

**DEPARTMENT OF EDUCATION**  
**OFFICE OF THE SECRETARY**  
Statutory Authority: 14 Delaware Code, Chapter 89 (14 **Del.C.** Ch. 89)  
14 **DE Admin. Code** 235

**PROPOSED**

**PUBLIC NOTICE**

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

**235 Teacher of the Year Award**

**A. Type of Regulatory Action Required**

Amendment to Existing Regulation

**B. Synopsis of Subject Matter of the Regulation**

Pursuant to 14 **Del.C.** Chapter 89, the Secretary of Education intends to amend 14 **DE Admin. Code** 235 Teacher of the Year. This regulation is being amended to clarify the conditions under which these awards will be given, to clarify how Teacher of the Year Award funds may be used by the award recipient, and to comply with the Delaware Administrative Code Style Manual.

Persons wishing to present their views regarding this matter may do so in writing by the close of business on or before May 6, 2019 to Department of Education, Office of the Secretary, Attn: Regulation Review, 401 Federal Street, Suite 2, Dover, Delaware 19901 or email to [DOERegulations.comment@doe.k12.de.us](mailto:DOERegulations.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](http://regulations.delaware.gov/services/current_issue.shtml), or obtained at the Department of Education, located at the address listed above.

**C. Impact Criteria**

1. Will the amended regulation help improve student achievement as measured against state achievement standards? The amended regulation does not address 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 does not address equitable education of students.
3. Will the amended regulation help to ensure that all students' health and safety are adequately protected? The amendments do not 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 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 decision making authority and accountability for addressing the subject to be regulated does not change because of the amendment.
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 amendment 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 not a 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 is no expected cost to implementing this amended regulation.

**235 Teacher of the Year Award**

~~This program shall be administered in accordance with 14 **Del.C.** Ch. 89, and the following rules and regulations.~~

## **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.

## **2.0 Definitions**

The 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.

**"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 their 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.

## **4.03.0 Qualifications for a local Teacher of the Year Award**

3.1 To be considered for the local Teacher of the Year award Award a person shall:

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

4.23.1.2 Have been formally ~~nominated.~~ nominated;

4.33.1.3 Be actively teaching in their district or charter school in ~~this state~~ Delaware at the time of their nomination.

1.4 ~~Continue to actively teach in the nominating district or charter school for the duration of the school year of their nomination.~~

1.4.4 ~~If the nominee chooses to leave the district or charter school during the selection period the district or charter school shall submit another nominee.~~

4.53.1.4 Meet all the requirements for a Standard Certificate for the position held and hold a valid and current license, as approved by the Professional Standards Board, the ~~Department of Education~~ and the State Board of Education.

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

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

## **2.04.0 Nominations Nomination Procedure for state Teacher of the Year Award**

4.1 The following procedure shall apply in ~~preparing nominations in accordance with the requirements of the Act.~~ for identifying and nominating candidates for the state Teacher of the Year:

2.14.1.1 The Department of Education shall meet annually with ~~the district coordinators of the Teacher of the Year Program~~ appropriate district personnel and the representative for the charter schools for the purpose of providing them with detailed instructions and proper forms for the ~~presentation~~ nomination of nominees. ~~Each district is invited to nominate one teacher employed by the district and the charter schools are invited to select one nominee to represent all of the charter schools~~ candidates for the state Teacher of the Year Award.

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

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

2.1.14.1.4 ~~Nominees for the state Teacher of the Year Award shall be skillful and dedicated teachers, teachers who teach a grade prekindergarten through grade 12. Administrative personnel such as principals and guidance counselors are not eligible to be considered for State Teacher of the Year. Nominees for State Teacher of the Year who are not actively engaged in teaching in a public school at the time at which observations are made pursuant to Section 2.2 below shall be disqualified.~~

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.

## **5.0 Requirements for state Teacher of the Year Award nominees**

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

## **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:
- 2-36.1.1 Following the submission of the portfolios, selected Department of Education staff members and selected former state and local district Teachers of the Year shall be assigned in pairs to read the portfolios of two 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 of Education Staff staff members 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, three nominees shall be identified as finalists for consideration by a panel of judges.
- 2-46.1.3 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.
- 2-56.1.4 The judges shall recommend one 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.

## **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 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 policy.
- 7.1.3 Possible use of funds includes, but is not limited to:
- 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; 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 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 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. 821 (04/01/19) (Prop.)