

June 4, 2014

Dr. Donna Mitchell, Executive Director  
Professional Standards Board  
Townsend Building  
401 Federal Street  
Dover, DE 19901

**RE: Professional Standards Board Proposed Initial License Regulation [17 DE Reg. 1031 (May 1, 2014)]**

Dear Dr. Mitchell:

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed the Professional Standards Board proposal, in collaboration and cooperation with the Department of Education (DOE), to revise its initial license standards based on changes to Title 14 Del.C. §1210 which are effective July 1, 2014. The GACEC would like to share the following observations and recommendations.

First, in §2.0, definition of "immorality", Council recommends that "or otherwise" not be added. The current standard defines immorality as conduct which impairs the effectiveness of an educator due to "unfitness". The addition of "or otherwise" would literally authorize a finding of immorality for conduct not related to "unfitness". The definition is somewhat vague and the addition of "or otherwise" intensifies the lack of clarity.

Second, in §2.0, definition of "mentoring", insert "in" between "Board" and "which".

Third, in §4.0, the reference to "instruct a particular category of students in which they wish to be employed" is unusually worded. A teacher cannot be employed in a category of students. The DOE could consider simply deleting "in which they wish to be employed," as surplusage.

Fourth, in §7.1, the DOE deletes a reference to the Praxis I as an approved examination of general knowledge. It then inserts the Praxis I in the table compiled at the end of the regulation. Since the statute [§1210(a)] explicitly recites that the Department "shall issue" an initial license if an applicant achieves a passing score on the Praxis I and meets other standards, the deletion of the reference to Praxis I in this section should be reconsidered. Based on the statute, the DOE does not have the discretion to omit the Praxis I from counting as an acceptable examination of general knowledge.

Fifth, in §9.0, first sentence, there is a plural pronoun ("their") with a singular antecedent ("work"). Substitute "its" for "their".

Sixth, Title 14 Del.C. §1210(b) recites as follows:

(b) Notwithstanding the requirements of subsection (a) of this section, an initial license may be issued to an applicant who meets all other requirements for initial licensure except for passage of the PRAXIS I exam, provided that the applicant must pass PRAXIS I within the period of time from the date of hire to the end of the next, consecutive fiscal year. If proof of passage of PRAXIS I has not been provided during the time period specified, the initial license will be suspended unless the superintendent of the school district submits to the Secretary of Education a written request for a 1-year extension. The request must also document the effectiveness of the applicant. Any applicant who is within 2 points of the passing score on the reading, writing, or mathematics section of PRAXIS I may use a composite score to meet the requirements of passage. An applicant teaching the secondary content area of Math or English/Language Arts must meet the passing score in that content area.

This subsection does not appear to be implemented in the proposed regulation. Indeed, the DOE proposes to delete some regulatory provisions which implemented the statute mentioned above. See, e.g., deleted §7.2.1.

Thank you for your consideration of our comments and recommendations. We apologize for the earlier mix-up and appreciate the opportunity to submit our observations. Please contact the GACEC office if you have any questions.

Sincerely,

Terri A. Hancharick  
Chairperson

TAH:kpc

CC: The Honorable Mark Murphy, Secretary of Education  
Dr. Teri Quinn Gray, State Board of Education  
Ms. Mary Ann Mieczkowski, Department of Education  
Ms. Susan Haberstroh, Department of Education  
Ms. Paula Fontello, Esq., Department of Education  
Ms. Terry Hickey, Esq., Department of Education  
Ms. Ilona Kirshon, Esq., Department of Justice