

LAWS OF DELAWARE  
VOLUME 83  
CHAPTER 79  
151st GENERAL ASSEMBLY  
FORMERLY  
HOUSE BILL NO. 207

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATOR LICENSURE, CERTIFICATION, EVALUATION, PROFESSIONAL DEVELOPMENT, AND PREPARATION PROGRAMS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 1210, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1210 Tier One — Initial licensure.

(a) An initial license is valid for 4 years unless revoked. The Department shall issue an initial license under this section if an applicant demonstrates that the applicant received a bachelor's degree from a regionally accredited 4-year college or university, has achieved a passing score on a content-readiness ~~exam, exam,~~ and has either completed a student teaching program or meets any 1 of the following alternatives to student teaching:

(1) One year of teaching experience consisting of a minimum of 91 days of long-term teaching experience in 1 assignment, except that this ~~provision shall~~ paragraph does not apply to applicants seeking an initial license to teach in a core content area. For the purposes of this section, "core content area" means any subject area tested by the state assessment system, including mathematics, English/language arts, science, and social studies. Experience in an alternative routes for teacher licensure and certification program or the Special Institute for Teacher Licensure and Certification Program may not be used to meet this ~~alternative; or~~ alternative.

(2) The applicant is enrolled and participating in the alternative routes for teacher licensure and certification program ~~pursuant to subchapter VI of this title; or~~ under Subchapter VI of Chapter 12 of this title.

(3) The applicant is enrolled and participating in the Special Institute for Teacher Licensure and Certification ~~pursuant to subchapter V of this chapter; or~~ under Subchapter V of Chapter 12 of this title.

(4) The applicant is applying for an initial license and certification as a specialist and completes a supervised practical experience in the specialty area equivalent to student teaching as recognized ~~pursuant to~~ by rules and regulations promulgated and adopted ~~pursuant to~~ under this chapter. Equivalent practical experience in the specialty area may include ~~but is not limited to~~ a supervised internship, a practicum, or clinical experience. For purposes of this section, "specialist" means an educator other than a teacher recognized ~~pursuant to~~ by rules and regulations promulgated and adopted ~~pursuant to~~ under this chapter who is eligible to apply for both licensure and certification from the State to engage in other related professional support services.

(c)(1) If an initial licensee intends to apply for a continuing license, the licensee shall, ~~prior to~~ before the expiration of that initial license, ~~obtain a passing score on an approved performance assessment within the first 2 years of the initial license, and~~ complete professional development and mentoring activities required by rules and

regulations promulgated and adopted ~~pursuant to~~ under this chapter. Such professional development and mentoring activities must include a focus on the acquisition of pedagogical knowledge and the ability to apply that knowledge to meet the needs of the educator's students.

(2) The Department shall create a committee of stakeholders, including teachers, principals, local education agency administrators, representatives of institutions of higher education, representatives of the Delaware State Education Association (DSEA), representatives of the Delaware Association of School Administrators (DASA), and national experts, to gather input and make recommendations on a revised Comprehensive Induction Program that focuses on reinforcing all of the following:

- a. Pedagogical skills.
- b. Content knowledge.
- c. Cultural responsiveness.
- d. Data-driven instruction.

(d) ~~Pursuant to~~ Under the rules and regulations promulgated and adopted ~~pursuant to~~ under this chapter, the Department may issue an initial license to an applicant with ~~at least 1 year of teaching experience but less than 4 years of teaching experience~~ experience as an educator who is licensed as an educator in another jurisdiction or to an applicant who previously held a valid Delaware ~~certificate~~ license that has since expired. An applicant issued an initial license under this subsection must complete all requirements ~~enumerated in~~ under subsection (c) of this section, ~~except for obtaining a passing score on an approved performance assessment.~~ section. For purposes of this subsection, “educator” means a person licensed in another jurisdiction to engage in the practice of instruction, administration, or other related professional support services in public schools or a person who was an educator as defined in § 1202 of this title and previously held a valid Delaware license that has since expired.

(e) An initial license ~~may not~~ must not be renewed. It may, however, be extended ~~pursuant to~~ under § 1216 of this title.

(f) ~~Notwithstanding the provisions of~~ subsections (a), (c), and (d) of this section, an initial license may be issued for a period of up to 6 years for applicants in a vocational trade and industry (“skilled and technical sciences” or “STS”) area to complete specified college-level ~~course work~~ coursework required for certification. ~~Such applicants must obtain a passing score on an approved performance assessment prior to the expiration of initial licensure.~~

(h) ~~Notwithstanding the provisions of~~ subsections (a) and (c) of this section, the Department shall issue an initial license to an applicant who meets the criteria for meritorious new teacher candidate designation adopted ~~pursuant to~~ under § 1203 of this title. The applicant issued an initial license under this subsection and who intends to apply for a continuing license must complete all requirements of subsection (c) of this section, ~~except for obtaining a passing score on an approved performance assessment.~~ section.

(i) ~~On or before January 20, 2022, the Department of Education shall provide a report to the General Assembly on the impact of the established requirement of the performance assessment under this subchapter. Such report shall be conducted by an independent entity. The report shall include, but not be limited to, a comparative~~

~~analysis of student performance of students taught by novice educators having passed a performance assessment and students taught by novice educators who have not successfully passed a performance assessment. The report shall include overall educator retention rates, including information on educators who remain in original placement schools and educators who remain in the teaching profession. The report shall be inclusive of the academic years July 1, 2016, through June 30, 2021. [Repealed.]~~

~~(j) Rules and regulations promulgated and adopted under this chapter must provide for the acceptance of a passing score on a state created and approved performance assessment from another state or jurisdiction to meet the performance assessment requirement. [Repealed.]~~

(k) The Standards Board shall promulgate regulations necessary to implement this section.

Section 2. Amend § 1211, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1211. Tier Two — Continuing licensure.

~~(a) A continuing license is valid for 5 years unless extended pursuant to~~ under § 1216 of this title or revoked.

(b) Upon application, the Department shall issue a continuing license to an educator holding an initial license if the educator has successfully completed the requirements of § 1210 of this title and has not received more than 1 unsatisfactory annual evaluation, as defined by a State of Delaware approved educator ~~performance~~ evaluation system, during the period of initial licensure.

~~(c) Pursuant to~~ Under the rules and regulations promulgated and adopted ~~pursuant to~~ under this chapter, the Department may issue a continuing license to an applicant licensed as an educator in another jurisdiction or to an applicant who previously held a valid Delaware ~~certificate~~ continuing license that has since expired. ~~The applicant~~ An applicant under this subsection must have completed 4 or more years of successful teaching experience as an educator to be issued a continuing license. For purposes of this subsection, “educator” means a person licensed in another jurisdiction to engage in the practice of instruction, administration, or other related professional support services in public schools or a person who was an educator as defined in § 1202 of this title and previously held a valid Delaware continuing license that has since expired.

Section 3. Amend § 1212, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1212. Continuing licensure — Renewal.

~~(a) Upon application, the Department shall renew a continuing license for an additional 5-year term if the educator has completed 90 clock-hours of approved professional development, as well as other professional development and mentoring requirements as required by the rules and regulations promulgated and adopted pursuant to~~ under this chapter.

~~(b) For the purpose of this section, “clock-hour” means actual time spent in professional development, not credit hours.~~

(c) The Standards Board shall review the professional development requirements of this section on an ongoing basis for the purpose of proposing regulations that modify the minimum requirements of this section and that improve the effectiveness of professional development.

(d) The Department shall ensure that a variety of opportunities for professional development are available across different modes that meet a high standard of quality, including evidence-based programs.

Section 4. Amend § 1252, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1252. Format of special institute program.

The general format for the special institute ~~shall~~ must include the following:

(1) For the individual seeking licensure and certification in a secondary content area ~~which that~~ corresponds to the major field of study in the bachelor's program, it is intended that 1 summer of courses in the special institute; ½ year (1 semester) of student teaching, or 1 year of supervised, full-time teaching experience in a Delaware public school; and additional coursework as necessary constitute the program of study leading to the initial license and standard certificate. An initial license conditioned on continued enrollment in the Special Institute and an emergency certificate or a certificate of eligibility ~~shall~~ must be issued to the person employed to complete the 1 year of full-time teaching experience in lieu of student teaching. Upon successful completion of the Special Institute for Teacher Licensure and Certification Program, the individual ~~shall~~ must receive an initial license valid for a 3-year term, and a standard certificate. ~~If the initial licensee intends to apply for a continuing license, the licensee shall, prior to the expiration of that initial license, obtain a passing score on an approved performance assessment within the first 2 years of obtaining the initial license.~~

(2) For individuals seeking licensure and certification in elementary or special education, it is intended that 2 summers of courses in the special institute (immediately before and after a student teaching experience or 1 year full-time teaching experience); ½ year of student teaching or 1 year of supervised, full-time teaching experience in a Delaware public school; and additional ~~course work~~ coursework as necessary constitute the program of study leading to the initial license and standard certificate. An initial license conditioned on continued enrollment in the Special Institute and an emergency certificate or a certificate of eligibility ~~shall~~ must be issued to the person employed to complete the 1 year of full-time teaching experience in lieu of student teaching. Upon successful completion of the Special Institute for Teacher Licensure and Certification Program, the individual ~~shall~~ must receive an initial license valid for a 4-year term and a standard certificate. ~~If the initial licensee intends to apply for a continuing license, the licensee shall, prior to the expiration of that initial license, obtain a passing score on an approved performance assessment within the first 2 years of obtaining the initial license.~~

Section 5. Amend § 1260, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1260. Requirements for an alternative routes for teacher licensure and certification program.

(a) Criteria is established for alternative routes for teacher licensure and certification programs, which are intended to provide essential knowledge and skills to participants in ARTC programs, through the following phases of training:

(1) A seminar and practicum that include all of the following:

a. Formal instruction or equivalent professional development required by an ARTC program established by regulation of the Department or law.

b. Introduction of basic teaching skills through supervised teaching experiences with students.

c. Components that are integrated and include an orientation to the policies, organization, and curriculum of the employing district or charter school.

d.1. Assessment of the ARTC program participant's ability to apply pedagogical skills to meet the needs of the participant's students.

2. The Department shall create a committee of stakeholders including teachers, principals, local education agency administrators, representatives of institutions of higher education, representatives of the Delaware State Education Association (DSEA), representatives of the Delaware Association of School Administrators (DASA), and national experts, to gather input and make recommendations regarding the options for an ARTC program to assess the pedagogical skills of their participants.

(b) A participant in an ARTC program may be granted hours for formal instruction or equivalent professional development successfully completed ~~prior to~~ before entry into the program, or during the seminar and practicum.

(c) The Department of ~~Education~~ shall promulgate rules and regulations to implement this section.

Section 6. Amend § 1262, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1262. Requirements for participation in an alternative routes for teacher initial licensure and certification program.

(c) An ARTC program participant must attain all of the following, ~~prior to~~ before the expiration of the initial license to obtain standard certification within the first 2 years of teaching:

(1) Successful completion of all ARTC program requirements.

(2) Two summative evaluations using a state-approved educator evaluation system with not more than 1 summative evaluation being unsatisfactory.

(3) Passing scores on approved content readiness exams ~~pursuant to~~ under the certification requirements.

~~(4) Passing scores on an approved performance assessment. [Repealed.]~~

Section 7. Amend § 1263, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1263. Issuance of initial licensure and certification to a participant in an alternative routes for teacher initial licensure and certification program.

(a) At the conclusion of an ARTC program, all of the following must be met:

(1) The ARTC program shall provide to each participant and the Department documentation stating whether the participant has successfully completed the alternative routes for teacher licensure and certification seminar and hours of formal instruction or professional development under § 1260 of this title.

(2) The local education agency shall provide to each participant and the Department documentation stating whether the participant has 2 summative evaluations using a state-approved educator evaluation system with not more than 1 summative evaluation being unsatisfactory.

(3) Each participant shall provide to the Department official documentation of passing scores on state-approved content readiness exams ~~and passing scores on a state-approved performance assessment~~ under the certification requirements.

(b) Subject to § 1217 of this title and notwithstanding any other provision in this chapter, the Department shall issue to an ARTC program participant the appropriate license and certification, if the participant has attained all of the following:

(1) Successful completion of all ARTC program requirements.

(2) Two summative evaluations using a state-approved educator evaluation system with not more than 1 summative evaluation being unsatisfactory.

(3) Passing scores on approved content readiness exams ~~pursuant to~~ under the certification requirements.

(4) ~~Passing scores on an approved performance assessment.~~ [Repealed.]

Section 8. Amend § 1266, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1266. Requirements for an alternative routes to certification programs for teachers of students with disabilities.

In order to be ~~state approved,~~ State approved, an alternative routes to certification program for teachers of students with disabilities must include all of the following:

(1) Delivery of ~~high-quality~~ high-quality professional development to a teacher that is sustained, intensive, and ~~classroom-focused~~ classroom focused.

(2) The requirement that a teacher participates in intensive supervision that consists of structured guidance and regular, ongoing support or teacher mentoring.

(3) The requirement that a teacher participate for no more than 3 years.

(4) The requirement that a teacher demonstrate satisfactory progress toward standard certification.

(5) Provision of regular reports to the Department, made in accordance with rules and regulations that the Department promulgates, that the requirements under this section are being met.

(6)a. An assessment of the ARTC program participant's ability to apply pedagogical skills to meet the needs of the participant's students.

b. The Department shall create a committee of stakeholders including teachers, principals, local education agency administrators, representatives of institutions of higher education, representatives of the Delaware State Education Association (DSEA), representatives of the Delaware Association of School Administrators (DASA), and national experts, to gather input and make recommendations regarding the options for an ARTC program to assess the pedagogical skills of their participants.

Section 9. Amend § 1280, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1280. Educator preparation program approval.

(a) Consistent with § 122 of this title, no individual, public or private educational association, corporation, or institution, including any institution of post-secondary education, ~~shall~~ may offer an educator preparation program for the training of educators to be licensed in this State without first having procured the assent of the Department for the offering of ~~such~~ educator preparation programs. A program approval process based on standards adopted ~~pursuant to~~ under this section must be established for educator preparation program approval, phased in according to timelines determined by the Department, and fully implemented for ~~such~~ educator preparation programs in the State. Each program ~~shall~~ must be approved by the Department based upon significant, objective, and quantifiable performance measures.

(b)(1) Each educator preparation program approved by the Department shall establish rigorous entry requirements as prerequisites for admission into the program. At a minimum, each program shall require applicants to satisfy either of the following:

(1) ~~a.~~ a. Have a grade point average of at least a 3.0 on a 4.0 scale or a grade point average in the top fiftieth percentile for coursework completed during the most recent 2 years of the applicant's general education, whether secondary or ~~post-secondary~~; or post-secondary.

(2) ~~b.~~ b. Demonstrate mastery of general knowledge, including the ability to read, write, and compute, by achieving a minimum score on a standardized test normed to the general college-bound population, such as Praxis, Scholastic Aptitude Test (SAT), or American College Test (ACT), as approved by the Department.

(2) Each educator preparation program may waive ~~these admissions requirements~~ the admission requirements in this subsection for up to 10% of the students admitted. Programs shall implement strategies to ensure that students admitted under ~~such~~ a waiver receive assistance to demonstrate competencies to successfully meet requirements for program completion.

(c) Each educator preparation program approved by the Department shall incorporate the following:

(1) A clinical residency component, supervised by ~~high-quality~~ high-quality educators, as defined by the Department. The clinical residency ~~shall~~ must consist of at least 10 weeks of full-time student teaching. Clinical experiences ~~shall~~ must also be interwoven throughout and aligned with program curriculum.

(2) Instruction for prospective elementary school teachers on research-based strategies for childhood literacy and age-appropriate mathematics ~~content~~; content.

(3) Ongoing evaluation of students, consisting of no less than an annual evaluation, aligned to the ~~statewide~~ state-approved educator evaluation system, as set forth in § 1270 of this title.

(d)(1) Each educator preparation program approved by the Department shall establish rigorous exit requirements, ~~which shall include but not be limited to achievement of~~ requirements. At a minimum, the prospective educator must achieve passing scores on both a content-readiness exam and a performance assessment. ~~an assessment of the prospective educator's ability to apply pedagogical skills to meet the needs of the prospective educator's students.~~

(2) The Department shall create a committee of stakeholders including teachers, principals, local education agency administrators, representatives of institutions of higher education, representatives of the Delaware State Education Association (DSEA), representatives of the Delaware Association of School Administrators (DASA), and national experts, to gather input and make recommendations regarding the options for an educator preparation program to assess the pedagogical skills of their participants.

(e) Educator preparation programs shall collaborate with the Department to collect and report data on the performance and effectiveness of program graduates. At a minimum, ~~such the data shall~~ must measure performance and effectiveness of program graduates by student achievement. The effectiveness of each graduate ~~shall~~ must be reported for a period of 5 years following graduation for each graduate who is employed as an educator in the State. Data ~~shall~~ must be reported on an annual basis. The Department shall make ~~such the~~ data available to the public.

(f) The Department shall promulgate rules and regulations governing educator preparation programs ~~pursuant to~~ under this subchapter in collaboration with Delaware educators.

Approved June 30, 2021