to teach students with disabilities that is in a different area of need may be issued a new Certificate of Eligibility.
- 6.3 Educators holding an active License without a current or valid certificate are not authorized to teach in a Delaware public school.
- 6.4 A Certificate of Eligibility may not be renewed or extended for a leave of absence.
- 6.5 A Certificate of Eligibility may not be extended for exigent circumstances.

27 DE Reg. 675 (03/01/24)

7.0 Transfer of Certificate of Eligibility to a New Employing Authority

The Department may approve the transfer of a Certificate of Eligibility from one employing authority to another if the new employing authority conducts an independent review of the educator's progress towards a Standard Certificate and assumes the commitments and responsibilities of an employing authority within this regulation.

8.0 Disciplinary Action

- 8.1 An educator's Certificate of Eligibility may be revoked, suspended, or limited for cause as provided in 14 **DE Admin. Code** 1514 Limitation, Suspension, and Revocation of Licenses, Certificates, and Permits or for the educator's failure to comply with the requirements related to the retention of the educator's Certificate of Eligibility.
- 8.2 An educator's Certificate of Eligibility shall be revoked if the educator's license is revoked or the educator made a materially false or misleading statement in the educator's application in accordance with 14 **Del.C.** §1222.
- 8.3 An educator whose certificate is noticed for disciplinary action is entitled to a full and fair hearing before the Standards Board. Hearings shall be conducted in accordance with 14 **DE Admin. Code** 1515 Hearing Procedures and Rules.

27 DE Reg. 675 (03/01/24)

9.0 Contact Information and Change of Name or Address

- 9.1 All applicants and educators are required to update their contact information in DEEDS if their contact information changes.
- 9.2 An educator who legally changes the educator's name and wishes to change the name on the Certificate of Eligibility shall provide a notarized copy of evidence of the name change such as a marriage license or court action.
- 9.3 An applicant or educator whose mailing address, email address, or phone number changes shall provide the Department with the new mailing address, email address, or phone number within 14 calendar days of the change.

21 DE Reg. 972 (06/01/18)

27 DE Reg. 675 (03/01/24)