

**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** 1511

**FINAL**

**REGULATORY IMPLEMENTING ORDER**

**1511 Issuance and Renewal of Continuing License**

**I. SUMMARY OF THE EVIDENCE AND INFORMATION SUBMITTED**

The Professional Standards Board, acting in consultation and cooperation with the Delaware Department of Education ("Department"), developed amendments to 14 **DE Admin. Code** 1511 Issuance and Renewal of Continuing License. The regulation applies to the issuance and renewal of a continuing license for educators pursuant to 14 **Del.C.** §§1211 and 1212. The proposed changes include revising the definition of the terms "Experience Educator" and "Performance Assessment" and adding a definition of the term "Micro-credential" in Section 2.0; amending Section 12.0, which concerns Secretary of Education Review requests; and amending Section 13.0, which concerns options for relicensure.

Notice of the proposed regulation was published in the *Register of Regulations* on May 1, 2019. The Professional Standards Board received one written submittal from Ann C. Fisher, the Chairperson of the Governor's Advisory Council for Exceptional Citizens ("GACEC").

GACEC commented that it "supports the proposed amendments." GACEC further commented that the proposed amendments to subsections 12.1.1 and 12.1.2 require certain school officials to submit requests for Secretary of Education review whereas the proposed amendments to 14 **DE Admin. Code** 1510 Issuance of Initial License require the school officials to approve such requests.

On June 6, 2019, the Professional Standards Board considered GACEC's written submittal. The Professional Standards Board found that the Department's practice requires Secretary of Education Review requests be approved, rather than submitted, by the superintendent of a school district or the board of directors or head of a charter school, and that "submitted" should be changed to "approved" in subsections 12.1.1 and 12.1.2. The Professional Standards Board's Chairperson determined that such change constituted a nonsubstantive change under 29 **Del.C.** §10118(c).

On June 6, 2019, the Professional Standards Board voted to propose 14 **DE Admin. Code** 1511 Issuance and Renewal of Continuing License, in the form attached hereto as Exhibit "A," for adoption by the Department subject to the State Board of Education's approval.

**II. FINDINGS OF FACTS**

The Department finds that its current practice requires requests for Secretary of Education Review be approved by the superintendent of a school district or the board of directors or head of a charter school, and the additional, nonsubstantive change of "submitted" to "approved" in subsections 12.1.1 and 12.1.2 is consistent with that practice.

The Department finds that the nonsubstantive change in response to the written submittal is necessary. Additionally, the Department finds that the proposed regulation is necessary to implement 14 **Del.C.** Ch. 12 and is designed to improve the quality of the Delaware educator workforce and to improve student performance. Accordingly, the Department finds that it is appropriate to amend 14 **DE Admin. Code** 1511 Issuance and Renewal of Continuing License.

**III. DECISION TO AMEND THE REGULATION**

For the foregoing reasons, the Department concludes that it is appropriate to amend 14 **DE Admin. Code** 1511 Issuance and Renewal of Continuing License subject to the State Board of Education's approval. Therefore, pursuant to 14 **Del.C.** §§1203 and 1205(b), 14 **DE Admin. Code** 1511 Issuance and Renewal of Continuing License attached hereto as Exhibit "A" is hereby amended.

**IV. TEXT AND CITATION**

The text of 14 **DE Admin. Code** 1511 Issuance and Renewal of Continuing License adopted hereby shall be in the form attached hereto as Exhibit "A," and said regulation shall be cited as 14 **DE Admin. Code** 1511 Issuance and Renewal of Continuing License in the Administrative Code of Regulations for the Department of Education.

**V. EFFECTIVE DATE OF ORDER**

The actions hereinabove referred to were taken by the Department pursuant to 14 **Del.C.** §§1203 and 1205(b) on June 20, 2019. The effective date of this Order shall be ten (10) days from the date this Order is published in the *Register of Regulations*.

**IT IS SO ORDERED** the 20<sup>th</sup> day of June, 2019.

**Department of Education**

Susan S. Bunting, Ed.D., Secretary of Education

Approved this 20<sup>th</sup> day of June, 2019.

**State Board of Education**

Whitney Sweeney, President

Audrey J. Noble, Ph.D., Vice President

Nina Lou Bunting

Candace Fifer

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Provey Powell, Jr.

Wali W. Rushdan, II

**1511 Issuance and Renewal of Continuing License**

**1.0 Content**

This regulation shall apply to the issuance and renewal of a Continuing License for educators, pursuant to 14 **Del.C.** §§1211 and 1213.

**6 DE Reg. 518 (10/01/02)**

**22 DE Reg. 63 (07/01/18)**

**2.0 Definitions**

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

**"Action Research"** means a process by which educational issues and problems are identified and researched at either the school or the classroom level. By integrating current research into these settings and engaging the relevant educators in research activities, the findings can be applied immediately to solve the targeted problems more quickly.

**"Activity Documentation Form"** means the official form approved by the Department that includes specific details about the activity to be used for License renewal and the signature of an instructional leader ~~within the Professional Learning Community, or a school, district or charter school instructional leader the applicant is responsible to whom the applicant is responsible.~~

**"Approved Mentoring Program"** means a mentoring program approved by the Department.

**"A Product Shall Be Made Available for Verification"** means that the culminating, tangible result of the Professional Development activity is accessible by the individual signing the certificate of participation or the Activity Documentation Form. Examples of a product include, but are not limited to, a Professional Learning Community protocol, standards-based assessments or curriculum, copies of a presentation or other substantial work as a result of Action Research.

**"Clock Hour Hours"** means actual time spent in Professional Development, not credit hours.

**"Cooperating Teacher or Intern Supervisor"** means an individual working with student teachers or graduate or undergraduate interns as part of a state approved educator preparation program.

**"Department"** means the Delaware Department of Education.

**"DPAS II"** means Delaware Performance Appraisal System II, an approved State educator performance evaluation system pursuant to 14 **Del.C.** Chapter 12, Subchapter VII.

**"Educational Project"** means an individual professional growth project of 15 or more Clock Hours, including a research project not related to a course for which credit is claimed, completed to enhance the individual's professional practice, with the development of a final product or report.

**"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 developed by the Standards Board, in consultation and

cooperation with the Department, 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.

**"Exigent Circumstances"** means unanticipated circumstances or circumstances beyond the educator's control, including, but not limited to, expiration of a license during the school year, serious illness of the educator or a member of his or her immediate family, activation to active military duty, and other serious emergencies which necessitate the educator's temporarily leaving active service.

**"Experienced Educator"** is an educator who holds a Continuing or Advanced License, or an educator who held a Professional Status Certificate issued prior to August 1, 2003. An educator from another jurisdiction who has completed four (4) or more years of successful teaching Teaching Experience under a full, current, and valid license may be considered an Experienced Educator.

**"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 his or her unfitness or otherwise.

**"Initial License"** means a license issued as part of the three tiered licensure system set forth in 14 **Del.C.** Ch. 12.

**"Knowledge and Skills"** means understandings and abilities that, when acquired by educators, lead to more effective instruction.

**"Leave of Absence"** means an authorized, temporary break in service of an educator for a maximum of three (3) years during the term of an Initial or Continuing License caused by the educator not actively working due to some type of leave, including, but not limited to medical leave, military leave, personal leave, sabbatical leave or Family and Medical Leave Act (FMLA) leave.

**"Mentoring"** means activities, training and service in mentoring support or assistance provided through a formally organized Department approved comprehensive induction program or such supplemental mentoring programs as required by regulation or the educator's Employing Authority. Mentoring includes, but is not limited to, the mentoring activities that occur in the approved comprehensive induction programs required for educators during their four (4) year Initial Licensure period, Continuing Licensure period, or any other mentoring program as required by law.

**"Micro-credential"** means evidence-based professional development activities that are competency-based, personalized, on-demand, and sharable. Educators must demonstrate their competence via evidence submitted and reviewed by trained evaluators.

**"NBPTS or Similar National Certification"** means a certificate from the National Board for Professional Teaching Standards, or similar body as provided in 14 **Del.C.** §1305(l), verifying completion of all requirements in an individual's job related area of the profession or, in the case of an individual seeking, but not earning, the national certificate, verification of the Clock Hours devoted to completing the requirements for the national certificate.

**"Out of the Profession"** means the period of time that an educator has not been actively working in the field of education.

**"Performance Assessment"** means an approved multiple measure assessment in the professional area of licensure to ensure that novice educators can demonstrate application of content, pedagogy skills, and reflective practice, adopted pursuant to 14 Del.C. Ch. 12 and as provided in Section 18.0 of 14 DE Admin. Code 1510 Issuance of Initial License. A performance assessment is not a multiple choice assessment and may require written commentary, submission of artifacts, and submission of a video. It is designed to identify an educator's strengths and areas of improvement to practice in order to develop effective educators in the classroom.

**"Planned Professional Development Program"** means a structured program within a building, district or charter school that has been specifically identified through a success plan. Such programs shall be designed to enhance Knowledge and Skills that promote continuous professional growth and improve student performance.

**"Presentation"** means preparation and presentation as a workshop or conference presenter or course instructor on a topic related to the individual's professional responsibilities.

**"Professional Committee, Conference, Workshop, Institute, or Academy"** means a program offered either within, or outside, the state that contributes to the participant's professional knowledge or skills in effectively conducting his/her work in education.

**"Professional Development"** means a combination of focused, in-depth learning, practice, feedback, reflection, and expert support experiences designed to change participants' attitudes, insights, and perspectives and ultimately results in improved professional practice. Effective professional development programs include

ample opportunities for knowledge acquisition, skill mastery, descriptive feedback, and refinement of practice in the work setting as per 14 **DE Admin. Code** 1598 Delaware Professional Development Standards.

**"Professional Development Activities"** means activities designed to enhance Knowledge and Skills to promote continuous professional growth and to improve educator performance.

**"Professional Learning Community (PLC)"** consists of a minimum of four (4) educators with the following attributes: supportive and shared leadership, collective creativity, shared values and vision, supportive conditions, shared personal practice, and whose focus over an extended period of time is on improving student learning with an accountability measure built into their process. An extended period of time would be considered a minimum of ten (10) consecutive weeks and a minimum accumulation of fifteen (15) Clock Hours.

**"Program"** means an activity with a cohesive educational plan of action with goals and objectives.

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

**"State"** means State of Delaware.

**"Teacher Leader"** means a teacher who teaches students and collaboratively leads colleagues to improve their practice. A Teacher Leader works with other teachers and with school, district, and State leaders to advance goals connected to improving student outcomes; has clearly defined roles, responsibilities, and key competencies for success; and has demonstrated effectiveness with students and mastery of key teacher leadership competencies.

**"Teaching Experience"** means meeting students on a regularly scheduled basis, planning and delivering instruction, developing or preparing instructional materials, and evaluating student performance under a State credential in any PreK to 12 public school setting or as approved by the Department.

6 DE Reg. 518 (10/01/02)

7 DE Reg. 197 (08/01/03)

10 DE Reg. 97 (07/01/06)

13 DE Reg. 1084 (02/01/10)

14 DE Reg. 295 (10/01/10)

22 DE Reg. 63 (07/01/18)

### 3.0 Issuance of the Original Continuing License

- 3.1 In accordance with 14 **Del.C.** §1211, the Department shall issue, upon application, a Continuing License to a qualified educator who has successfully completed the requirements of initial licensure as set forth in 14 **Del.C.** §1210, including obtaining a passing score on a Performance Assessment, and has not received more than one (1) unsatisfactory annual evaluation, as defined by DPAS II or a state-approved alternative educator evaluation system, during the period of initial licensure.
- 3.2 An applicant for a Continuing License shall submit a complete application on the Department approved application form to the Department. Verification by the school district or charter school of satisfactory DPAS II annual summative evaluations or the equivalent thereof on a state-approved alternative educator evaluation system for the period of initial licensure shall be submitted with an initial application for a Continuing License.
- 3.3 An applicant with more than one (1) unsatisfactory DPAS II annual summative evaluation or the equivalent thereof on a state-approved alternative educator evaluation system during the period of initial licensure is ineligible to be issued a Continuing License.
- 3.4 Incomplete applications shall not be processed. The applicant shall provide evidence that all requirements have been successfully met.
  - 3.4.1 The Department shall send notice of the incomplete application. The applicant shall be responsible for maintaining current contact information with the Department.
  - 3.4.2 Notification of an incomplete application shall also be sent to the applicant's Employing Authority.
- 3.5 Applicants from Another Jurisdiction
  - 3.5.1 The Department may issue a Continuing License to a qualified applicant currently licensed as an educator in another jurisdiction who provides evidence of having completed four (4) or more years of successful Teaching Experience with the following conditions:
    - 3.5.1.1 The educator may demonstrate four (4) years of successful Teaching Experience by submitting documentation to the Department or Employing Authority of a minimum of four (4) years of Teaching Experience and of having received at least two (2) satisfactory evaluations from the other jurisdiction that the Department or Employing Authority finds are the equivalent of the two (2) satisfactory summative evaluations required of a Delaware educator.
    - 3.5.1.2 If the educator has been Out of the Profession for more than four (4) years, the educator must meet the following as a condition of maintaining the original Continuing License:

3.5.1.2.1 The educator shall, within the first year of employment, successfully complete an Approved Mentoring Program which focuses on current best practices in curriculum, instruction and assessment and aligned to state and national standards.

3.5.1.2.1.1 Failure to successfully complete the Approved Mentoring Program shall result in the suspension of the License. If the Continuing License expires during the term of the suspension, the educator must apply for an Initial License and meet the requirements in effect at the time of the application.

3.5.1.2.1.2 Upon request by the applicant and Employing Authority, the Department may extend the time to complete the Approved Mentoring Program for a period of up to one (1) year upon a showing of Exigent Circumstances.

3.5.1.3 The educator shall be entitled to notice and the right to a hearing as provided within Section 12.0.

3.5.2 The Department may not issue a Continuing License to an applicant whose license as an educator from another jurisdiction has expired.

3.5.2.1 Experienced Educators from another jurisdiction with an expired license shall apply for an Initial License and meet the requirements for an Initial License in effect at the time of the application.

3.6 A Continuing License is valid for five (5) years unless extended pursuant to 14 Del.C. §1216 or revoked or suspended for cause, as defined in 14 Del.C. §1218, or suspended for failure to meet the other conditions of maintaining a License.

3.7 The Department shall not act on an application for licensure if the applicant is under official investigation by any state or local authority with the power to issue educator licenses or certifications, 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.

3.7.1 The Department shall send notice of the inability to process the application.

3.7.2 The applicant shall be responsible for maintaining current contact information with the Department.

**6 DE Reg. 518 (10/01/02)**

**7 DE Reg. 197 (08/01/03)**

**7 DE Reg. 1350 (04/01/04)**

**10 DE Reg. 97 (07/01/06)**

**13 DE Reg. 1084 (02/01/10)**

**14 DE Reg. 295 (10/01/10)**

**22 DE Reg. 63 (07/01/18)**

#### **4.0 Educators with Expired Delaware Licenses applying for their Original Continuing License**

4.1 Delaware Certificates issued prior to July 2, 2001

4.1.1 In accordance with 14 Del.C. §1215, the Department shall issue an original Continuing License to a qualified educator who holds a Delaware certificate issued by an education certifying board prior to July 13, 1971 or who previously held a valid Delaware Standard or Professional Status certificate that has expired.

4.1.1.1 As a condition of maintaining the original Continuing License, the educator shall successfully complete one (1) year of an Approved Mentoring Program required of educators on an Initial License within their first year of employment.

4.1.1.1.1 Upon request by the applicant and Employing Authority, the Department may extend the time to complete the Approved Mentoring Program for a period of up to one (1) year upon a showing of Exigent Circumstances.

4.1.1.1.2 Failure to successfully complete the Approved Mentoring Program ~~program~~ shall result in the suspension of the License. If the Continuing License expires during the term of the suspension, the educator must apply for an Initial License and meet the requirements in effect at the time of the application.

4.1.1.2 The educator shall be entitled to notice and the right to a hearing as provided in Section 11.0.

4.2 Application Procedures and Requirements

4.2.1 The educator shall make application to the Department on a Department approved form and provide evidence of previous Delaware certification.

4.2.2 The educator shall provide evidence that all other requirements have been successfully met.

4.2.3 Incomplete applications shall not be processed.

4.2.3.1 The Department shall send notice of the incomplete application. The applicant shall be responsible for maintaining current contact information with the Department.

4.2.3.2 Notification of an incomplete application shall also be sent to the applicant's Employing Authority.

- 4.3 A Continuing License is valid for five (5) years unless extended pursuant to 14 **Del.C.** §1216 or revoked or suspended for cause, as defined in 14 **Del.C.** §1218, or suspended for failure to meet the other conditions of maintaining a License.

**6 DE Reg. 518 (10/01/02)**

**7 DE Reg. 197 (08/01/03)**

**10 DE Reg. 97 (07/01/06)**

**13 DE Reg. 1084 (02/01/10)**

**14 DE Reg. 295 (10/01/10)**

**22 DE Reg. 63 (07/01/18)**

## **5.0 Renewal of a Continuing License**

- 5.1 In accordance with 14 **Del.C.** §1212, the Department shall renew a Continuing License, valid for an additional five (5) years, to a qualified educator who has fulfilled the ninety (90) Clock Hour requirement for Professional Development and other requirements of this regulation. At least one half of the required hours [forty-five (45) hours every five (5) years] for educators shall be in activities that relate to the educator's work with students or staff. Satisfactory evidence of such completion, as set forth in Section 13.0, shall be submitted to the Department with the application for renewal. The ninety (90) Clock Hours of Professional Development shall have taken place during the term of the Continuing License.

### **5.2 Renewal of Expired Delaware Continuing License**

- 5.2.1 The Department may issue a Continuing License to a qualified educator who previously held a Delaware Continuing License that expired not more than five years before the renewal application, with the following conditions:

5.2.1.1 Prior to renewal of the License, the educator shall provide to the Department evidence of successfully completing ninety (90) Clock Hours of Professional Development during the five (5) years preceding application, pursuant to Section 7.0.

5.2.1.2 If the educator has been Out of the Profession for less than three (3) years since the expiration of the Continuing License, the educator shall, within the first year of employment, successfully complete an Approved Mentoring Program which focuses on current best practices in curriculum, instruction and assessment and aligned to state and national standards

5.2.1.2.1 Failure to successfully complete the Approved Mentoring Program shall result in the suspension of the License.

5.2.1.3 If the educator has been Out of the Profession for more than three (3) years since the expiration of the Continuing License, the educator shall, within the first year of employment, successfully complete a year of an Approved Mentoring Program required of educators on an Initial License.

5.2.1.3.1 Failure to successfully complete the Approved Mentoring Program shall result in the suspension of the License.

5.2.1.4 A Continuing License is valid for five (5) years unless extended pursuant to 14 **Del.C.** §1216 or revoked or suspended for cause, as defined in 14 **Del.C.** §1218 or suspended for failure to meet the other conditions of maintaining a License.

- 5.2.2 The Department may not reissue a Continuing License to an educator who previously held a valid Continuing License which expired more than five (5) years prior to application for renewal.

5.2.2.1 The educator shall apply for an Initial License and meet the requirements in effect at the time of the application.

### **5.3 Professional Development Options for Relicensure are listed in Section 13.0.**

### **5.4 Documentation of Clock Hours for Relicensure**

- 5.4.1 For renewal of the Continuing License, educators may complete and document Clock Hours for the variety of activities described under relicensure options. When college or university courses are used to fulfill the requirements, the following equivalencies shall be used: one (1) semester hour equals fifteen (15) Clock Hours, one (1) quarter hour equals ten (10) Clock Hours, one (1) Continuing Education Unit (CEU) equals ten (10) Clock Hours. To be documented for Clock Hours, activities shall meet the criteria set forth in the regulations and shall be appropriately verified and applied for. Professional Development activities that are part of a DPAS II assistance or improvement plan or the equivalent thereof on a state-approved alternative educator evaluation system may be used to satisfy this requirement. Individuals, schools or school districts, or other agencies organizing or conducting Professional Development activities which may be used for fulfilling the requirements for renewal of a license are responsible for providing documentation of participation to all participants. ~~Each educator is responsible for obtaining any necessary approvals, as set~~

~~forth in Section 13.0, from his or her employer before participating in a Professional Development activity.~~  
An employer may not impose additional activity requirements on the award of Clock Hours towards renewal of a Continuing License.

5.4.2 Criteria for determining if activities are acceptable for Clock Hour credit for an educator include the following:

- 5.4.2.1 The activity enhances the Knowledge and Skills in the educator's job or contributes to his/her school or profession.
- 5.4.2.2 The activity meets one of the relicensure options.
- 5.4.2.3 The activity addresses one of the standards for the educator's area of the profession.
- 5.4.2.4 The activity is completed during the term of the educator's current Continuing License.
- 5.4.2.5 The activity addresses specific Professional Educator Standards.
- 5.4.2.6 Participation in, or completion of, the activity can be documented.

5.5 The Relicensure Application, Activity Documentation Form, and, where required, original or official documents shall be used to verify activities for renewal of a Continuing License. Official transcripts or original grade slips are required documentation for successful completion of college courses.

5.6 For applicants who change positions (grade levels, content areas, areas of supervisory responsibility, etc.) during the five (5) year term of a Continuing License, Clock Hours documented shall have been appropriate to the educator's position at the time the Clock Hours were completed.

5.7 The Department shall have the responsibility to verify Clock Hours for applicants that are not currently employed by a Delaware Employing Authority or those employed in another jurisdiction and wish to renew their Continuing License. The Department may require that the applicant submit verifying documentation.

**6 DE Reg. 518 (10/01/02)**

**7 DE Reg. 197 (08/01/03)**

**7 DE Reg. 1350 (04/01/04)**

**10 DE Reg. 97 (07/01/06)**

**13 DE Reg. 1084 (02/01/10)**

**14 DE Reg. 295 (10/01/10)**

**22 DE Reg. 63 (07/01/18)**

## **6.0 Required Professional Development**

To obtain renewal of a Continuing License, educators are required to participate in Professional Development activities totaling a minimum of ninety (90) Clock Hours every five (5) years and any other Professional Development or Mentoring requirements required. The ninety (90) Clock Hours shall be completed during the five (5) year term of the license. All activities shall relate to the 14 **DE Admin. Code** 1597 Delaware Professional Teaching Standards, 14 **DE Admin. Code** 1590 Delaware Administrator Standards, or appropriate specialty organization standards.

**6 DE Reg. 518 (10/01/02)**

**7 DE Reg. 197 (08/01/03)**

**10 DE Reg. 97 (07/01/06)**

**13 DE Reg. 1084 (02/01/10)**

**22 DE Reg. 63 (07/01/18)**

## **7.0 Professional Development Options for Renewal of a Continuing License**

Candidates for renewal of a Continuing License may select from a variety of Professional Development options, as set forth in the relicensure options approved by the Standards Board, set forth in Section 13.0. The activities selected must be beyond the normal or specified requirements of the position. Professional development activities which fulfill the criteria for relicensure for which educators receive compensation may be submitted in fulfillment of the ninety (90) Clock Hour requirement for relicensure.

**6 DE Reg. 518 (10/01/02)**

**7 DE Reg. 197 (08/01/03)**

**10 DE Reg. 97 (07/01/06)**

**13 DE Reg. 1084 (02/01/10)**

**22 DE Reg. 63 (07/01/18)**

## **8.0 Extension of Continuing License for Exigent Circumstances**

8.1 The Department may extend a Continuing License for a period not to exceed one (1) year, upon the license holder's showing of Exigent Circumstances warranting the necessity of such extension.

- 8.1.1 A license holder whose Continuing License expires during the school year may have the Continuing License extended until the last day of the fiscal year upon a request from the district superintendent or charter school administrator. This extension shall be considered an Exigent Circumstance and shall not exceed one (1) year in length.
- 8.1.2 An educator shall establish Exigent Circumstances to the satisfaction of the Department by showing circumstances in a written request to the Department with any necessary documentation.
- 8.1.3 Notwithstanding any extension, the effective date of any renewed License shall be the original expiration date.

**6 DE Reg. 518 (10/01/02)**

**10 DE Reg. 97 (07/01/06)**

**13 DE Reg. 1084 (02/01/10)**

**22 DE Reg. 63 (07/01/18)**

## **9.0 Leave of Absence**

- 9.1 At the discretion of the hiring district or charter school, an educator may take a Leave of Absence of up to three years. The date of expiration of the Continuing License will be extended commensurate with the length of the Leave of Absence.
- 9.2 The Department may require that the educator provide documentation sufficient to establish the Leave of Absence.
- 9.3 An educator's Continuing License shall not be automatically extended under this section and the burden is on the educator to submit an extension request with sufficient documentation to the Department and to establish the authorized Leave of Absence.

**6 DE Reg. 518 (10/01/02)**

**13 DE Reg. 1084 (02/01/10)**

**22 DE Reg. 63 (07/01/18)**

## **10.0 Criminal Conviction History and Investigation of Misconduct**

- 10.1 An applicant shall disclose his or her criminal conviction history upon application for a Continuing License, or within ninety (90) days prior to the expiration of a Continuing License if the applicant requests the renewal of his or her Continuing License, or upon application of renewal of an expired Continuing License. Failure to disclose a criminal conviction history is grounds for denial or revocation of a Continuing License as specified in 14 Del.C. §1219.
- 10.2 The Department shall not act on an application for licensure if the applicant is under official investigation by any state or local authority with the power to issue educator licenses or certifications, 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.
  - 10.2.1 The Department shall send notice of the inability to process the application.
  - 10.2.2 The applicant shall be responsible for maintaining current contact information with the Department.

**6 DE Reg. 518 (10/01/02)**

**13 DE Reg. 1084 (02/01/10)**

**22 DE Reg. 63 (07/01/18)**

## **11.0 Suspension of a Continuing License For Failure To Meet Conditions of Issuance**

- 11.1 Failure of an educator to meet the requirements of the Continuing License after issuance shall result in the suspension of the educator's Continuing License.
- 11.2 Notice of Action
  - 11.2.1 The Secretary of Education or his or her designee, shall not take action against a person to suspend their Continuing License without providing the person with written notice of the suspension and the reasons therefore and with an opportunity for a full and fair hearing before the Standards Board.
  - 11.2.2 Notice shall be sent to the person's last known address. Notice shall be sent by certified mail, with return receipt requested. A copy of the notice may also be sent electronically.
  - 11.2.3 The license holder shall have thirty (30) calendar days from the date the notice of the suspension was mailed to make a written request for a hearing.
  - 11.2.4 If no written request for a hearing is received by the Standards Board within thirty (30) calendar days from the date the notification was mailed, the license holder's license shall be deemed to be suspended and the holder shall be so notified.



11.2.5 Notice of the suspension shall be made by the Secretary, or his or her designee, to the educator's employer.

11.2.6 All communications between a license holder and the Department or Standards Board provided for in this Section shall be by certified mail, with a return receipt requested. Additional notice may also be sent electronically.

### 11.3 Standards Board Hearings and Procedures

11.3.1 In any hearing before the Standards Board to challenge action taken under this regulation, the Standards Board shall have the power to administer oaths, order the taking of depositions, issue subpoenas and compel attendance of witnesses and the production of books, accounts, papers, records, documents and testimony.

11.3.2 Unless otherwise provided for in this Section, the burden of proof in a license suspension action shall be on the agency taking official action to establish by preponderance of the evidence that the license holder has failed to comply with the applicable laws and regulations relating to the retention of the license.

11.3.3 Hearings shall be conducted in accordance with 14 **DE Admin. Code** 1515 Hearing Procedures and Rules.

**6 DE Reg. 518 (10/01/02)**

**7 DE Reg. 197 (08/01/03)**

**10 DE Reg. 97 (07/01/06)**

**13 DE Reg. 1084 (02/01/10)**

**22 DE Reg. 63 (07/01/18)**

## 12.0 Secretary of Education Review

12.1 The Secretary of Education may, ~~upon~~ at the written request of ~~the superintendent of a public school district or charter school administrator school,~~ review licensure credentials on an individual basis and grant a Continuing License to an applicant who otherwise does not meet the requirements for a Continuing License, but whose effectiveness is documented by the ~~public school district or charter school administrator.~~

12.1.1 For school districts, requests shall be ~~[submitted]~~ **approved** by the superintendent of the school district.

12.1.2 For charter schools, requests concerning the head of school of the charter school shall be ~~[submitted]~~ **approved** by the charter school's board of directors and requests concerning all other educators shall be ~~[submitted]~~ **approved** by the charter school's head of school.

**7 DE Reg. 197 (08/01/03)**

**10 DE Reg. 97 (07/01/06)**

**13 DE Reg. 1084 (02/01/10)**

**22 DE Reg. 63 (07/01/18)**

## 13.0 Continuing License Options for Relicensure

Each educator is responsible for obtaining approval from his or her employer before participating in a Professional Development activity.

OPTION	HOUR VALUE	CRITERIA	VERIFICATION
Action Research or other Educational Project	Verified Clock Hours completing Action Research or other Educational Project. Maximum of 30 Clock Hours.	The verified Clock Hours shall be accrued during the Action Research or other Educational Project. The documented goal for the participant(s) shall be a product and a new set of educator Knowledge and Skills. These shall complement the school, district, or charter school's success plan or State's initiative and shall be focused on student learning. A Product Shall Be Made Available for Verification. If an educator does not complete NBPTS or Similar National Certification, the educator may use the verified Clock Hours as an other Educational Project.	A certificate of participation or the completed Activity Documentation Form as well as the final product which documents the goals and results of the Action Research or other Educational Project shall be presented to the Department.

Certification required to retain a State professional license	Verified Clock Hours involved in recertification activities.	The certification to maintain a State professional license as required in the applicable regulation.	A certificate of attendance and the original certificate of completion for Continuing Education Units (CEUs) shall be presented to the Department.
College Course	Clock Hours may be accrued where 1 semester hour equals 15 hours and 1 quarter semester hour or Continuing Education Unit (CEU) equals 10 hours.	The course shall be completed within a matriculated Masters program, Doctoral program or a graduate level course of study at or through a regionally accredited college or university or other Department-approved provider. The course may also be an undergraduate course as seen by the educator as necessary to acquire new Knowledge and Skills related to the educator's position. The course shall be taken at a regionally accredited college or university for credit. The educator shall attain a grade of "B" or better (or a "P" in Pass / Fail course).	Official transcripts, original grade slips or an original certificate of completion for Continuing Education Units (CEUs) shall be presented to the Department.
Cooperating Teacher or Intern Supervisor	Verified Clock Hours involved in support of student teacher or intern. Maximum of 45 Clock Hours over the course of 5 years.	The supervision shall be of a student intern or of a student teacher participating in a state-approved educator preparation program.	The Activity Documentation Form shall be completed by the student's institution of higher education and presented to the Department.
Curriculum and/or Assessment Development	Verified Clock Hours of service. Minimum of 3 Clock Hours. Maximum of 30 Clock Hours over the course of 5 years.	The documented goal is a curricular component and/or an encompassing assessment. A Product Shall Be Made Available for Verification.	A certificate of participation or the completed Activity Documentation Form as well as the final product shall be presented to the Department.
Mentoring	Verified Clock Hours involved in Mentoring activities. Maximum of 45 Clock Hours over the course of 5 years.	The documented interactions between the mentor and mentee(s) during the initial (or subsequent refresher) training sessions or during the actual Mentoring of a novice educator.	The completed <i>Mentor Log</i> or Activity Documentation Form shall be presented to the Department.
<u>Micro-credential</u>	<u>Verified Clock Hours of completed Micro-credentials. Maximum of 30 Clock Hours over the course of 5 years.</u>	<u>Verified hours for successfully completing, preparing, and submitting evidence based on evaluation criteria.</u>	<u>Credentialing documentation completed and approved by the Micro-credential evaluator.</u>
NBPTS Certification or Similar National Certification	45 Clock Hours for attaining national certification.	Holds a certificate issued by NBPTS or a similar body as provided in 14 <b>Del.C.</b> §1305(I) that is related to the individual's work or assignment. NBPTS Certification or Similar National Certification shall be completed and verified by the expiration date of the educator's Continuing License.	The completed Activity Documentation Form and a copy of the certificate issued by NBPTS or a similar body shall be presented to the Department.

Planned Professional Development Program	Verified Clock Hours of service or experience.	The Planned Professional Development Program shall focus on the school, district or charter school's success plan which may be targeting curriculum, instruction, assessment, school climate, or other identified need or shall be related to the educator's work with students or staff.	A certificate of participation or a completed Activity Documentation Form shall be presented to the Department.
Presentation	Verified Clock Hours of presentation and preparation. The ratio of preparation to presentation is 3:1. Each presentation topic may be submitted one time. Maximum of 15 Clock Hours.	The Presentation shall contribute to the education profession or add to the body of knowledge in the educator's specific field. The Presentation shall be made at a local, state, regional or national conference.	The completed Activity Documentation Form and conference agenda listing the Presentation shall be presented to the Department.
Professional Committee, Conference, Workshop, Institute or Academy	Verified Clock Hours of service or experience.	The educator may include time spent in those portions of the Professional Committee, Conference, Workshop, Institute or Academy that contribute to the educator's Knowledge and Skills, competence, performance or effectiveness in education that are directly connected to the school, district or charter school's success plan or State initiative. This option includes workshops offered by districts or other employing authorities either as part of a professional development day or during after school hours. Examples of expected student or educator outcomes are anticipated.	The completed Activity Documentation Form and the original certificate of attendance or completion or a letter from the Professional Committee, Conference, Workshop, Institute or Academy staff shall be presented to the Department.
Professional Learning Community (PLC)	Verified Clock Hours of participation. Maximum of 15 hours.	The educator shall be a contributing member of a formal or informal Professional Learning Community whose documented goal for participants is a product or new set of Knowledge and Skills which are focused on student learning.	A certificate of participation or the completed Activity Documentation Form shall be presented to the Department.
Skilled and Technical Sciences specific career area program certification or Career and Technical program certification	Verified Clock Hours involved in certification activities.	Skilled and Technical Sciences or Certified Career and Technical Education teachers may use hours they have accrued in acquiring the specific Knowledge and Skills necessary for their program or specific career area program approval.	A valid copy of the certificate attesting to the successful completion of the activity required for the Career and Technical Skilled and Technical Sciences specific career area program certification shall be presented to the Department.

Teacher Leader Professional Development	Verified Clock Hours of service or experience.	The hours shall be accrued during a Teacher Leader Professional Development activity that contributes to the educator's Knowledge and Skills, competence, performance or effectiveness in teacher leadership that directly impact the productiveness of the school.	The original certificate of attendance or completion and the completed Activity Documentation Form with examples of expected outcomes shall be presented to the Department.
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**6 DE Reg. 518 (10/01/02)**

**7 DE Reg. 197 (08/01/03)**

**7 DE Reg. 1350 (04/01/04)**

**10 DE Reg. 97 (07/01/06)**

**13 DE Reg. 1084 (02/01/10)**

**13 DE Reg. 1267 (04/01/10)**

**14 DE Reg. 295 (10/01/10)**

**22 DE Reg. 63 (07/01/18)**

**23 DE Reg. 40 (07/01/19) (Final)**