

**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** 1563

PROPOSED

PUBLIC NOTICE

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

1563 Music Teacher

A. TYPE OF REGULATORY ACTION REQUESTED

Amendment to Existing Regulation

B. SYNOPSIS OF SUBJECT MATTER OF REGULATION

The Professional Standards Board ("Board"), acting in consultation and cooperation with the Delaware Department of Education ("Department"), developed amendments to 14 **DE Admin. Code** 1563 Music Teacher. The regulation concerns the requirements for a Standard Certificate for Music Teacher pursuant to 14 **Del.C.** §1220. On May 1, 2019, proposed amendments to the regulation were published. The proposed amendments included adding defined terms to Section 2.0; clarifying the requirements for issuing a standard certificate in Section 3.0; specifying the education, knowledge, and skill requirements for obtaining a first and second or subsequent standard certificate in Section 4.0; specifying the application requirements in Section 5.0; adding Sections 6.0 and 7.0, which concern validity and revocation of a standard certificate; and adding Section 8.0, which concerns requests for the Secretary of Education to review standard certificate applications. The Board received a written submittal from the Delaware Association of School Personnel Administrators ("DASPA") concerning the proposed amendments. On August 1, 2019, the Board voted to add Section 9.0, which concerns recognizing past certification and is unrelated to DASPA's written submittal. The Board's Chairperson determined such change is substantive under 29 **Del.C.** §10118(c). Therefore, the Board repropose amendments to 14 **DE Admin. Code** 1563. The proposed amendments in this regulation include the amendments that were initially published on May 1, 2019 and the addition of Section 9.0.

Persons wishing to present their views regarding this matter may do so in writing by the close of business on or before October 2, 2019 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 amended regulation will help to improve student achievement as measured against state achievement standards.
2. Will the amended regulation help ensure that all students receive an equitable education? The amended regulation will help ensure that all students 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, not students' health and safety.
4. Will the amended regulation help to ensure that all students' legal rights are respected? The amended regulation addresses a standard certificate for educators, not students' legal rights.
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.
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.
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 adopted regulation? There is no expected cost to the state and to the local school boards of complying with this amended regulation.

1563 Music Teacher

~~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 approved by the Professional Standards Board with the concurrence of the State Board of Education. See the Department of Education website for additional information.~~

19 DE Reg. 501 (12/01/15)

1.0 Content

4.1 This regulation shall apply to the issuance of a Standard Certificate, pursuant to 14 Del.C. §1220(a), for Music Teacher. This ~~certification~~ Certification is required for grades K to 12.

4.2 ~~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)

10 DE Reg. 100 (07/01/06)

13 DE Reg. 1305 (04/01/10)

2.0 Definitions

~~The definitions set forth in 14 DE Admin. Code 1505 Standard Certificate, including any subsequent amendment or revision thereto, are incorporated herein by reference.~~

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

“**Certification**” means the issuance of a Standard Certificate, which may occur regardless of a recipient’s assignment or employment status.

“**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.

“**Fifteen (15) Credits or the Equivalent in Professional Development**” means college credits or an equivalent number of hours with one (1) credit equating to fifteen (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. College credit means undergraduate or graduate level coursework and continuing education units (CEUs) completed at or through a Regionally Accredited college or university or other Department-approved provider.

“**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.

“**Major or Its Equivalent**” means a minimum of thirty (30) semester hours of coursework in a particular content area.

“**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.

“**Professional Development**” means a combination of focused, in-depth learning, practice, feedback, reflection, and expert support experiences designed to change participants’ attitudes, insights, and/or

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.

“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 from Another State” means a current full or permanent certificate or license issued by another state. This means the educator is fully credentialed by having met all of the requirements for full licensure or certification in another state. It does not include temporary, emergency, conditional certificates of eligibility or expired certificates or licenses issued from another state.

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

10 DE Reg. 100 (07/01/06)

13 DE Reg. 1305 (04/01/10)

3.0 Issuance of a Standard Certificate

3.1 In accordance with 14 Del.C. §1220(a), the Department shall issue a Standard Certificate ~~as a~~ for Music Teacher to an ~~educator~~ Educator who ~~has met the following~~:

3.1.1 Holds a valid Delaware Initial, Continuing, or Advanced ~~License; License, or a Limited Standard, 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 there.~~

3.1.2 Has met the requirements for licensure and holds a Valid and Current License or Certificate from Another State in music education; or

3.1.3 Has met the requirements for a Meritorious New Teacher Candidate Designation adopted pursuant to 14 Del.C. §1203.

3.2 Notwithstanding any provision to the contrary herein, the Department shall not act on an application for Certification 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 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.

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

10 DE Reg. 100 (07/01/06)

13 DE Reg. 1305 (04/01/10)

19 DE Reg. 501 (12/01/15)

4.0 Prescribed Education, Knowledge, and Skill Requirements

4.1 For an applicant who is applying for the applicant's first Standard Certificate, the applicant shall have satisfied the requirements in subsections 4.1.1 and 4.1.2.

4.1.1 The applicant shall have:

4.1.1.1 Obtained and currently maintain a Music certificate from the National Board for Professional Teaching Standards; or

4.1.1.2 Completed a bachelor's degree from a Regionally Accredited college or university with a Major or Its Equivalent in music education from an educator preparation program approved or recognized by the National Council for the Accreditation of Teacher Education (NCATE), the Council for the Accreditation of Educator Preparation (CAEP), or a state where the state approval body employed the appropriate standards; or

4.1.1.3 Satisfactorily completed an alternative routes for licensure or certification program to teach music as provided in 14 Del.C. §§1260 - 1266; or

4.1.1.4 Satisfactorily completed a Department-approved educator preparation program in music education; or

4.1.1.5 Completed a bachelor's degree from a Regionally Accredited college or university in any content area and satisfactory completion of fifteen (15) credits or the equivalent in Department-approved

Professional Development related to music education of which at least six (6) credits must focus on pedagogy.

4.1.1.5.1 The applicant, in consultation with the applicant's Employing Authority, shall select the Fifteen (15) Credits or the Equivalent in Professional Development subject to the Department's approval.

4.1.1.5.2 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 Fifteen (15) Credits or the Equivalent in Professional Development in consultation with the Department and subject to the Department's approval.

4.1.2 The applicant shall have achieved on the *Praxis* Subject Assessment – Music: Content Knowledge (ETS Test Code # 5113) a Passing Score of 155.

4.2 For an applicant who is applying for the applicant's second or subsequent Standard Certificate, the applicant shall have satisfied the requirements in subsections 4.2.1 and 4.2.2.

4.2.1 The applicant shall have:

4.2.1.1 Satisfactorily completed Fifteen (15) Credits or the Equivalent in Professional Development, as provided in subsections 4.1.1.5.1 and 4.1.1.5.2, related to music education of which at least 6 credits must focus on pedagogy; or

4.2.1.2 Completed the equivalent of subsection 4.2.1.1 in professional experience; and

4.2.2 The applicant shall have achieved on the *Praxis* Subject Assessment – Music: Content Knowledge (ETS Test Code # 5113) a Passing Score of 155.

5.0 Application Requirements

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

5.2 For applicants who are applying for their first Standard Certificate, the following documentation is required with the application for a Standard Certificate for Music Teacher:

5.2.1 Evidence of obtaining and currently maintaining a Music certificate from the National Board for Professional Teaching Standards, if applicable; and

5.2.2 Official transcript from the applicant's Regionally Accredited college or university.

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

5.2.2.2 Sealed paper transcripts may be submitted.

5.2.2.3 The Department will not accept copies of transcripts; and

5.2.3 If applicable, documents verifying successful completion of Professional Development; and

5.2.4 Official score on the *Praxis* Subject Assessment as provided in subsection 4.1.2; and

5.2.5 If applicable, an experience form must be completed in full and signed by the applicant; and

5.2.6 Additional documentation as required by the Department.

5.3 For applicants who are applying for their second or subsequent Standard Certificate, the following documentation is required in the application for a Standard Certificate for Music Teacher:

5.3.1 Official transcript from the applicant's Regionally Accredited college or university.

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

5.3.1.2 Sealed paper transcripts may be submitted.

5.3.1.3 The Department will not accept copies of transcripts; and

5.3.2 If applicable, documents verifying successful completion of Professional Development; and

5.3.3 If applicable, a copy of the certification in music from an Accredited Institution; and

5.3.4 If applicable, evidence of completing the equivalent of Fifteen (15) Credits or the Equivalent in Professional Development, as provided in subsections 4.1.1.5.1 and 4.1.1.5.2, related to music education; and

5.3.5 Official score on the *Praxis* Subject Assessment as provided in subsection 4.2.2; and

5.3.6 Additional documentation as required by the Department.

5.4 For applicants who have met the requirements for licensure and hold a Valid and Current License or Certificate from Another State in music education, the following documentation is required in the application for a Standard Certificate for Music Teacher:

5.4.1 An official copy of the valid and current educator license or certificate from another state or professional license.

6.0 Validity of a Standard Certificate

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

7.0 Revocation of a Standard Certificate

- 7.1 An Educator's Standard Certificate for Music Teacher shall be revoked in the event 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 Standard Certificate application in accordance with 14 Del.C. §1222.
- 7.2 An Educator whose Standard Certificate is noticed for revocation is entitled to a full and fair hearing before the Standards Board.
 - 7.2.1 Hearings shall be conducted in accordance with 14 DE Admin. Code 1515 Hearing Procedures and Rules.

8.0 Secretary of Education Review

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 Standard Certificate for Music Teacher on an individual basis and grant such a Standard Certificate to an applicant who otherwise does not meet the requirements for a Standard Certificate for Music Teacher but whose effectiveness is documented by the local school district or charter school.

9.0 Past Certificate Recognized

The Department shall recognize a Standard Certificate Music Teacher issued prior to the effective date of this regulation. A teacher holding such a Standard Certificate issued by the Department before the effective date of this regulation shall be considered certified as a Music Teacher.

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

10 DE Reg. 100 (07/01/06)

13 DE Reg. 1305 (04/01/10)

19 DE Reg. 501 (12/01/15)

23 DE Reg. 173 (09/01/19) (Prop.)