

**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** 1562

**FINAL**

**REGULATORY IMPLEMENTING ORDER**

**1562 Teacher of English Learners**

**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** 1562 Teacher of English Learners. The regulation concerns the requirements for a Standard Certificate for Teacher of English Learners. The proposed changes include striking the non-regulatory note; adding subsection 4.1.3 to specify the required examination of content knowledge and passing score for a Standard Certificate for Teacher of English Learners; and striking Section 6.0 as the effective date referenced therein (January 1, 2017) applied to amendments that were published in 2016.

Notice of the proposed regulation was published in the *Register of Regulations* on August 1, 2017 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 August 31, 2017. The Professional Standards Board did not receive written comments.

On September 7, 2017, the Professional Standards Board voted to propose for adoption by the Department of Education 14 **DE Admin. Code** 1562 Teacher of English Learners in the form attached hereto as Exhibit "A" subject to the State Board of Education's approval.

**II. Findings of Fact**

The Professional Standards Board found that it is appropriate to amend 14 **DE Admin. Code** 1562 Teacher of English Learners to strike the non-regulatory note; add subsection 4.1.3 to specify the required examination of content knowledge and passing score for a Standard Certificate for Teacher of English Learners; and strike Section 6.0 as the effective date referenced therein (January 1, 2017) applied to amendments that were published in 2016.

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.

**III. Decision to Amend the Regulation**

For the foregoing reasons, the Professional Standards Board concluded that it is appropriate to amend 14 **DE Admin. Code** 1562 Teacher of English Learners.

Pursuant to 14 **Del.C.** §§1203 & 1205(b), the regulation attached hereto as Exhibit "A" is hereby approved.

**IV. Text and Citation**

The text of 14 **DE Admin. Code** 1562 Teacher of English Learners amended shall be in the form attached hereto as Exhibit "A" and said regulation shall be cited as 14 **DE Admin. Code** 1562 Teacher of English Learners in the *Administrative Code*.

**V. Effective Date of Order**

The actions hereinabove referred to were taken by the Professional Standards Board on September 7, 2017 and by the State Board of Education on September 19, 2017 pursuant to 14 **Del.C.** §§1203 & 1205(b). The effective date of the State Board of Education's Order will be ten (10) days from the date the Order is published in its final form in the *Register of Regulations*.

**IT IS SO ORDERED** the 19<sup>th</sup> day of September, 2017.

**Department of Education**

Susan Bunting, Ed.D., Secretary of Education

**Approved this 19<sup>th</sup> day of September, 2017 by the State Board of Education**

Dennis L. Loftus, Ed.D., President  
Nina Lou Bunting, Vice President  
Gregory B. Coverdale, Jr. (absent)  
G. Patrick Heffernan

Liane M. Sorenson  
Barbara B. Rutt  
Terry M. Whittaker, Ed.D.

**1562 Teacher of English Learners**

~~Non-regulatory note: Passage on an examination of content knowledge may also be required to obtain this certification. Pursuant to 14 **Del.C.** §1220 and 14 **DE Admin. Code** 1505, an examination of content knowledge is required when applicable and available. An examination of content knowledge is applicable and available when it is required by the Professional Standards Board, in consultation with the Department, and with the approval of the State Board of Education. See the Department of Education's website for additional information.~~

**1.0 Content**

- 1.1 This regulation shall apply to the issuance of a Standard Certificate, pursuant to 14 **Del.C.** §1220(a), for Teacher of English Learners. This certification is required for grades K to 12.
- 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.

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

**12 DE Reg. 341 (09/01/08)**

**20 DE Reg. 366 (11/01/16)**

**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 word and term, when used in this regulation, shall have the following meaning unless the context clearly indicates otherwise:  
"Passing score" means a minimum score as established by the Professional Standards Board, in consultation with the Department and with the approval of the State Board of Education.

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

**10 DE Reg. 995 (12/01/06)**

**12 DE Reg. 341 (09/01/08)**

**20 DE Reg. 366 (11/01/16)**

**3.0 Standard Certificate**

- 3.1 In accordance with 14 **Del.C.** §1220(a), the Department shall issue a Standard Certificate as Teacher of English Learners 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.

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

**10 DE Reg. 995 (12/01/06)**

**12 DE Reg. 341 (09/01/08)**

**20 DE Reg. 366 (11/01/16)**

**4.0 Additional Requirements**

- 4.1 An educator shall also have satisfied each of the following requirements:
  - 4.1.1 Demonstrated oral and written proficiency in English by either:

- 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; 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 the ACTFL Oral Proficiency Interview (OPI) in English and the ACTFL Writing Proficiency Test (WPT) in English; and
- 4.1.2 Completion of either:
  - 4.1.2.1 A bachelor's, master's, or doctoral degree from a regionally accredited college or university with a major or its equivalent in Teaching English Learners 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 a state approval body employed the appropriate standards; or
  - 4.1.2.2 A minimum of fifteen (15) credits or the equivalent thereof in professional development as approved by the Department in the following content areas:
    - 4.1.2.2.1 Methods of Teaching English as a Second Language (3 credits);
    - 4.1.2.2.2 Second Language Acquisition (3 credits);
    - 4.1.2.2.3 Teaching Literacy for English Learners (3 credits);
    - 4.1.2.2.4 Second Language Testing (3 credits); and
    - 4.1.2.2.5 Structure of the English Language (3 credits).
- 4.1.3 Achieved on the *Praxis* Subject Assessment - English to Speakers of Other Languages (ETS Test # 5362) a passing score of 149.

**20 DE Reg. 366 (11/01/16)**

## **5.0 Past Certification Recognized**

The Department shall recognize a Standard Certificate English to Speakers of Other Languages (ESOL) 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 Teacher of English Learners.

**20 DE Reg. 366 (11/01/16)**

## **6.0 Effective Date**

~~This regulation shall be effective on January 1, 2017.~~

**5 DE Reg. 1904 (04/01/02)**

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

**10 DE Reg. 995 (12/01/06)**

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

**12 DE Reg. 341 (09/01/08)**

**20 DE Reg. 366 (11/01/16)**

**21 DE Reg. 332 (10/01/17) (Final)**