



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES
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410 Federal Street
Dover, Delaware 19901
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The Honorable John Carney
Governor

John McNeal
SCPD Director

October 1, 2020

Ms. Emily Cunningham
Department of Education
401 Federal Street, Suite 2
Dover, DE 19901

RE: 24 DE Reg. 227 [DOE Proposed Regulation on 1520 Early Childhood
Teacher (September 1, 2020)]

Dear Ms. Cunningham:

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Education's (DOE's) proposal to amend 14 Del. Admin. C. § 1520, which describes requirements for obtaining the Early Childhood Teacher standard certificate (hereinafter "Certificate") pursuant to 14 Del. C. § 1220. DOE, in cooperation with the Professional Standards Board (hereinafter "The Board"), is proposing to amend this regulation to clarify language in Section 1.0, add definitions to Section 2.0, clarify the requirements for issuing a Certificate, and adding sections 6.0-9.0 which concern the validity of the Certificate, discipline actions, requests for the Secretary of Education to review applications and, recognizing past certifications, respectively. The proposed regulation was published as 24 DE Reg. 227 in the September 1, 2019 issue of the Register of Regulations. SCPD has the following observations.

Many of the proposed changes are similar to the proposed changes to the regulation governing the Standard Certificate for teachers of students with disabilities, the Standard Certificate for teachers of students who are gifted and talented, and the Standard Certificate for teachers of students with autism or students with severe intellectual disabilities which were published in the Delaware Register of Regulations on April 1, 2020 (23 Del. Register of Regulations 810), May 1, 2020 (23 Del. Register of Regulations 961), and June 1, 2020 (23 Del. Register of Regulations 992) respectively. As this proposed regulation is nearly identical to the previous, only differences and recommendations are included.

As with the prior reviewed proposed regulations, the two proposed sections which require the most scrutiny and consideration are § 1520.6 and § 1520.8.

Proposed § 1520.6 establishes that an educator with a certificate under this section is not required to renew the certificate as long as their educator's license is valid and current. For background, an educator's initial license is valid for four (4) years at which point they can apply for a continuing license which is valid for five (5) years. After five (5) years, the educator can apply to renew their license. That renewal requires a certain number of professional development hours along with other requirements. The purpose of these professional development hours is to ensure that Delaware educators are continuing to learn and develop their practice, just as other professions are required to do.

The Board does not prescribe specific professional development for educators. This is true for educators possessing one of the many standard certifications that are available, including the certification under proposed § 1520. The only requirements for professional development, found at 14 Del. Admin. C. § 1511.6, are that it should include at least ninety (90) "Clock Hours" which are related to 14 Del. Admin. C. § 1597 (Delaware Professional Teaching Standards), 14 Del. Admin. C. § 1590 (Delaware Administrator Standards), or "appropriate specialty organization standards." Therefore, it is possible that an educator with this certificate will not actually participate in any professional development related to their certification.

SCPD recommends that DOE consider whether including requirements for renewal of this certificate is warranted. For ease, the renewal of this certificate could coincide with the date of renewal for the educator's license. Proposed requirements for renewal could include activities such as participation in a mandated number of hours (out of the ninety (90) required) of professional development related to this certificate or additional mentoring on top of the current mentoring requirements.

Proposed § 1520.8 establishes an additional route to obtaining a certificate under this section. Specifically, it allows DOE’s Secretary of Education to review and grant certification where the educator does not meet the requirements necessary. This review would be prompted at the request of a local school or school district and would need to be supplemented with documentation showing the educator’s effectiveness.

Proposed § 1520.8 mirrors similar language found in 14 Del. C. § 1224, which allows the Secretary 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.” Although proposed § 1520.8 is aligned with current regulations concerning standard certificates, DOE cannot forget that educators within this category should be some of Delaware’s most capable educators. SCPD recommends that DOE remove proposed § 1520.8 or, alternatively, SCPD recommends DOE remove the language allowing for a review by the Secretary where an applicant does not meet the listed requirements.

Thank you for your consideration and please contact the SCPD if you have any questions or comments regarding our observations and recommendations on the proposed regulation.

Sincerely,



Terri Hancharick, Chairperson
State Council for Persons with Disabilities

cc: The Honorable Susan Bunting, Department of Education
Mary Ann Mieczkowski, Department of Education
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