



SPONSOR: Sen. Sokola & Rep. Jaques
Sen. Poore; Reps. Briggs King, Kenton & Potter

DELAWARE STATE SENATE
148th GENERAL ASSEMBLY

SENATE BILL NO. 199

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

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

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

3 CHAPTER 12. EDUCATOR LICENSURE, CERTIFICATION, EVALUATION, PROFESSIONAL DEVELOPMENT,
4 AND PREPARATION PROGRAMS

5 Subchapter II. ~~Three~~Four-Tiered Licensure System

6 § 1210 Tier One — Provisional licensure.

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

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

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

19 (3) The applicant is applying for a provisional license and certification as a specialist and completes a
20 supervised practical experience in the specialty area equivalent to student teaching as recognized pursuant to rules
21 and regulations promulgated and adopted pursuant to this chapter. Equivalent practical experience in the specialty
22 area may include a supervised internship, a practicum, or clinical experience. For the purpose of this section,

23 "specialist" means an educator other than a teacher recognized pursuant to rules and regulations promulgated and
24 adopted pursuant to this chapter who is eligible to apply for both licensure and certification from the State in order
25 to engage in other related professional support services.

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

29 (c) A provisional license may not be renewed. It may, however, be extended pursuant to § 1217 of this title.

30 (d) Notwithstanding the provisions of subsections (a) and (b) of this section, a provisional license may be issued
31 for a period of 1 year for applicants in a vocational trade and industry ("Skilled and Technical Sciences" or "STS"). Prior
32 to the expiration of provisional licensure, such applicants must demonstrate progress towards meeting certification
33 requirements.

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

41 § 12101 ~~Tier One~~ Two — Initial licensure.

42 (a) An initial license is valid for ~~34~~ years unless revoked. The Department shall issue an initial license under this
43 section if an applicant demonstrates that the applicant ~~has received~~ a bachelor's degree from a regionally accredited 4-
44 year college or university, has achieved a passing score on an examination of general knowledge, has achieved a
45 passing score on both a content-readiness exam and approved performance assessment, ~~as specified by the Department,~~
46 ~~in collaboration with Delaware educators, the Professional Standards Board, and the State Board of Education, no later~~
47 ~~than July 1, 2015,~~ and has either completed a student teaching program or meets any 1 of the following alternatives to
48 student teaching:

49 (1) One year of teaching experience consisting of a minimum of 91 days of long-term teaching experience in 1
50 assignment, except that this provision shall not apply to applicants seeking an initial license to teach in a core
51 content area. For the purposes of this section, "core content area" means any subject area tested by the state
52 assessment system, including mathematics, English/language arts, science, and social studies. Experience in ~~the an~~

53 ~~A~~alternative ~~R~~routes for ~~T~~teacher ~~L~~icensure and ~~C~~ertification ~~P~~rogram or the Special Institute for Teacher
54 Licensure and Certification Program may not be used to meet this alternative; or

55 (2) The applicant is enrolled and participating in the ~~A~~alternative ~~R~~routes for ~~T~~teacher ~~L~~icensure and
56 ~~C~~ertification ~~P~~rogram pursuant to subchapter VI of this chapter of this title; or

57 (b) Notwithstanding the provisions of subsection (a) of this section, an initial license may be issued for a period of 3
58 years, if an applicant received a provisional license as their first license.

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

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

67 (~~d~~ e) An initial license may not be renewed. It may, however, be extended pursuant to § 12167 of this title.

68 (~~e~~ f) Notwithstanding the provisions of subsections (a), (c), and (d) of this section, ~~and this subsection~~, an initial license
69 may be issued for a period of up to ~~6~~ 5 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
71 must achieve a passing score on an examination of general knowledge such as Praxis I and obtain a passing score on an
72 approved performance assessment prior to the expiration of initial licensure.

73 (~~f~~ g) Notwithstanding the provisions of subsections (a) through (e) of this section, the Department may issue an initial
74 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 an examination of general knowledge within
76 one 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
78 of Education, ~~per CDR 14-1500-1511.~~

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

82 (~~h~~) [~~Repealed.~~]

83 § 1214~~2~~3 Tier ~~Two~~ Three — Continuing licensure.

84 (a) A continuing license is valid for 5 years unless extended pursuant to § 1216~~7~~ of this title or revoked.

85 (b) Upon application, the Department shall issue a continuing license to an educator holding an initial license if the
86 educator has successfully completed the requirements of §~~1210~~ §1211 of this title and has not received more than 1
87 unsatisfactory annual evaluation, as defined by ~~the state-~~ a State of Delaware approved educator performance system,
88 during the periods of provisional licensure and/or initial licensure.

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

93 § 1213~~4~~4 Tier ~~Three~~ Four — Advanced licensure.

94 § 1216~~7~~ License extension; license freeze.

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

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

101 § 1217~~8~~ Denial of licenses.

102 (a) Pursuant to rules and regulations promulgated and adopted pursuant to this chapter, the Department may deny an
103 applicant's application for a license for failure to meet the qualifications for a license. The Department may further deny
104 a license to an applicant who otherwise meets the requirements of this subchapter for any of the causes enumerated in §
105 ~~1218~~9(a) and (b) of this title.

106 § 1218~~9~~ Limitation, suspension and revocation of licenses.

107 (s) For the purpose of this section only, the term "license" shall include a Standard or Professional Status
108 Certificate issued by the Department prior to August 31, 2003, a provisional license issued pursuant to § 1210 of this title,
109 an initial license issued pursuant to § 1210~~1~~ of this title, a continuing license issued pursuant to § 1214~~2~~ of this title, or an
110 advanced license issued pursuant to § 1213~~4~~ of this title.

111 § 1219~~20~~ Disclosure.

112 Pursuant to the rules and regulations promulgated and adopted under this chapter, the Department shall require
113 each applicant for a license under this chapter to disclose that applicant's own criminal conviction history. Failure to
114 disclose a criminal conviction history pursuant to this section is grounds for denial of a license under § 12178 of this title,
115 revocation of a license under § 12189 of this title, and/or criminal prosecution under subchapter VI (Criminal Background
116 Check for Public School Related Employment) of Chapter 85 of Title 11 until April 7, 2016 and effective on April 7, 2016,
117 subchapter I of Chapter 3 of Title 31.

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

120 Subchapter V. Special Institute for Teacher Licensure and Certification
121 § 1250 Established.

122 A special institute to be run by 1 or more of Delaware's teacher training institutions shall be established to provide
123 a program for college graduates without a license and/or certificate to become licensed and certified to teach in Delaware
124 public schools. The program shall be designed for such graduates, who hold a bachelor's degree but who have no teacher
125 training or previous teaching experience. The Professional Standards Board and the State Board of Education shall
126 promulgate and adopt rules and regulations pursuant to this chapter that are relative to the special institute for teacher
127 licensure and certification and the teacher training institution or institutions will set up and manage the program. There will
128 be no tuition charged to persons participating in the special institute leading to ~~initial~~ provisional licensure and certification.

129 § 1252 Format of special institute program.

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

131 (1) For the individual seeking licensure and certification in a secondary content area which corresponds to
132 the major field of study in the bachelor's program, it is intended that 1 summer of courses in the special institute;
133 1/2 year (1 semester) of student teaching, or 1 year of supervised, full-time teaching experience in a Delaware
134 public school; and additional coursework as necessary constitute the program of study leading to the ~~initial~~
135 provisional license and standard certificate. An ~~initial~~ provisional license conditioned on continued enrollment in
136 the Special Institute and an emergency certificate shall be issued to the person employed to complete the 1 year of
137 full-time teaching experience in lieu of student teaching. Upon successful completion of the Special Institute for
138 Teacher Licensure and Certification Program, the individual shall receive an initial license valid for ~~the balance of~~
139 a 3 year term, and a standard certificate.

140 (2) For individuals seeking licensure and certification in elementary or special education, it is intended
141 that 2 summers of courses in the special institute (immediately before and after a student teaching experience or 1

142 year full-time teaching experience); 1/2 year of student teaching or 1 year of supervised, full-time teaching
143 experience in a Delaware public school; and additional coursework as necessary constitute the program of study
144 leading to the ~~initial~~ provisional license and standard certificate. An ~~initial~~ provisional license conditioned on
145 continued enrollment in the Special Institute and an emergency certificate shall be issued to the person employed
146 to complete the 1 year of full-time teaching experience in lieu of student teaching. Upon successful completion of
147 the Special Institute for Teacher Licensure and Certification Program, the individual shall receive an initial license
148 valid for ~~the balance of~~ a 3 year term and a standard certificate.

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

151 Subchapter VI. Alternative Routes for Teacher Licensure and Certification

152 § 1260 Requirements for the participation in alternative routes for teacher licensure and certification program [Effective
153 until Apr. 20, 2018]

154 (a) Subject to §1217~~8~~ of this title and notwithstanding any other provision in this chapter to the contrary,
155 candidates seeking participation in ~~the an~~ an alternative routes for teacher licensure and certification program shall be issued
156 ~~an initial provisional license of no more than 3 years' duration~~ an initial provisional license conditioned on continued enrollment in ~~the an A~~ an A alternative
157 ~~R~~ routes for ~~T~~ teacher ~~L~~ licensure and ~~C~~ certification ~~P~~ program and an emergency certificate or certificates provided they:

158 § 1260 Requirements for the participation in alternative routes for teacher licensure and certification program [Effective
159 Apr. 20, 2018]

160 (a) Subject to §1217~~8~~ of this title and notwithstanding any other provision in this chapter to the contrary,
161 candidates seeking participation in ~~the an~~ an alternative routes for teacher licensure and certification program shall be issued
162 ~~an initial provisional license of no more than 3 years' duration~~ an initial provisional license conditioned on continued enrollment in ~~the an A~~ an A alternative
163 ~~R~~ routes for ~~T~~ teacher ~~L~~ licensure and ~~C~~ certification ~~P~~ program and an emergency certificate or certificates provided they:

164 § 1263 Recommendation for initial licensure and certification of teacher participating in the alternative routes for teacher
165 licensure and certification program.

166 (a) At the conclusion of ~~the an~~ an alternative routes for teacher licensure and certification program, the certified
167 evaluators shall prepare a comprehensive evaluation report on the performance of the teacher participating in ~~the an~~ an
168 alternative routes for teacher licensure and certification program. This report shall be submitted by the certified evaluators
169 directly to the Department of Education and shall contain a recommendation as to whether or not a license should be issued
170 to the teacher participating in ~~the an~~ an alternative routes for teacher licensure and certification program. Such license shall be

171 an initial license valid for the balance of the 3 year term, if the participant has completed the program in less than 3 years,
172 or continuing license, if the 3 year term of the initial license has expired.

173 Section 4. This Act shall be effective December 15, 2016.

SYNOPSIS

This Act amends Title 14, Chapter 12, Subchapter II. of the Delaware Code, creating a four-tiered licensure structure for Delaware educators. Through Senate Bill 51, the State of Delaware has significantly improved educator preparation in Delaware. This Act will continue this critical work and will have positive impacts across the entire educator effectiveness continuum. The revisions include: 1) Creating a one-year “Provisional” License for applicants who have not met the performance assessment requirement; 2) Redefining the length of time an educator is considered to be a “novice,” from a three-year time period to a four-year time period; 3) Expanding the mentoring program for novice educators, thus strengthening the support provided to Delaware’s early career educators; 4) Ensuring Delaware’s school districts and charter schools can continue to hire high-quality out-of-state candidates and support them as they meet performance assessment requirements in their first year of teaching; and 5) Requiring the completion of an impact study designed to assess the correlation between the aforementioned revisions and the State’s ongoing efforts to elevate the profession, improve educator preparation, and increase student growth and achievement.

Author: Senator Sokola