

DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Section 122(b) (14 Del.C. §122(b))

PROPOSED

PUBLIC NOTICE

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

286 Application Fee For Educator Licensure

A. Type of Regulatory Action Required

New Regulation

B. Synopsis of Subject Matter of the Regulation

The Acting Secretary of Education seeks the consent of the State Board of Education to create 14 DE Admin. Code 286 Application Fee For Educator Licensure. This regulation is being created pursuant to House Bill 146 of the 148th General Assembly, codified at 14 Del. Code §122(b)(27) and to comply with 14 Del. Code §122 related to educator licensure. This bill establishes a one-time non-refundable fee of \$100 for educators seeking new licenses in Delaware.

Persons wishing to present their views regarding this matter may do so in writing by the close of business on or before December 7, 2015 to Tina Shockley, Education Associate, Department of Education, Regulatory Review, at 401 Federal Street, Suite 2, Dover, Delaware 19901. A copy of this regulation may be viewed online at the *Register of Regulations* website, http://regulations.delaware.gov/services/current_issue.shtml, or obtained at the Department of Education, Finance Office located at the address listed above.

C. Impact Criteria

1. Will the new regulation help improve student achievement as measured against state achievement standards? The new regulation intends to ultimately improve student achievement as measured against state achievement standards by helping to ensure that qualified educators are properly licensed in Delaware.

2. Will the new regulation help ensure that all students receive an equitable education? The new regulation is intended to continue to help ensure all students receive an equitable education.

3. Will the new regulation help to ensure that all students' health and safety are adequately protected? The new regulation does not address students' health and safety.

4. Will the new regulation help to ensure that all students' legal rights are respected? The new regulation continues to help ensure that all student's legal rights are respected.

5. Will the new regulation preserve the necessary authority and flexibility of decision making at the local board and school level? The new regulation does not change the decision making at the local board and school level.

6. Will the new regulation place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels? The new 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 new regulation.

8. Will the new 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 new regulation 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 cost to the local education agencies.

286 Application Fee For Educator Licensure

1.0 Purpose

The purpose of this regulation is to comply with 14 Del.C. §122(b)(27) related to educator licensure. This regulation sets forth the rules and guidelines related to fees for educator licensure. Specifically, the Department of Education will

implement a one-time, non-refundable fee of not more than \$100 for an educator's application in Delaware. This application may be for an Initial, Continuing or Advanced License.

2.0 Definitions

"Advanced License" means a license issued as part of the three tiered licensure system set forth in 14 Del.C. Ch. 12, subchapter II.

"Continuing License" means a license issued as part of the three tiered licensure system set forth in and 14 Del.C. Ch. 12, subchapter II.

"Department" means the Delaware Department of Education.

"Educator Licensure Application Fee" means the one-time, non-refundable fee of not more than \$100 an individual pays for a first educator license in Delaware.

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

3.0 Application Process

3.1 Effective the later of January 15, 2016 or upon activation of the online payment option within the electronic licensure and certification system, applicants seeking an educator licensure in Delaware shall:

3.1.1 Establish an online account in the electronic licensure and certification system in Delaware;

3.1.2 Submit official documents to the Department to support their application;

3.1.3 Pay a one-time, non-refundable \$100 application fee via debit or credit card through the electronic licensure and certification system when applying for an Initial, Continuing, or Advanced License; and

3.1.4 Meet all statutory and regulatory requirements.

3.2 An application will not be processed until all conditions of 3.1 are met.

3.3 Upon online payment and submission of the application for educator licensure, the application will be reviewed and processed by the Department.

3.4 Submission of an online fee and application does not entitle the applicant to the requested license.

4.0 Exemptions From Application Fee

4.1 Any person who submits an application for their first license in Delaware prior to January 15, 2016 shall be exempt from the application fee.

4.2 Any person who is already licensed and certified to teach in Delaware prior to January 15, 2016 shall be exempt from the application fee.

5.0 Fee Payment and Collection

5.1 No installment or partial payments of the fee will be accepted. Only full payment of the fee, to be made as part of the online electronic application, is permitted.

5.2 No appeals, exceptions, or waivers shall be granted for the fee.

5.3 All fees collected pursuant to this regulation shall be deposited in the General Fund.

19 DE Reg. 358 (11/01/15) (Prop.)