SPONSOR: Rep. K. Williams & Sen. Poore
Reps. Baumbach, Heffernan, Jaques, Keeley, Kowalko, Matthews, Mitchell, Osienski, B. Short, Viola, Yearick; Sens. Bushweller, Henry, Sokola, Walsh

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 286
AS AMENDED BY
HOUSE AMENDMENT NO. 1

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:

Section 1. Amend § 121, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 121. General powers of the Department of Education.

(b) The Department shall establish a voluntary licensure and certification system for nonpublic school teachers, specialists and administrators employed in this State, and is empowered to make rules and regulations to implement the same.

(1) Said system shall consist of a 3-tiered licensure system consisting of an initial license, continuing license and an advanced license. The prerequisites required for issuance of an initial, continuing or advanced license to a nonpublic school teacher, specialist or administrator shall be consistent, to the extent possible, with those required for the issuance of an initial, continuing or advanced license to a public school educator as set forth in subchapter II of Chapter 12 of this title. The qualifications for a standard ~~certificate and~~ certificate, an emergency ~~certificate~~ certificate, or A certificate of eligibility shall be consistent, to the extent possible, with those required for the issuance of same to a public school educator, as set forth in subchapter III of Chapter 12 of this title.

(c) The Department shall establish a licensure and certification system for public education employees in this State that applies to Department of Education employees, adult education employees, and prison education employees whose work responsibilities are directly related to curriculum and instruction, but does not apply to public school educators who shall be licensed and certified in accordance with subchapters II and III of Chapter 12 of this title. The Department shall be empowered to promulgate rules and regulations to implement such system.

(2) Said system shall consist of 3-tiered licensure system consisting of an initial license, continuing license and an advanced license. The prerequisites required for issuance of an initial, continuing or advanced license to a public education employee shall be consistent, to the extent possible, with those required for the issuance of an initial,

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continuing or advanced license to a public school educator as set forth in subchapter II of Chapter 12 of this title. The qualifications for a standard ~~certificate and~~ certificate, an emergency ~~certificate~~ certificate, or a certificate of eligibility shall be consistent, to the extent possible, with those required for the issuance of same to a public school educator, as set forth in subchapter III of Chapter 12 of this title.

Section 2. Amend § 1202, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and by redesignating accordingly:

§ 1202. Definitions.

The following definitions apply to this chapter:

(5) "Emergency certificate" means a credential which may be issued if the employing district or charter school establishes ~~that:~~ that the proposed recipient meets the requirements under § 1221(1) of this title.

~~(a) The proposed recipient of the emergency certificate is competent; and~~

~~(b) The employing district is committed to support and assist the proposed recipient in achieving the skills and knowledge necessary to meet certification requirements.~~

(6) "Certificate of Eligibility" means a credential which may be issued to teachers of students with disabilities if the employing district or charter school establishes that the proposed recipient meets the requirements of § 1221(2) of this title.

Section 3. Amend § 1221, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1221. Emergency certificate and certificates of eligibility.

Pursuant to rules and regulations promulgated and adopted pursuant to this chapter, the Department may issue either of the following:

(1) ~~an~~ An emergency ~~certificate~~ certificate, if the employing district or charter school establishes that both of the following apply:

~~(1)~~ a. The proposed recipient of the emergency certificate is ~~competent, and~~ competent.

~~(2)~~ b. The employing district or charter school is committed to support and assist the proposed recipient in achieving the skills and knowledge necessary to meet certification requirements.

(2) A certificate of eligibility, if the employing district or charter school establishes that all of the following apply:

a. The proposed recipient is participating in a state-approved, appropriate alternative route for teacher licensure and certification program for teachers of students with disabilities.

b. The proposed recipient of the certificate of eligibility is competent.

c. The employing district or charter school is committed to support and assist the proposed recipient in achieving the skills and knowledge necessary to meet certification requirements.

Section 4. Amend § 1222, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1222. Revocation of ~~standard~~ certificate.

A ~~standard~~ certificate issued under this subchapter must be revoked upon a finding that the certificate holder made a materially false or misleading statement in that certificate holder's certificate application or upon revocation of a license issued under this chapter. A certificate holder is entitled to a full and fair hearing before the Standards Board to challenge a revocation pursuant to this section.

Section 5. Amend § 1224, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1224. Review by the Secretary of Education.

The Secretary of Education shall have the authority to review licensure and certification credentials on an individual basis and to act upon same at the request of the local school district or charter school provided that the local school district or charter school is able to document the effectiveness of the applicant.

Section 6. 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 include the following:

(1) For the individual seeking licensure and certification in a secondary content area which corresponds to the 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 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 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 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); 1/2 year 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 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 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 7. 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 the participation in an alternative routes for teacher initial licensure and certification program. [Effective until Apr. 20, 2018]

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

Section 8. 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 the participation in an alternative routes for teacher initial licensure and certification program. [Effective Apr. 20, 2018]

(a) Subject to § 1217 of this title and notwithstanding any other provision in this chapter to the contrary, candidates seeking participation in an alternative routes for teacher licensure and certification program shall be issued an initial license conditioned on continued enrollment in an alternative routes for teacher licensure and certification

program and an emergency certificate or ~~certificates~~ certificate of eligibility, provided ~~they~~ the candidate meets all of the following criteria:

Section 9. Amend § 1261, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1261. Requirements for ~~the~~ an alternative routes for teacher initial licensure and certification program. [Effective until Apr. 20, 2018]

(a) Each school district or charter school seeking to hire a candidate for ~~the~~ an alternative routes program must do both of the following:

(1) Participate in ~~the~~ an alternative routes for teacher licensure and certification program as established pursuant to subsection (b) or (d) of this ~~section; and~~ section.

(2) Assign a mentor to each teacher participating in ~~the~~ an alternative routes program.

(b) There is hereby established an alternative routes for teacher licensure and certification program which is intended to provide essential knowledge and skills to teachers participating in ~~the~~ an alternative routes for teacher licensure and certification program through the following phases of training:

(1) A seminar/practicum of no less than 120 hours' duration which takes place prior to the time at which the teacher participating in ~~the~~ an alternative routes for teacher licensure and certification program takes full responsibility for a classroom. This seminar/practicum shall provide such formal instruction or equivalent professional development as shall be required by an alternative routes for teacher licensure and certification program established by regulation of the Standards Board and the State Board of Education under § 1203 of this title or established by law, in the essential areas for professional study listed in subsection (c) of this section. It shall introduce basic teaching skills through supervised teaching experiences with students. The seminar and practicum components of the experience shall be integrated and shall include an orientation to the policies, organization and curriculum of the employing district or charter school. A teacher entering a Delaware school through the Teach For America or a teacher residency program shall be considered in compliance with this requirement if such teacher has completed the 200-hour preservice training provided by Teach For America or the preservice training requirements provided by the teacher residency program. A teacher candidate who will participate in ~~the~~ an alternative routes for teacher licensure and certification program hired after July 1 of a school year will fulfill the 120-hour seminar/practicum requirement prior to the start of the following school year.

(2) A period of intensive on-the-job supervision beginning the first day on which the teacher participating in ~~the~~ an alternative routes for teacher licensure and certification program assumes full responsibility for a classroom and

continuing for a period of at least 10 weeks. During this time, the teacher participating in ~~the~~ an alternative routes for teacher licensure and certification program shall participate in the state-approved mentoring program, and shall be observed and formally evaluated at the end of 10 weeks by certified evaluators. At the end of the 10-week period, the teacher participating in ~~the~~ an alternative routes for teacher licensure and certification program shall receive a formal written progress report from the certified evaluators.

(3) An additional period of continued supervision and evaluation of no less than 20 weeks' duration. During this period, the teacher participating in ~~the~~ an alternative routes for teacher licensure and certification program shall participate in the state-approved mentoring program, and shall be observed formally and evaluated by the school administration at least twice. No more than 2 months shall pass without a formal observation. Opportunities shall be provided for the teacher participating in ~~the~~ an alternative routes for teacher licensure and certification program to observe the teaching of experienced colleagues.

Section 10. Amend § 1261, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1261. Requirements for ~~the~~ an alternative routes for teacher initial licensure and certification program. [Effective Apr. 20, 2018]

(a) Each school district or charter school seeking to hire a candidate for ~~the~~ an alternative routes program must do both of the following:

(1) Participate in ~~the~~ an alternative routes for teacher licensure and certification program as established pursuant to subsection (b) or (d) of this ~~section; and~~ section.

(2) Assign a mentor to each teacher participating in ~~the~~ an alternative routes program.

(b) There is hereby established an alternative routes for teacher licensure and certification program which is intended to provide essential knowledge and skills to teachers participating in ~~the~~ an alternative routes for teacher licensure and certification program through the following phases of training:

(1) A seminar/practicum of no less than 120 hours' duration which takes place prior to the time at which the teacher participating in ~~the~~ an alternative routes for teacher licensure and certification program takes full responsibility for a classroom. This seminar/practicum shall provide such formal instruction or equivalent professional development as shall be required by an alternative routes for teacher licensure and certification program established by regulation of the Standards Board and the State Board of Education under § 1203 of this title or established by law, in the essential areas for professional study listed in subsection (c) of this section. It shall introduce basic teaching skills through supervised teaching experiences with students. The seminar and practicum components of the experience shall be

integrated and shall include an orientation to the policies, organization and curriculum of the employing district or charter school. A teacher candidate who will participate in ~~the~~ an alternative routes for teacher licensure and certification program hired after July 1 of a school year will fulfill the 120-hour seminar/practicum requirement prior to the start of the following school year.

(2) A period of intensive on-the-job supervision beginning the first day on which the teacher participating in ~~the~~ an alternative routes for teacher licensure and certification program assumes full responsibility for a classroom and continuing for a period of at least 10 weeks. During this time, the teacher participating in ~~the~~ an alternative routes for teacher licensure and certification program shall participate in the state-approved mentoring program, and shall be observed and formally evaluated at the end of 10 weeks by certified evaluators. At the end of the 10-week period, the teacher participating in ~~the~~ an alternative routes for teacher licensure and certification program shall receive a formal written progress report from the certified evaluators.

(3) An additional period of continued supervision and evaluation of no less than 20 weeks' duration. During this period, the teacher participating in ~~the~~ an alternative routes for teacher licensure and certification program shall participate in the state-approved mentoring program, and shall be observed formally and evaluated by the school administration at least twice. No more than 2 months shall pass without a formal observation. Opportunities shall be provided for the teacher participating in ~~the~~ an alternative routes for teacher licensure and certification program to observe the teaching of experienced colleagues.

Section 11. 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 the evaluation of teachers participating in ~~the~~ an alternative routes for teacher initial licensure and certification program.

(a) Teachers participating in ~~the~~ an alternative routes for teacher licensure and certification program shall be observed by the assigned mentor teacher and evaluated by certified evaluators as per § 1261 of this title.

Section 12. 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. Recommendation for initial licensure and certification of teacher participating in ~~the~~ an alternative routes for teacher initial licensure and certification program.

(b) The final comprehensive evaluation report on each teacher participating in ~~the~~ an alternative routes for teacher licensure and certification program shall be made on standard forms developed by the Department of Education.

(c) The final evaluation report on each teacher participating in ~~the~~ an alternative routes for teacher licensure and certification program shall include 1 of the following recommendations:

(1) *Approved.* — Recommends issuance of the appropriate license and standard certificate or ~~certificates; or~~ certificates.

(2) *Disapproved.* — Recommends that a license and standard certificate not be issued and that the candidate not be allowed to continue in ~~the~~ an alternative routes for teacher licensure and certification program.

(d) The certified evaluators shall provide the teacher participating in ~~the~~ an alternative routes for teacher licensure and licensure and certification program with a copy of the teacher's written evaluation report and licensure and certification recommendation 20 days before submitting it to the Department of Education.

(e) If the teacher participating in ~~the~~ an alternative routes for teacher licensure and certification program disagrees with the certified evaluators' recommendation, the teacher may, within 15 days of receipt of the evaluation report and licensure and certification recommendation, submit to the certified evaluators written materials documenting the reasons that the teacher participating in ~~the~~ an alternative routes for teacher licensure and certification program believes a license should be awarded. The certified evaluators shall forward all such documentation to the Department of Education along with the evaluation report and recommendation concerning licensure and certification. The Secretary or the Secretary's designee shall review the evaluation report, the licensure and certification recommendation, and any documentation supplied by the teacher and make a determination as to whether the teacher qualifies for licensure and certification.

(f) Teachers participating in ~~the~~ an alternative routes for teacher licensure and certification program who receive a recommendation of "disapproved" may petition the Department for approval of additional opportunities to participate in ~~the~~ an alternative routes for teacher licensure and certification program.

Section 13. Amend § 1264, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1264. Procedure for teachers participating in ~~the~~ an alternative routes for teacher licensure and certification program to contest licensure and certification ~~recommendations~~ decisions.

A teacher participating in ~~the~~ an alternative routes for teacher licensure and certification program is entitled to a full and fair hearing before the Standards Board to challenge the Secretary's or the Secretary's designee's licensure and certification decision.

Section 14. Amend § 1265, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1265. Report to General Assembly on alternative routes to certification, including the Teach for America program.

~~(a) On or before January 20, 2015, the Department of Education shall provide a report to the General Assembly on the effectiveness of the Teach for America Program and all Delaware alternative route for teacher licensure and certification programs under this subchapter. Such report shall be conducted by an independent entity pursuant to a request for proposal (RFP) that shall be issued by the Department of Education. The RFP committee shall be comprised of representatives of the Department of Education and from the State's local educational agencies. The committee shall determine which vendors meet the minimum requirements pursuant to selection criteria of the RFP and procedures established in §§ 6981 and 6982 of Title 29. The committee may negotiate with 1 or more vendors during the same period and may, at its discretion, terminate negotiations with any or all vendors. The committee shall make a recommendation regarding the award to the Delaware Secretary of Education, who shall have final authority, subject to the provisions of such RFP and § 6982 of Title 29, to determine the evaluator or evaluators in the best interests of the State.~~

~~(b) The report shall include, but not be limited to, a comparative analysis of student performance in statewide assessment tested subject areas in all alternative route for teacher licensure and certification programs, including Teach for America. Student performance in alternative route for teacher licensure and certification program participant classrooms in Delaware shall be compared to student performance in similar classrooms in Delaware taught by both alternative route participants and nonalternative route program educators. The report shall include overall program participant retention rates, including a report on participants who remain in original placement schools, participants who remain inside the teaching profession, and participants who remain in the education field in general to assist in the determination of programmatic efficacy. The report shall be inclusive of the academic years August 1, 2010, through July 1, 2014, as well as any other academic periods deemed relevant by program evaluators pursuant to the RFP.~~ [Repealed.]

Section 15. Amend Subchapter VI, Chapter 12, 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, an alternative routes to certification program for teachers of students with disabilities must include all of the following:

(1) Delivery of high quality professional development to a teacher that is sustained, intensive, and 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 subsection are being met.

Section 16. Amend § 3461, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 3461. Critical need reimbursement program.

(b) *Eligibility* —

(1) Eligible applicants are Delaware school districts and charter schools.

(2) Eligible teachers ~~are~~ meet all of the following criteria:

a. ~~Full-time~~ Are full-time employees of a Delaware school district or a charter ~~school; and~~ school.

b. ~~Teaching~~ Teach on a temporary, ~~emergency~~ emergency, or limited standard ~~certificate; and~~ certificate, or a certification of eligibility.

c. ~~Teaching~~ Teach in critical need areas as defined by the Department of Education.