

**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** 1549

PROPOSED

PUBLIC NOTICE

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

1549 Dance Teacher

A. TYPE OF REGULATORY ACTION REQUESTED

Amendment to Existing Regulation

B. SYNOPSIS OF SUBJECT MATTER OF REGULATION

Pursuant to 14 **Del.C.** §§1203 and 1205(b), the Professional Standards Board ("Board"), acting in consultation and cooperation with the Delaware Department of Education ("Department"), developed amendments to 14 **DE Admin. Code** 1549 Dance Teacher. The regulation concerns the requirements for a Dance Teacher Standard Certificate in accordance with 14 **Del.C.** §1220. The proposed amendments include adding and striking defined terms in Section 2.0; clarifying the requirements for issuing a Dance Teacher Standard Certificate in Section 3.0; specifying the education, knowledge, and skill requirements for obtaining a Dance Teacher Standard Certificate in Section 4.0; specifying the application requirements in Section 5.0; adding Section 6.0, which concerns requests for the Secretary of Education to review standard certificate applications; adding Section 7.0, which concerns the validity of a Dance Teacher Standard Certificate; adding Section 8.0, which concerns disciplinary actions; adding Section 9.0, which concerns recognizing past certificates that were issued by the Department; and adding Section 10.0, which concerns applicants' and Educators' contact information with the Department and specifies how they can change their name or address.

Persons wishing to present their views regarding this matter may do so in writing by the close of business (4:30 p.m.) on or before March 4, 2022 to the Department of Education, Office of the Secretary, Attn: Regulation Review, 401 Federal Street, Suite 2, Dover, Delaware 19901 or to 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 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 education, knowledge, and skill requirements in Section 4.0 are designed to improve the quality of the educator workforce, which will help to improve student achievement.

2. Will the amended regulation help ensure that all students receive an equitable education? The education, knowledge, and skill requirements in Section 4.0 are designed to improve the quality of the educator workforce, which will help to ensure students in Delaware public schools 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 and is not designed to help ensure students' health and safety is protected.

4. Will the amended regulation help to ensure that all students' legal rights are respected? The amended regulation addresses a standard certificate for educators and is not designed to help ensure students' legal rights are respected.

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. By statute (14 **Del.C.** §1224), a school district or charter school may request that the Secretary of Education review the credentials of an applicant who does not meet the requirements for a Dance Teacher Standard Certificate but whose effectiveness is documented by the district or school. Proposed Section 6.0 is consistent with the statute.

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. The application requirements in Section 5.0 apply to individual applicants. In addition, the requirements in Section 10.0 apply to individual applicants and Educators.

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 amended regulation? There is no expected cost to the state and to the local school boards of complying with this amended regulation.

1549 Dance Teacher

1.0 Content

- 1.1 This regulation shall apply to the issuance of a Dance Teacher Standard Certificate, pursuant to 14 **Del.C.** §1220(a), ~~for Dance Teacher~~. This certification Standard Certificate is required for grades 9 K to 12, ~~and is valid in grades 5 to 8 in a Middle Level school in Delaware public schools~~.
- 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~~:

"Approved Accrediting Agency" means a National, Regional, or Specialized Accrediting agency or association that appears on the list of recognized accrediting agencies published by the United States Secretary of Education or any other accrediting agency the Delaware Secretary of Education, deems within his or her discretion, to be reliable or be equivalent to those on the published list.

"Accredited institution" means an institution that has received accreditation from an approved accrediting agency.

"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.

"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" means a current full or permanent certificate or license as an educator issued by another state or jurisdiction. This means the educator is fully credentialed by having met all of the requirements for full licensure or certification as an educator in another state or jurisdiction and is in good standing in that state or jurisdiction. It does not include temporary, emergency, conditional certificates of eligibility or expired certificates or licenses issued from another state or jurisdiction.

3.0 Issuance of a Standard Certificate

- 3.1 In accordance with 14 **Del.C.** §1220(a), the Department shall issue a Dance Teacher Standard Certificate ~~as a Dance Teacher~~ to an educator applicant who ~~has met the following~~:
- 3.1.1 Holds a valid Delaware Initial, Continuing, or Advanced License; License, or a Standard or Professional Status Certificate issued by the Department prior to August 31, 2003; ~~and, 2003 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, Has met the requirements for an educator's license in Delaware and presents proof of a Valid and Current License or Certificate as a dance teacher issued by another state or jurisdiction.~~
 - 3.1.3 ~~Has satisfied the additional requirements in this regulation.~~
- 3.2 Notwithstanding any provision to the contrary herein, the Department shall not act on an application for a Dance Teacher Standard Certificate 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 allegations include but are not limited to conduct such as 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. 848 (02/01/13)

4.0 Additional Prescribed Education, Knowledge, and Skill Requirements

- 4.1 ~~If an examination of content knowledge such as Praxis II is not applicable and available, in the area the Standard Certificate is requested, an educator must also meet the following:~~
- 4.2 ~~If the educator is applying for their second Standard Certificate pursuant to 14 DE Admin. Code 1505 Standard Certificate 3.1.5;~~
 - 4.2.1 ~~Has satisfactorily completed fifteen (15) credits or their equivalent in professional development related to Dance, selected by the applicant with the approval of the employing school district or charter school which is submitted to the Department; or~~
 - 4.2.2 ~~Has obtained certification in Dance from an accredited institution.~~
- 4.1 For an applicant who does not hold a content area Standard Certificate, the applicant shall have satisfied one of the following education requirements:
 - 4.1.1 Earned and currently maintain accreditation as Registered Dance Educator through the National Dance Education Organization; or
 - 4.1.2 Earned a bachelor's degree from a Regionally Accredited college or university with a minimum of 30 semester hours of coursework in dance from an educator preparation program approved or recognized by the Council for the Accreditation of Educator Preparation (CAEP) or a state where the state approval body employed the appropriate standards; or
 - 4.1.3 Satisfactorily completed an alternative routes for licensure or certification program to teach dance as provided in 14 Del.C. §§1260 - 1266; or
 - 4.1.4 Satisfactorily completed a Department-approved educator preparation program in dance education; or
 - 4.1.5 If the applicant is applying for an Initial License after the applicant completed a minimum of 91 days of successful long-term substitute teaching in a Delaware public school as provided in subsection 4.1.3.1 of 14 DE Admin. Code 1510, earned a bachelor's degree from a Regionally Accredited college or university in any content area and also satisfactorily completed 15 college credits related to dance education of which at least six credits focus on pedagogy or an equivalent number of hours in professional development with one credit equating to 15 hours taken either as part of a degree program or in addition to a degree program from a Regionally Accredited college or university or a professional development provider approved by the Department.
 - 4.1.5.1 The applicant, in consultation with the applicant's Employing Authority, shall select the 15 credits or the equivalent number of hours in professional development subject to the Department's approval.
 - 4.1.5.2 If the applicant does not have an Employing Authority or is applying for a Standard Certificate outside of the applicant's current spectrum of employment, the applicant shall select the 15 credits or the equivalent number of hours in professional development in consultation with the Department and subject to the Department's approval.
 - 4.1.5.3 For the purpose of subsection 4.1.5, professional development means a combination of focused, in-depth learning, practice, feedback, reflection, and expert support experiences designed to

change the participants' attitudes, insights, and perspectives and ultimately results in improved professional practice.

4.1.5.4 Professional development hours may be approved if the applicant shows that the activity meets all of the following criteria:

4.1.5.4.1 Relevant courses from a Regionally Accredited college or university in dance are not available to the applicant online or in the applicant's county of residence; and

4.1.5.4.2 The activity is grounded in research and current best practices as judged by the Department's content specialist in dance; and

4.1.5.4.3 The activity is documented by the provider to provide knowledge and skills that are required for the dance certification; and

4.1.5.4.4 The activity is part of a professional development program that includes knowledge acquisition, skill mastery, descriptive feedback, and refinement of practice in the work setting.

4.1.6 Earned and currently maintain a Certificate in Dance Instruction from the National Dance Education Organization.

4.2 For an applicant who holds at least one content area Standard Certificate, the applicant shall have satisfied one of the following education requirements:

4.2.1 Satisfactorily completed 15 college credits related to dance education of which at least six credits focus on pedagogy or an equivalent number of hours in professional development with one credit equating to 15 hours taken either as part of a degree program or in addition to a degree program from a Regionally Accredited college or university or a professional development provider approved by the Department as provided in subsection 4.1.5; or

4.2.2 Earned and currently maintain a Certificate in Dance Instruction from the National Dance Education Organization; or

4.2.3 Completed the equivalent of subsection 4.2.1 or subsection 4.2.2 in professional experience; or

4.2.4 Achieved a minimum score of 80 points on the Dance Entry Level Teacher's Assessment (DELTA).

11 DE Reg. 1234 (03/01/08)

5.0 Application Requirements

5.1 If an applicant is applying for an Initial License, a Standard Certificate must be applied for simultaneously with an application for the Initial License, and the applicant shall also provide all required documentation for the License.

5.2 An applicant must disclose the applicant's criminal conviction history upon application for a Dance Teacher Standard Certificate. Failure to disclose a criminal conviction history is grounds for denial of a Dance Teacher Standard Certificate as specified in 14 Del.C. §1219.

5.3 For an applicant who does not hold a content area Standard Certificate, the following documentation is required with the application for a Dance Teacher Standard Certificate:

5.3.1 Evidence of earning and currently maintaining accreditation as Registered Dance Educator through the National Dance Education Organization, 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 Documents verifying successful completion of Department-approved professional development, if applicable; and

5.3.4 Evidence of earning and currently maintaining a Certificate in Dance Instruction from the National Dance Education Organization, if applicable;

5.3.5 Additional documentation as required by the Department.

5.4 For an applicant who holds at least one content area Standard Certificate, the following documentation is required in the application for a Dance Teacher Standard Certificate:

5.4.1 Official transcript from the applicant's Regionally Accredited college or university, if applicable.

5.4.1.1 Electronic transcripts may be submitted by the Employing Authority or by the applicant's Regionally Accredited college or university; or

5.4.1.2 Sealed paper transcripts may be submitted.

5.4.1.3 The Department will not accept copies of transcripts; and

- 5.4.2 Documents verifying successful completion of Department-approved professional development, if applicable; and
- 5.4.3 Evidence of earning and currently maintaining a Certificate in Dance Instruction from the National Dance Education Organization, if applicable; and
- 5.4.4 Evidence of completing the equivalent of subsection 4.2.1 or subsection 4.2.2 in professional experience, if applicable; and
- 5.4.5 Official score on the Dance Entry Level Teacher's Assessment (DELTA), if applicable; and
- 5.4.6 Additional documentation as required by the Department.
- 5.5 For applicants who have met the requirements for licensure as an educator in Delaware and hold a Valid and Current License or Certificate as a dance teacher from another state or jurisdiction, the following documentation is required in the application for a Dance Teacher Standard Certificate:
 - 5.5.1 An official copy of the Valid and Current License or Certificate; and
 - 5.5.2 Additional documentation as required by the Department.

6.0 Secretary of Education Review

- 6.1 The Secretary of Education may, upon the written request of a local school district or charter school, review credentials submitted in an application for a Dance Teacher Standard Certificate on an individual basis and grant such a Standard Certificate to an applicant who otherwise does not meet the requirements for a Dance Teacher Standard Certificate but whose effectiveness is documented by the local school district or charter school.
 - 6.1.1 For school districts, requests shall be approved by the superintendent of the school district.
 - 6.1.2 For charter schools, requests concerning the head of school of the charter school shall be approved by the charter school's board of directors and requests concerning all other applicants shall be approved by the charter school's head of school.

7.0 Validity of a Standard Certificate

- 7.1 A Dance Teacher Standard Certificate is valid regardless of the assignment or employment status of the holder provided that the Educator's License remains current and valid.
- 7.2 A Dance Teacher Standard Certificate is not subject to renewal.

8.0 Disciplinary Action

- 8.1 An Educator's Dance Teacher Standard Certificate 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.
- 8.2 An Educator's Dance Teacher Standard Certificate shall be revoked if 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 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.

9.0 Past Certificate Recognized

The Department shall recognize a Dance Teacher Standard Certificate issued by the Department prior to effective date of this regulation. An Educator holding such a Standard Certificate shall be considered certified to teach dance.

10.0 Contact Information and Change of Name or Address

- 10.1 All applicants and Educators are required to update their contact information in DEEDS if their contact information changes.
- 10.2 An Educator who legally changes the Educator's name and wishes to change the name on the Dance Teacher Standard Certificate shall provide a notarized copy of evidence of the name change such as a marriage license or court action.
- 10.3 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.

16 DE Reg. 848 (02/01/13)
25 DE Reg. 746 (02/01/22) (Prop.)