

**DEPARTMENT OF EDUCATION  
PROFESSIONAL STANDARDS BOARD**

Statutory Authority: 14 Delaware Code, Section 1205(b) (14 **Del.C.** §1205(b))  
14 **DE Admin. Code** 1561

**FINAL**

**REGULATORY IMPLEMENTING ORDER**

**1561 Bilingual 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 approval of the State Board of Education to amend 14 **DE Admin. Code** 1561 Bilingual Teacher. The proposed regulation clarifies that it is a category certification under subsection 1.1; adds a definition of “target language” for the purpose of this regulation under subsection 2.2; clarifies the additional requirements to obtain the certificate under subsection 4.1.1.1; clarifies how applicants satisfy demonstrating oral and written proficiency in the target language of the bilingual classroom or program under subsection 4.1.2; adds an additional option for completing the requirement under subsection 4.1.3; and adds section 6.0, which recognizes a Standard Certificate Bilingual Teacher issued before January 1, 2017.

Notice of the proposed regulation was published in the *Register of Regulations* on October 1, 2016 in the form attached hereto as Exhibit “A.” Persons who wished to present their views regarding the proposed regulation were invited to do so in writing by October 31, 2016. The Professional Standards Board did not receive written comments. The Professional Standards Board believes that the proposed regulation serves to improve the quality of instruction for Delaware’s children and that the amendments are designed to improve the quality of the Delaware educator workforce and to improve student performance.

**II. Findings of Fact**

The Professional Standards Board finds that it is appropriate to amend 14 **DE Admin. Code** 1561 Bilingual Teacher to clarify that it is a category certification; add a definition of “target language” for the purpose of the regulation under subsection 2.2; clarify the additional requirements to obtain the certificate under section 4.0; add an additional option for demonstrating oral and written proficiency in English under subsection 4.1.1.1; clarify how applicants satisfy oral and written proficiency in the target language of the bilingual classroom or program under subsection 4.1.2; add an additional option for completing the requirement under subsection 4.1.3; and add section 6.0, which recognizes a Standard Certificate Bilingual Teacher issued before January 1, 2017.

**III. Decision to Amend the Regulation**

For the foregoing reasons, the Professional Standards Board concludes that it is appropriate to amend 14 **DE Admin. Code** 1561 Bilingual Teacher.

Therefore, pursuant to 14 **Del.C.** §1203, the regulation attached hereto as Exhibit “A” is hereby proposed subject to the approval of the State Board of Education. If approved by the State Board of Education, the proposed regulation will have the force and effect of law.

**IV. Text and Citation**

The text of 14 **DE Admin. Code** 1561 Bilingual Teacher amended hereby shall be in the form attached hereto as Exhibit “A” and said regulation shall be cited as 14 **DE Admin. Code** 1561 Bilingual Teacher in the *Administrative Code*.

**V. Effective Date of Order**

The actions hereinabove referred to were taken by the Professional Standards Board pursuant to 14 **Del.C.** §1203 on November 3, 2016 and by the State Board of Education on November 17, 2016. The effective date of this Order shall be ten (10) days from the date this Order is published in its final form in the *Register of Regulations*.

**IT IS SO ORDERED** the 3<sup>rd</sup> day of November, 2016 by the Professional Standards Board.  
Byron Murphy, Chairman  
Dr. Darren T. Guido

Diane Albanese (absent)  
Amber Augustus  
Gerald Allen  
Jennifer Burton  
Stephanie DeWitt  
Nelia Dolan  
Dr. Laura Glass

David Kohan, Vice Chairman  
Rosaria Macera  
Darlene O'Neill  
Mary Pinkston  
Dr. Stephanie Smith (absent)  
Sue Smith

**IT IS SO ORDERED** the 17<sup>th</sup> day of November, 2016.

**Department of Education**

Steven H. Godowsky, Secretary of Education

**Approved this 17<sup>th</sup> day of November, 2016**

**State Board of Education**

Teri Quinn Gray, Ph.D., President  
Nina Lou Bunting, Vice President  
Gregory B. Coverdale, Jr. (absent)

G. Patrick Heffernan  
Barbara B. Rutt  
Terry M. Whittaker, Ed.D. (absent)

**1561 Bilingual 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 Bilingual Teacher (Category). ~~This certification is required for grades K to 12.~~
- 1.1.1 This certification is required for an educator within district-identified bilingual classrooms or bilingual programs for grades K to 12 that are identified to serve students who are English Language Learners or immersion program students.
- 1.1.2 This certification is a category certificate and does not certify an educator to practice in a particular area or teach a particular subject. A category certificate only establishes that an educator has met the prescribed knowledge, skill, or education to instruct a particular category of students specified. This certification is limited to the specific category of teaching students who are English Language Learners or immersion program students.
- 1.1.3 This certification may not be issued alone and an educator shall hold at least one subject or area certification.
- 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.
- 2.2 The following words and terms, when used in this regulation, shall have the following meaning unless the context clearly indicates otherwise:
- ~~"Nationally recognized equivalent examination" means a standardized test which measures knowledge in a specific content area that is nationally recognized as having at a minimum the same rigor and reliability as a Praxis II examination.~~
- "**Passing score**" means a minimum score as established by the Standards Board, in consultation with the Department and with the concurrence approval of the State Board of Education.
- "Target language" means, for the purpose of this regulation, the world language of the bilingual classroom or bilingual program.

**3.0 Standard Certificate**

- 3.1 In accordance with 14 **Del.C.** §1220(a), the Department shall issue a Standard Certificate as a Bilingual 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; and
- 3.1.3 ~~Has satisfied the additional requirements in this regulation. Holds a Standard Certificate in a subject or area; and~~
- 3.1.4 Has satisfied the additional requirements in this regulation.

#### 4.0 Additional Requirements

An educator must also have met the following:

- 4.1 ~~Demonstrated oral and written proficiency in English and the target language of the bilingual program by having completed the following:~~
  - 4.1.1 ~~Achieved a passing score on an oral proficiency examination in English; and~~
  - 4.1.2 ~~Achieved a passing score on a written proficiency examination in English; and~~
  - 4.1.3 ~~Achieved a passing score on an oral proficiency examination in the target language of the bilingual program; and~~
  - 4.1.4 ~~Achieved a passing score on a written proficiency examination in the target language of the bilingual program; and~~
  - 4.1.5 ~~The written proficiency and oral proficiency examinations required may be a Praxis II examination if applicable and available or as specified in section 4.2.~~
- 4.2 ~~If an examination of content knowledge such as Praxis II is not applicable and available for the Standard Certificate requested, an educator must also meet the following:~~
  - 4.2.1 ~~Where no PRAXIS II examination is applicable and available, nationally recognized equivalent examinations may be substituted. The applicant shall achieve a passing score on the examination as established by the Standards Board, in consultation with the Department and with the concurrence of the State Board.~~
  - 4.2.2 ~~For the purposes of this regulation, the following test shall be accepted as a nationally recognized equivalent examination: the American Council on the Teaching of Foreign Languages (ACTFL) Oral Proficiency Interview and the ACTFL Writing proficient test.~~
    - 4.2.2.1 ~~For purposes of this regulation the following shall be considered a passing score:~~
      - 4.2.2.1.1 ~~For tests of languages using a Roman alphabet, candidates are required to achieve as a minimum score an Advanced Low level of the oral skills and an Advanced Low level on the writing skills based on the ACTFL Proficiency Guidelines.~~
      - 4.2.2.1.2 ~~For tests of languages using a non Roman alphabet, candidates are required to achieve as a minimum score an Advanced Low Level on the oral skills and an Intermediate High level on the writing skills based on the ACTFL Proficiency Guidelines.~~
- 4.3 ~~If the educator is applying for their first Standard certificate pursuant to 14 **DE Admin. Code** 1505 Standard Certificate 3.1.5.1 the required 15 credits or their equivalent in professional development required in 14 **DE Admin. Code** 3.1.5.1 that must be satisfactory completed for this standard certificate must at a minimum include the following areas;~~
  - 4.3.1 ~~Methods of Teaching English as a Second Language (3 credits);~~
  - 4.3.2 ~~Second Language Acquisition (3 credits);~~
  - 4.3.3 ~~Teaching Literacy for English Language Learners (3 credits);~~
  - 4.3.4 ~~Second Language Testing (3 credits);~~
  - 4.3.5 ~~Structure of the English Language (3 credits).~~
- 4.4 ~~If the educator is applying for their second standard Certificate pursuant to 14 **DE Admin. Code** 1505 Standard Certificate 3.1.5, the satisfactory completion of fifteen (15) credits or their equivalent in professional development in the areas of;~~
  - 4.4.1 ~~Methods of Teaching English as a Second Language (3 credits);~~
  - 4.4.2 ~~Second Language Acquisition (3 credits);~~
  - 4.4.3 ~~Teaching Literacy for English Language Learners (3 credits);~~
  - 4.4.4 ~~Second Language Testing (3 credits);~~
  - 4.4.5 ~~Structure of the English Language (3 credits).~~
- 4.1 An educator shall also have satisfied each of the following requirements:
  - 4.1.1 Demonstrated oral and written proficiency in English by:

- 4.1.1.1 Completion of a bachelor's, master's, or doctoral degree from a regionally accredited college or university that is located in the United States or in a permanently inhabited territory of the United States in which the majority of courses were taught and assessed in the English language; or
- 4.1.1.2 Achieving a minimum level of Advanced Mid based on the American Council on the Teaching of Foreign Languages (ACTFL) Proficiency Guidelines on:
  - 4.1.1.2.1 the ACTFL Oral Proficiency Interview (OPI) in English, and
  - 4.1.1.2.2 the ACTFL Writing Proficiency Test (WPT) in English.
- 4.1.2 Demonstrated oral and written proficiency in the target language of the bilingual classroom or bilingual program by:
  - 4.1.2.1 Achieving a minimum level of Advanced Mid based on the ACTFL Proficiency Guidelines on the ACTFL OPI in the target language, and
  - 4.1.2.2 Achieving a passing score on the ACTFL WPT in the target language.
    - 4.1.2.2.1 For the purposes of subsection 4.1.2.2 of this regulation, a passing score shall be:
      - 4.1.2.2.1.1 For tests using the Roman alphabet, achieving a minimum level of Advanced Mid based on the ACTFL Proficiency Guidelines.
      - 4.1.2.2.1.2 For tests using a non-Roman alphabet, achieving a minimum level of Advanced Low based on the ACTFL Proficiency Guidelines.
- 4.1.3 Completion of either:
  - 4.1.3.1 A bachelor's, master's, or doctoral degree from a regionally accredited college or university with a major or its equivalent in bilingual education from an educator preparation program approved or recognized by National Council for the Accreditation of Teacher Education (NCATE), the Council for Accreditation of Educator Preparation (CAEP), or a state where the state approval body employed the appropriate standards; or
  - 4.1.3.2 A minimum of fifteen (15) credits or the equivalent thereof in professional development as approved by the Department in the following content areas:
    - 4.1.3.2.1 Methods of Teaching English as a Second Language (3 credits);
    - 4.1.3.2.2 Second Language Acquisition (3 credits);
    - 4.1.3.2.3 Teaching Literacy for English Language Learners (3 credits);
    - 4.1.3.2.4 Second Language Testing (3 credits); and
    - 4.1.3.2.5 Structure of the English Language (3 credits).

## **5.0 Past Certification Recognized**

The Department shall recognize a Standard Certificate Bilingual Teacher issued before January 1, 2017. A teacher holding such a Standard Certificate issued by the Department before January 1, 2017 shall be considered certified as a Bilingual Teacher.

## **6.0 Effective Date**

This regulation shall be effective on January 1, 2017.

**7 DE Reg. 775 (12/01/03)**

**10 DE Reg. 693 (10/01/06)**

**Renumbered effective 06/01/07 - see Conversion Table**

**12 DE Reg. 339 (09/01/08)**

**20 DE Reg. 447 (12/01/16) (Final)**