

## OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

### NOTICE OF FINAL RULEMAKING

The State Superintendent of Education, pursuant to the authority set forth in Sections 2a, 3(b)(11), (12) and (17) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code §§ 38-2601.01, 38-2602(b)(11), (12), and (17) (2012 Repl. & 2016 Supp.)), and Sections 1002(a)(22) and (36) of the Non-Health Related Occupations and Professions Licensure Act of 1998, effective April 20, 1999 (D.C. Law 12-261; D.C. Official Code § 47-2853.04(a)(22) and (36) (2015 Repl.)), hereby gives notice of the adoption of the following amendments to create a new Chapter 16 (Credentials for Teachers and School Administrators) in Title 5 (Education), Subtitle A (Office of the State Superintendent of Education) of the District of Columbia Municipal Regulations (“DCMR”), and delete in their entirety Sections 1600-1654, 1664-1667, and 1687 in Chapter 16 (License Requirements) in Subtitle E (Original Title 5), Title 5 (Education) DCMR.

The purpose of the final rulemaking is to update the current criteria and procedures under which the Office of the State Superintendent (“OSSE”) shall issue credentials to teachers and administrators in a manner that aligns with current research and needs; eliminate onerous credentials requirements; and streamline the process for awarding credentials in the District.

A Notice of Emergency Rulemaking was published in the *D.C. Register* on March 25, 2016 in 63 DCR 4469. The emergency rulemaking was adopted on March 1, 2016 and became effective on that date. A Notice of Proposed Rulemaking was published in the *D.C. Register* for a thirty (30) day public comment period on April 22, 2016, at 63 DCR 6162. The comment period officially closed on May 23, 2016, with the State Superintendent having received comments from one stakeholder. Based on the comments filed in response to the Notice of Proposed Rulemaking, OSSE amended the language in Subsections 1601.6(b), 1601.9(b), and 1601.9(c) by striking the phrase “three (3)” and inserting the phrase “five (5)” in its place to clarify OSSE’s original intent to recognize individual needs to take time away from the classroom for various personal reasons such as continuing education or care for family members. In addition, OSSE has removed the provisions regarding pathways to obtaining advanced teaching credentials and advanced administrative service credentials in Subsections 1601.12 through 1601.14, 1603.10 through 1603.12, and 1604.9 through 1604.10. OSSE has reserved those subsections, however, in order to further explore those pathways. OSSE anticipates addressing the advanced credential pathways through a separate rulemaking action in the near future.

The final rules are being adopted in substantially the same form as proposed with clarifications and deletions taking into account suggestions received in public comments. These changes do not substantially alter or change the intent, meaning, or application of the proposed rules or exceed the scope of the rules as published with the notice of proposed rulemaking.

These rules were adopted as final on June 23, 2016 and will be effective upon publication of this notice in the *D.C. Register*.

**A new Chapter 16 is added to Title 5-A DCMR, OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION, as follows:**

## **CHAPTER 16: CREDENTIALS FOR TEACHERS AND SCHOOL ADMINISTRATORS**

### **1600 PURPOSE & SCOPE**

- 1600.1 The purpose of this chapter is to specify criteria under which the Office of the State Superintendent (OSSE) shall issue the following:
- (a) Teaching credential; and
  - (b) Administrative Services credential.
- 1600.2 OSSE shall issue a credential to any applicant who meets the criteria in this chapter including the criteria for a specific credential type, the criminal background check requirements described in Section 1606 and the submission of required application fees described in Section 1608.
- 1600.3 All credentials that are in effect as of the effective date of this rulemaking shall remain in effect until the date of their expiration.

### **1601 TEACHER CREDENTIALS**

- 1601.1 An individual shall hold a teaching credential to serve as a teacher in the District of Columbia Public Schools for the sub-specializations enumerated in this section.
- 1601.2 All individuals required to hold a teaching credential to serve as a teacher in a local education agency (LEA) in the District of Columbia must do so in accordance with the sub-specializations enumerated in this chapter.
- 1601.3 OSSE shall issue an initial, standard, and advanced teaching credential in accordance with the provisions of this chapter.
- 1601.4 All teaching credentials shall specify the discipline(s) and/or sub-specialization(s) in which the holder is authorized to teach.
- 1601.5 All applicants seeking an initial teaching credential in the District of Columbia shall:
- (a) Have earned a bachelor's degree at a college or university accredited by one of the regional accrediting bodies approved by the U.S. Department of Education;
  - (b) Have successfully passed an examination approved by OSSE and developed to assess general reading, writing, mathematics skills and other general content knowledge as designated by OSSE, with a qualifying score determined by OSSE;

- (c) Have successfully passed a subject matter content exam approved by OSSE, in the discipline(s) and/or sub-specializations(s) of the credential being sought; and
- (d) Meet the requirements of Subsection 1601.6.

1601.6 An applicant shall be issued an initial teaching credential by meeting the requirements described in Subsection 1601.5 and submitting the following:

- (a) Documentation satisfactory to OSSE to confirm that the applicant
  - (1) Is admitted into an OSSE-approved teacher preparation program aligned with the content discipline of the credential being sought, or in a teacher preparation program approved by another state approved by OSSE in accordance with the interstate agreement provisions outlined in this chapter; and
  - (2) Is employed or contracted as a teacher by an LEA operating in the District of Columbia; or
- (b) Documentation satisfactory to OSSE to confirm that the applicant:
  - (1) Has at least two (2) years of effective full-time teaching experience in another state as measured by a summative evaluation rating or two (2) years of effective or equivalent teaching as measured by the student growth component of an evaluation rating. The experience shall be completed within the previous five (5) years, and the final year shall show a rating of effective or higher; and
  - (2) Has a valid, current teaching credential, in good standing, issued from another state approved by OSSE in accordance with the interstate agreement provisions outlined in this chapter; or
- (c) Documentation satisfactory to OSSE to confirm that the applicant:
  - (1) Is employed or contracted as a teacher by an LEA operating in the District of Columbia; and
  - (2) Has a written request for issuance of an initial teaching credential addressed to OSSE from the employing LEA.

1601.7 The term of the initial teaching credential shall expire on July 31st of the third (3<sup>rd</sup>) calendar year after issuance.

1601.8 The initial teaching credential is not renewable.

1601.9 An applicant shall be issued a standard teaching credential by meeting the following requirements and submitting the following:

- (a) Documentation satisfactory to OSSE to confirm that the applicant:
  - (1) Completed an educator preparation program approved by OSSE or an approved program in another state approved by OSSE in accordance with the interstate agreement provisions outlined in this chapter;
  - (2) Successfully passed an examination approved by OSSE, developed to assess general reading, writing, mathematics skills, and other general content knowledge as designated by OSSE;
  - (3) Successfully passed a subject matter content examination approved by OSSE, in the content discipline for which a credential is sought; and
  - (4) Successfully passed a grade-appropriate pedagogy examination approved by OSSE, or performance-based assessment, as designated by OSSE, with a qualifying score determined by OSSE; or
- (b) Documentation satisfactory to OSSE to confirm that the applicant:
  - (1) Held an initial teaching credential in the District of Columbia;
  - (2) Completed at least two (2) years of effective or equivalent full-time teaching experience at an LEA in the District of Columbia within the five (5) year period prior to the application, as demonstrated by the applicant's summative evaluation rating from the employing LEA; and
  - (3) Successfully passed a grade-appropriate pedagogy examination approved by OSSE, or performance-based assessment, as designated by OSSE, with a qualifying score determined by OSSE; or
- (c) Documentation satisfactory to OSSE to confirm that the applicant:
  - (1) Holds a teaching credential issued by another state approved by OSSE in accordance with the interstate agreement provisions outlined in this chapter;

- (2) Successfully passed an examination approved by OSSE and developed to assess basic reading, writing, mathematics skills, and other general content knowledge designated by OSSE;
  - (3) Successfully passed a subject matter content examination approved by OSSE in the content discipline for which a credential is sought;
  - (4) Successfully passed a grade-appropriate pedagogy examination or performance-based assessment, as designated by OSSE; and
  - (5) Has at least two (2) years of effective or equivalent full-time teaching experience in another state, as measured by a summative evaluation rating of two (2) years of effective or equivalent teaching based upon the student growth component of an evaluation rating. The experience shall be completed within five (5) years prior to an application for the credential, and the final year shall show a rating of effective or higher; or
- (d) Documentation satisfactory to OSSE to confirm that the applicant:
- (1) Is currently or has been employed as a teacher by an LEA operating in the District of Columbia;
  - (2) Has completed at least two (2) years of effective or equivalent full-time teaching experience at an LEA in the District of Columbia within the three (3) years prior to the application, as demonstrated by the applicant's summative evaluation rating from the employing LEA;
  - (3) Successfully passed an examination approved by OSSE, developed to assess general reading, writing, mathematics skills and other general content knowledge as designated by OSSE;
  - (4) Successfully passed a subject matter content examination approved by OSSE, in the content discipline for which a credential is sought; and
  - (5) Successfully passed a grade-appropriate pedagogy examination or performance-based assessment, as designated by OSSE, with a qualifying score determined by OSSE.

1601.10 A standard teaching credential shall be valid for a term of four (4) years.

1601.11 A standard teaching credential may be renewed if the requirements for renewal of this credential are met, in accordance with this chapter. A renewal period shall be for a term of four (4) years.

1601.12 [RESERVED]

1601.13 [RESERVED]

1601.14 [RESERVED]

**1602 TEACHER CREDENTIALS: SUB-SPECIALIZATIONS**

1602.1 OSSE shall establish criteria for the preparation of teachers in the following sub-specializations:

- (a) Adult Basic Education (Adult)
- (b) Adult Education (Academic Subjects)
- (c) Art (Pre-kindergarten – Grade 12)
- (d) Bilingual Education (Pre-kindergarten – Grade 12)
- (e) Bilingual Special Education (Pre-kindergarten – Grade 12)
- (f) Biology (Grades 7 – 12)
- (g) Business Education (Grades 7 – 12)
- (h) Chemistry (Grades 7 – 12)
- (i) Computer Education Laboratory Teacher (Pre-kindergarten – Grade 12)
- (j) Computer Science (Grades 7 – 12)
- (k) Early Childhood Education (Pre-kindergarten – Grade 3)
- (l) Early Childhood – Montessori Primary (Pre-kindergarten – Grade 3)
- (m) Early Childhood Special Education (Pre-kindergarten – Grade 3)
- (n) Educational Technology Teacher Trainer (Pre-kindergarten – Grade 12)
- (o) Elementary Education (Grades 1 – 6)
- (p) Elementary Mathematics Resource (Grades 1-6)
- (q) Elementary Science Resource (Grades 1-6)

- (r) Elementary – Montessori Elementary (Grades 1-6)
- (s) English (Grades 7 - 12)
- (t) General Science (Grades 7 - 12)
- (u) Gifted and Talented Education (Pre-kindergarten – Grade 12)
- (v) Home Economics (Grades 7-12)
- (w) Mathematics (Grades 7 - 12)
- (x) Physical Education (Pre-kindergarten – Grade 12)
- (y) Physics (Grades 7 - 12)
- (z) Reading (Pre-kindergarten - Grade 12)
- (aa) Social Studies (Grades 7 - 12)
- (bb) Middle School Education (Grades 4 – 8)
- (cc) Industrial Arts (Grades 7-12)
- (dd) Marketing Education (Grades 7-12)
- (ee) Performing Arts – Visual Arts (Pre-kindergarten – Grade 12)
- (ff) Performing Arts – Music (Pre-kindergarten – Grade 12)
- (gg) Performing Arts – Drama and Theatre (Pre-kindergarten – Grade 12)
- (hh) Performing Arts – Dance (Pre-kindergarten – Grade 12)
- (ii) Foreign Languages (Pre-kindergarten – Grade 12)
- (jj) Health Education (Pre-kindergarten – Grade 12)
- (kk) Instrumental Music (Pre-kindergarten – Grade 12)
- (ll) Vocal Music (Pre-kindergarten – Grade 12)
- (mm) Non-Categorical Special Education (Pre-kindergarten – Grade 12)
- (nn) Categorical Special Education - (Pre-kindergarten – Grade 12)

(oo) English as a Second Language (Pre-kindergarten – Grade 12)

(pp) Technical and Industrial Occupations (Grades 7-12)

1602.2 OSSE shall not issue credentials in the following sub-specializations:

(a) Athletic Trainer;

(b) Athletic Coach;

(c) Health Occupation; and

(d) Military Science and Tactics.

1602.3 Individuals in possession of OSSE-issued credentials enumerated in Subsection 1602.2 that are in effect on the date of this regulation shall remain in effect until the credential's expiration date. After expiration, individuals employed to fulfill these roles shall be subject to the qualifications and conditions established by their employing LEA for these roles.

### **1603 ADMINISTRATIVE SERVICES CREDENTIALS**

1603.1 An individual shall hold an administrative services credential to serve as principal or assistant principal in the District of Columbia Public Schools.

1603.2 All individuals required to hold an administrative services credential to serve as a principal or assistant principal in a local education agency in the District of Columbia must do so in accordance with this section.

1603.3 OSSE shall issue an initial, standard, and advanced administrative services credential in accordance with the provisions of this section.

1603.4 An applicant shall be issued an initial administrative services credential by meeting the following requirements, as demonstrated by submitting documentation satisfactory to OSSE to confirm that the applicant:

(a) Has earned a bachelor's degree at a college or university accredited by one of the regional accrediting bodies approved by the U.S. Department of Education;

(b) Earned a graduate degree or higher at a college or university accredited by one of the regional accrediting bodies approved by the U.S. Department of Education or successfully completed the requirements of a state approved program approved by OSSE for educational administrators, or holds a valid administrative services credential from another state; and



- (c) Has two (2) years full-time preschool-grade 12 school-based teaching or instructional leadership experience, or full-time preschool- grade 12 school-based experience in guidance counseling, social work, psychological services, or rehabilitative services for students with disabilities; but has not passed the School Leaders Licensure Assessment (SLLA).

1603.5 An initial administrative services credential shall be valid for a term of two (2) years.

1603.6 An initial administrative services credential is not renewable.

1603.7 An applicant shall be issued a standard administrative services credential by meeting the following requirements and submitting the following:

- (a) Documentation satisfactory to OSSE to confirm the applicant:
  - (1) Has earned a bachelor's degree at a college or university accredited by one of the regional accrediting bodies approved by the U.S. Department of Education;
  - (2) Earned a graduate degree or higher from an accredited institution of higher education or successfully completed the licensure requirements of a state approved program approved by OSSE for educational administrators, or holds a valid administrative services credential from another state;
  - (3) Successfully completed four years of full-time preschool-grade 12 school-based teaching, instructional leadership experience, guidance counseling, social work, psychological services, or rehabilitative services for students with disabilities; and
  - (4) Successfully completed the SLLA, with a qualifying score determined by OSSE;
- (b) Documentation satisfactory to OSSE to confirm the applicant:
  - (1) Has earned a bachelor's degree at a college or university accredited by one of the regional accrediting bodies approved by the U.S. Department of Education;
  - (2) Earned a graduate degree or higher from an accredited institution of higher education or successfully completed the licensure requirements of a state approved program approved by OSSE for educational administrators, or holds a valid administrative services credential from another state;

- (3) Successfully completed two years of effective or the equivalent, full-time preschool-grade 12 school-based teaching or instructional leadership experience, or two years of effective or the equivalent, full-time preschool-grade 12 school-based experience in guidance counseling, social work, psychological services, or rehabilitative services for students with disabilities; as demonstrated by the applicant's summative evaluation rating from his or her LEA; and
- (4) Successfully completed the SLLA, with a qualifying score determined by OSSE; or

(c) Documentation satisfactory to OSSE to confirm the applicant:

- (1) Has earned a bachelor's degree at a college or university accredited by one of the regional accrediting bodies approved by the U.S. Department of Education;
- (2) Holds a valid administrative services credential issued by another state approved by OSSE in accordance with the interstate agreement provisions outlined in this chapter;
- (3) Successfully completed two years of effective or equivalent, full-time preschool-grade 12 school-based teaching or instructional leadership experience, in another state, as measured by a summative evaluation rating of two (2) years of effective or equivalent teaching based upon the student growth component of an evaluation rating; or, two years of effective or the equivalent, full-time preschool-grade 12 school-based experience in guidance counseling, social work, psychological services, or rehabilitative services for students with disabilities, as demonstrated by the applicant's summative evaluation rating from his or her LEA; and
- (4) Successfully completed the SLLA, with a qualifying score determined by OSSE.

1603.8 A standard administrative services credential shall be valid for a term of four (4) years.

1603.9 A standard administrative services credential may be renewed if the requirements for renewal of this credential are met in accordance with this chapter. A renewal period shall be for a term of four (4) years.

1603.10 [RESERVED]

1603.11 [RESERVED]

1603.12 [RESERVED]

**1604 CREDENTIAL STATUSES AND RENEWAL REQUIREMENTS**

1604.1 The following statuses shall apply to the credentials described in this chapter:

- (a) Active;
- (b) Expired;
- (c) Revoked; and
- (d) Suspended

1604.2 Each credential holder shall be responsible for knowing the requirements needed to maintain a valid District of Columbia credential. When a teaching credential is renewed, all sub-specializations for which the credential holder is authorized will be renewed.

1604.3 To renew a standard teaching credential, credential holders shall present:

- (a) Documentation showing that the credential holder has achieved a summative LEA teacher evaluation rating of effective or equivalent for a minimum of three (3) years during the four (4) year term of validity; or
- (b) Evidence showing that the credential holder has engaged in a minimum of one hundred twenty (120) hours of professional development activities during the four (4) year term of validity.

1604.4 A standard teaching credential that has expired cannot be renewed but may be reinstated by submitting and meeting the requirements for a new application.

1604.5 To renew an advanced teaching credential, a credential holder shall present documentation showing that the credential holder has achieved a summative LEA evaluation rating of highly effective or equivalent for a minimum of three (3) years during the five (5) year term of validity.

1604.6 An advanced teaching credential that has expired cannot be renewed but may be reinstated by submitting and meeting the requirements for a new application.

1604.7 To renew a standard administrative services credential, credential holders will present:

- (a) Documentation showing that the credential holder has achieved summative LEA administrator evaluation rating of effective or equivalent

for a minimum of three (3) years during the four (4) year term of validity;  
or

- (b) Evidence showing that the credential holder has engaged in a minimum of one hundred twenty (120) hours of professional development activities during the four (4) year term of validity.

1604.8 A standard administrative services credential that has expired cannot be renewed but may be reinstated by submitting and meeting the requirements for a new application.

1604.9 [RESERVED]

1604.10 [RESERVED]

**1605 INTERSTATE AGREEMENT ON QUALIFICATION OF EDUCATIONAL PERSONNEL**

1605.1 OSSE shall conduct periodic reviews to determine whether any state has established teacher preparation standards that are at least comparable or equivalent to teacher preparation standards in the District of Columbia.

1605.2 If OSSE determines that the teacher preparation standards established by any state are at least comparable or equivalent to teacher preparation standards in the District of Columbia, OSSE shall initiate negotiations with that state to provide reciprocity in teacher or administrative services credentialing.

1605.3 OSSE shall award a credential to any applicant who holds or qualifies for an equivalent credential awarded by a state that has established a reciprocity agreement with the District of Columbia.

1605.4 OSSE shall grant an appropriate credential to any applicant from another state that has completed teacher preparation that is at least comparable or equivalent to preparation that meets teacher preparation standards in the District of Columbia, as determined by OSSE, if both of the following circumstances exist:

- (a) A reciprocity agreement with the other state is pending completion, or the other state has declined to enter into a reciprocity agreement with the District of Columbia; and
- (b) The applicant has met the requirements of the District of Columbia for obtaining a credential in accordance with this section.

1605.5 An interstate agreement established pursuant to this section shall not exempt an out-of-state applicant from being required to submit to, and comply with, a

background or criminal history record check, in conjunction with obtaining a credential under this chapter.

## **1606 REQUIRED CRIMINAL BACKGROUND CHECKS**

- 1606.1 Each applicant for a credential under this chapter shall be required to undergo a criminal history record check prior to receiving the credential, and shall be required to submit to additional checks for purposes of renewing or continuing to hold the credential.
- 1606.2 OSSE shall develop policies or directives setting forth the criteria for the review of such records in accordance with applicable law.
- 1606.3 Criminal convictions, in accordance with Section 1607, and pending criminal charges shall be taken into account by OSSE with regard to criminal background information in determining whether or not an individual is qualified to hold the credential.
- 1606.4 Holding a credential issued by OSSE shall not exempt an individual from the criminal background check requirements of any employer.

## **1607 DENIAL, SUSPENSION OR REVOCATION OF TEACHING AND ADMINISTRATIVE SERVICES CREDENTIALS**

- 1607.1 An application for a credential shall be denied by OSSE and a credential issued pursuant to this chapter shall be denied for renewal, suspended for a period determined by OSSE, or revoked by OSSE if the applicant or credential holder has:
- (a) Fraudulently or deceptively obtained or attempted to obtain the credential;
  - (b) Pled guilty or *nolo contendere* with respect to, or received probation before judgment with respect to, or been convicted of, one of the following crimes as defined in the District of Columbia Official Code or a comparable crime in another state or federal law:
    - (1) Murder;
    - (2) Child abuse;
    - (3) Rape or sexual abuse;
    - (4) A sexual offense involving a minor or non-consenting adult;
    - (5) Child pornography;

- (6) Kidnapping or abduction of a child;
  - (7) Illegal possession, use, sale, or distribution of controlled substances;
  - (8) Illegal possession or use of weapons;
  - (9) A felony involving moral turpitude to be defined as one characterized by behavior or acts that gravely violate moral sentiments or accepted moral standards of this community and are of a morally culpable quality; or
  - (10) A crime of violence as defined in District of Columbia Official Code Section 23-1331(4);
- (c) Failed to report suspected child abuse or neglect, as required by District of Columbia Official Code Section 4-1321.02; or
  - (d) Been denied a credential or had his/her credential denied, suspended, or revoked in another jurisdiction within the previous five (5) years for a cause which would be grounds for denial, suspension, or revocation under this section.

1607.2 The following reporting procedures shall govern this chapter with regard to conduct in this section:

- (a) Employees, agents, and contractors of local education agencies in the District of Columbia shall notify OSSE in writing if they become knowledgeable of a person with a current credential issued under this chapter or an applicant for a credential under this chapter who engages in an act listed in Subsection 1607.1.
- (b) The written notice shall include the following information:
  - (1) Name and current or last known address of the person being reported;
  - (2) Type of credential held or applied for by the person; and
  - (3) Specific act set forth in Subsection 1607.1 engaged in by the individual at issue.
- (c) OSSE shall establish and implement policies and procedures for the review of documents associated with the reporting of actions listed in Subsection 1607.1.

- 1607.3 OSSE shall send a potential or current credential holder written notification before denying an application for, denying the renewal of, suspending or revoking a credential for reasons set forth in Subsection 1607.1; or before denying an application or renewal for failure to achieve a summative evaluation rating of effective or highly effective (or their equivalent). The written notification shall include the following:
- (a) The intent to deny the application or to deny the renewal of, suspend, or revoke the credential, specifying the basis for the intended action;
  - (b) Notice that a potential or current credential holder has the right to appeal the proposed action at a hearing;
  - (c) Notice that, if the potential or current credential holder requests a hearing to appeal the proposed action, the decision to deny, suspend or revoke shall not become final until the conclusion of the hearing.
  - (d) Notice that at a hearing the standard of proof shall be a preponderance of the evidence and that the burden of proof shall rest upon:
    - (1) OSSE to sustain a decision to suspend or revoke a credential; and
    - (2) The applicant to reverse a decision to deny a credential.
  - (e) Notice that an individual appealing the proposed action shall have the right, at his/her own expense, to be represented by an attorney or other representative at the hearing.
  - (f) Notice that a request for a hearing to appeal the proposed action shall be filed within ten (10) business days of the date of the written notification of the intent to deny the application or deny, suspend or revoke the credential as a result of moral character and fitness issues.
  - (g) Notice that, absent the timely filing of a request for a hearing, the decision shall become final on the eleventh (11th) business day after written notification of the intent to deny the application or deny the renewal of, suspend or revoke the credential as a result of character and fitness issues.
- 1607.4 If an application for or renewal of a credential is intended for denial by OSSE as a result of the failure to meet the requirements of Subsections 1601.12, 1603.4, 1606.7, or 1606.10, and the applicant requests a hearing under Subsection 1607.3, the LEA(s) that issued the summative evaluation(s) shall cooperate with OSSE in defense of the intended action.
- 1607.5 OSSE shall notify all other states of denial, suspension, and revocation decisions as part of the interstate certification data exchange.

- 1607.6 If the decision of denial, suspension, or revocation is based on Subsection 1607.1 (b), and if the decision subsequently is overturned in an appeal or other post decision proceeding, an applicant may re-apply for a credential, and a credential suspension or revocation shall end on the date a conviction or plea of guilty is overturned.
- 1607.7 A credential which has been suspended under this chapter shall be automatically reinstated at the end of a suspension period; provided that the credential has not expired during the period of suspension.
- 1607.8 If a credential expired during the period of suspension, a person may reapply and shall be required to meet the credential requirements in effect at the time the application is submitted for a new credential.

## **1608 FEES**

- 1608.1 Each application for a credential submitted to OSSE for processing under this chapter shall be accompanied by a fee established by OSSE.
- (a) OSSE shall determine the amount of revenue that shall be required to administer the teacher and administrator credentialing process, and shall establish an application processing fee in the amount deemed necessary for such purposes;
  - (b) As required by Section 3 of the State Education Office Establishment Act of 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602), all revenue collected by OSSE under this subsection for the processing of credentials shall be deposited in the OSSE “Academic Certification and Testing Fund,” which shall be separate from the Local Operating Funds of the District of Columbia. Any unexpended funds in the Academic Certification and Testing Fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia pursuant to Section 3(c)(2) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(c)(2)).
  - (c) All revenue collected by OSSE under this subsection for the processing of credentials shall be used for the purposes directly related to credentialing activities, shall include:
    - (1) Travel, including per diems;
    - (2) Educator professional training and development, including food and beverages, pursuant to 5 U.S.C. § 4109;



- (3) Award programs, including food and beverages pursuant to 5 U.S.C. § 4503;
  - (4) Stipends;
  - (5) Professional organization membership dues;
  - (6) Day-to-day office operational needs related to credentialing activities;
  - (7) Salaries of individuals who perform, manage, monitor or oversee credentialing or support the processing and issuing of credentials; and
  - (8) The maintenance of credentialing program systems and records, including the creation and maintenance of any electronic or online system.
- (d) Fees shall be made payable to the D.C. Treasurer as specified by OSSE.
  - (e) OSSE shall establish and publish on its website the application fee for first time applicants and renewals, and for requests for duplicate credentials.

## 1699

### DEFINITIONS

#### 1699.1

When used in this chapter, the following terms shall have the ascribed meanings:

- (a) **“Credential”** means a document issued under this chapter to a person who has met the eligibility standards and other requirements of this chapter and who is therefore authorized to perform the services permitted by law and regulation to be performed by a person holding such a credential, and to hold himself or herself out as authorized to perform such services.
- (b) **“Local Education Agency” or “LEA”** means an educational institution at the local level that exists primarily to operate a publicly funded school or schools providing elementary or secondary education in the District of Columbia, including the District of Columbia Public Schools (DCPS) and a District of Columbia public charter school.
- (c) **“Office of the State Superintendent of Education” or “OSSE”** means the District of Columbia state education level agency established by Section 2 of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601 (2012 Repl. & 2015 Supp.)).

- (d) **“School Leaders Licensure Assessment”** means the statewide assessment of school administration knowledge and skills that has been adopted by OSSE as a requirement for issuance of the administrative services credential.
- (e) **“Stipends”** means payments issued to a District of Columbia teacher, administrator, or other school-based professional in exchange for performing a service related to credentialing activities under this chapter.
- (f) **“Sub-specialization”** means the designation on a credential issued under this chapter authorizing a person to practice a specialty within a credential category.

**The following sections of Chapter 16, LICENSE REQUIREMENTS, of Title 5-E DCMR, ORIGINAL TITLE 5, are hereby deleted in their entirety:**

**5-E DCMR §§ 1600 through 1654**

**5-E DCMR §§ 1664 through 1667**

**5-E DCMR § 1687**