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HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 143

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATOR LICENSURE.

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

1 Section 1. Amend Subchapter II, Chapter 12, Title 14 of the Delaware Code by making deletions as shown by
2 strike through and insertions as shown by underline as follows:

3 § 1210 Tier One — Provisional licensure.

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

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

14 (2) ~~The applicant is enrolled and participating in an alternative routes for teacher licensure and~~
15 ~~certification program pursuant to subchapter V or VI of this chapter; or~~

16 (3) ~~The applicant is applying for a provisional license and certification as a specialist and completes a~~
17 ~~supervised practical experience in the specialty area equivalent to student teaching as recognized pursuant to rules~~
18 ~~and regulations promulgated and adopted pursuant to this chapter. Equivalent practical experience in the specialty~~
19 ~~area may include a supervised internship, a practicum, or clinical experience. For the purpose of this section,~~
20 ~~"specialist" means an educator other than a teacher recognized pursuant to rules and regulations promulgated and~~
21 ~~adopted pursuant to this chapter who is eligible to apply for both licensure and certification from the State in order~~
22 ~~to engage in other related professional support services.~~

23 (b) ~~If a provisional licensee intends to apply for an initial license, the licensee shall, prior to the expiration of that~~
24 ~~provisional license, complete professional development and mentoring activities as may be required by rules and~~
25 ~~regulations promulgated and adopted pursuant to this chapter.~~

26 (c) ~~A provisional license may not be renewed. It may, however, be extended pursuant to § 1216 of this title.~~

27 (d) ~~Notwithstanding the provisions of subsections (a) and (b) of this section, a provisional license may be issued~~
28 ~~for a period of 1 year for applicants in a vocational trade and industry ("skilled and technical sciences" or "STS"). Prior to~~
29 ~~the expiration of provisional licensure, such applicants must demonstrate progress towards meeting certification~~
30 ~~requirements.~~

31 (e) ~~On or before January 20, 2022, the Department of Education shall provide a report to the General Assembly~~
32 ~~on the impact of the established requirement of the performance assessment under this subchapter. Such report shall be~~
33 ~~conducted by an independent entity. The report shall include, but not be limited to, a comparative analysis of student~~
34 ~~performance of students taught by novice educators having passed a performance assessment and students taught by novice~~
35 ~~educators who have not successfully passed a performance assessment. The report shall include overall educator retention~~
36 ~~rates, including information on educators who remain in original placement schools and educators who remain in the~~
37 ~~teaching profession. The report shall be inclusive of the academic years July 1, 2016, through June 30, 2021.~~

38 § 1210A 1210. Tier ~~Two~~ One — Initial licensure.

39 (a) An initial license is valid for ~~4~~ 3 years unless revoked. The Department shall issue an initial license under this
40 section if an applicant demonstrates that the applicant received a bachelor's degree from a regionally accredited 4-year
41 college or university, has achieved a passing score on both an examination of general knowledge, and has achieved a
42 ~~passing score on both~~ a content-readiness exam ~~and approved performance assessment~~, and has either completed a student
43 teaching program or meets any 1 of the following alternatives to student teaching:

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

50 (b) ~~Notwithstanding the provisions of subsection (a) of this section, an initial license may be issued for a period of~~
51 ~~3 years, if an applicant received a provisional license as their first license to an applicant who meets all other requirements~~
52 ~~for initial licensure except the passage of the general knowledge exam, provided that the applicant must meet the~~

53 requirements of the general knowledge exam within the period of time from the date of hire to the end of the next,
54 consecutive fiscal year. If proof of meeting the requirement of the general knowledge exam has not been provided during
55 the time period specified, the initial license will be suspended unless the superintendent of the school district submits to the
56 Secretary of Education a written request for a 1 year extension. The request must document the effectiveness of the
57 applicant. An applicant within 2 points of the passing score on the reading, writing, or mathematics section of the general
58 knowledge exam may use a composite score to meet the requirements of passage. An applicant seeking initial license to
59 teach the secondary content are of Mathematics or English/Language Arts must also achieve a passing score on the
60 corresponding section of the test of general knowledge.

61 (c) If an initial licensee intends to apply for a continuing license, the licensee shall, prior to the expiration of that
62 initial license, complete professional development and mentoring activities as may be required by rules and regulations
63 promulgated and adopted pursuant to this chapter.

64 (d) ~~Notwithstanding the provisions of § 1210 of this title and subsection (a) of this section and pursuant Pursuant~~
65 ~~to rules and regulations promulgated and adopted pursuant to this chapter, the Department may issue an initial license to an~~
66 ~~applicant with at least 1 year of teaching experience but less than 4-3 years of teaching experience who is licensed as an~~
67 ~~educator in another jurisdiction or to an applicant who previously held a valid Delaware certificate that has since expired.~~

68 (f) Notwithstanding the provisions of subsections (a), ~~and (c), and (d) through (e)~~ of this section, an initial license
69 may be issued for a period of up to ~~5-6~~ years for applicants in a vocational trade and industry ("skilled and technical
70 sciences" or "STS") area to complete specified college level course work required for certification. Such applicants must
71 achieve a passing score on an examination of general knowledge such as Praxis I ~~and obtain a passing score on an approved~~
72 ~~performance assessment~~ prior to the expiration of initial licensure.

73 (g) Notwithstanding the provisions of subsections (a) through (e) of this section, the Department may issue an
74 initial license to an applicant for school nurse who meets all other requirements for initial licensure except for passage of an
75 examination of general knowledge, provided that the applicant must pass ~~and an~~ examination of general knowledge within
76 1 calendar year of the date of hire. If proof of passage of an examination of general knowledge has not been provided
77 during the time period specified, the initial license will be suspended and may be able to be reviewed by the Secretary of
78 Education.

79 (h) Notwithstanding the provisions of subsections (a), ~~(b)~~ and ~~(e)~~ (d) of this section, the Department shall issue an
80 initial license to an applicant who meets the criteria for meritorious new teacher candidate designation adopted pursuant to
81 § 1203 of this title.

82 § 1211. Tier ~~Three~~ Two — Continuing licensure.

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

87 (c) Pursuant to the rules and regulations promulgated and adopted pursuant to this chapter, the Department may
88 issue a continuing license to an applicant licensed as an educator in another jurisdiction or to an applicant who previously
89 held a valid Delaware certificate that has since expired. The applicant must have completed ~~4~~3 or more years of successful
90 teaching experience.

91 § 1213. Tier ~~Four~~ Three — Advanced licensure.

92 § 1216. License extension; license freeze.

93 (b) An educator may take an extended leave of absence for up to 3 years with no effect upon the validity or
94 expiration of the educator's ~~provisional~~, initial, continuing or advanced license.

95 (c) If an applicant is not employed by a public school district or charter school, the ~~provisional or~~ initial license
96 shall be inactive until such time as the applicant is employed by a public school district or charter school. Once employed,
97 the ~~provisional-initial~~ license shall be in effect for ~~1 year or the initial license shall be in effect for up to 4 years~~ 3 years and
98 all rules and regulations promulgated and adopted under this chapter shall apply.

99 § 1218. Limitation, suspension and revocation of licenses.

100 (s) For the purpose of this section only, the term "license" shall include a Standard or Professional Status
101 Certificate issued by the Department prior to August 31, 2003, ~~a provisional license issued pursuant to § 1210 of this title,~~
102 an initial license issued pursuant to § ~~1210A-1210~~ of this title, a continuing license issued pursuant to § 1211 of this title, or
103 an advanced license issued pursuant to § 1213 of this title.

104 Section 2. Amend Subchapter V, Chapter 12, Title 14 of the Delaware Code by making deletions as shown by
105 strike through and insertions as shown by underline as follows:

106 1250. Established.

107 A special institute to be run by 1 or more of Delaware's teacher training institutions shall be established to provide
108 a program for college graduates without a license and/or certificate to become licensed and certified to teach in Delaware
109 public schools. The program shall be designed for such graduates, who hold a bachelor's degree but who have no teacher
110 training or previous teaching experience. The Professional Standards Board and the State Board of Education shall
111 promulgate and adopt rules and regulations pursuant to this chapter that are relative to the special institute for teacher

112 licensure and certification and the teacher training institution or institutions will set up and manage the program. There will
113 be no tuition charged to persons participating in the special institute leading to ~~provisional~~initial licensure and certification.

114 § 1252. Format of special institute program.

115 The general format for the special institute shall include the following:

116 (1) For the individual seeking licensure and certification in a secondary content area which corresponds to the
117 major field of study in the bachelor's program, it is intended that 1 summer of courses in the special institute; 1/2 year (1
118 semester) of student teaching, or 1 year of supervised, full-time teaching experience in a Delaware public school; and
119 additional coursework as necessary constitute the program of study leading to the ~~provisional~~initial license and standard
120 certificate. ~~A provisional~~An initial license conditioned on continued enrollment in the Special Institute and an emergency
121 certificate shall be issued to the person employed to complete the 1 year of full-time teaching experience in lieu of student
122 teaching. Upon successful completion of the Special Institute for Teacher Licensure and Certification Program, the
123 individual shall receive an initial license valid for ~~a~~ the balance of the 3-year term; and a standard certificate.

124 (2) For individuals seeking licensure and certification in elementary or special education, it is intended that 2
125 summers of courses in the special institute (immediately before and after a student teaching experience or 1 year full-time
126 teaching experience); 1/2 year of student teaching or 1 year of supervised, full-time teaching experience in a Delaware
127 public school; and additional coursework as necessary constitute the program of study leading to the ~~provisional~~initial
128 license and standard certificate. ~~A provisional~~An initial license conditioned on continued enrollment in the Special Institute
129 and an emergency certificate shall be issued to the person employed to complete the 1 year of full-time teaching experience
130 in lieu of student teaching. Upon successful completion of the Special Institute for Teacher Licensure and Certification
131 Program, the individual shall receive an initial license valid for ~~a~~ the balance of the 3-year term and a standard certificate.

132 Section 3. Amend Subchapter VI, Chapter 12, Title 14 of the Delaware Code by making deletions as shown by
133 strike through and insertions as shown by underline as follows:

134 § 1260. Requirements for the participation in alternative routes for teacher licensure and certification program.

135 (a) Subject to § 1217 of this title and notwithstanding any other provision in this chapter to the contrary,
136 candidates seeking participation in an alternative routes for teacher licensure and certification program shall be issued a
137 ~~provisional~~an initial license conditioned on continued enrollment in an alternative routes for teacher licensure and
138 certification program and an emergency certificate or certificates provided they:

139 Section 5. Amend Subchapter III, Chapter 12, Title 14 of the Delaware Code by making deletions as shown by
140 strike through and insertions as shown by underline as follows:

141 § 1220. Standard certificate.

142 (a) The Department shall issue a standard certificate to an applicant who meets the requirements for licensure and
143 has acquired the prescribed knowledge, skill, or education to practice in a particular area, to teach a particular subject or to
144 instruct a particular category of students. Where applicable and available, an applicant for a standard certificate must have
145 achieved a passing score on an examination of content knowledge, such as Praxis II. This requirement shall apply to all
146 applicants teaching special education in a "core content area;" ~~as defined in § 1210 of this title,~~ in secondary schools. “Core
147 content area” means any subject area tested by the state assessment system, including mathematics, English/language arts,
148 science, and social studies.

SYNOPSIS

This bill removes a performance assessment requirement for new educators that is limiting Delaware schools' ability to recruit new educators from other jurisdictions that do not have this requirement. Approximately 45% of teachers hired annually by Delaware's School Districts graduate from out-of-state pre-service teaching programs as Delaware Colleges and Universities do not supply enough teachers to meet Delaware's demand. Delaware's requirement of passing a performance assessment for licensure places a burden on the recruitment process as most first year teacher out-of-state hires are recruited from states that do not have this requirement. Currently only 16 of the 50 states have a performance assessment policy in place. The largest percentage of Delaware's out-of-state new teacher hires come from PA, MD, and VA, all states that do not have a performance assessment requirement for licensure. The result for these new teachers is having to be placed on a provisional license in order to complete the performance assessment tasks as they are working to meet the heavy demands for first year teaching and transitioning to a new state. For new teachers making job selection decisions, Delaware's performance assessment requirement can be viewed as cumbersome and serve as a deterrent to possible applicants.