

September 29, 2009

Mr. Charlie Michels, Executive Director
Professional Standards Board
Townsend Building
401 Federal Street
Dover, DE 19901

RE: 13 DE Reg. 354 [DOE Alternative Routes to Teacher Certification Regulation]

Dear Mr. Michels:

The State Council for Persons with Disabilities (SCPD) has reviewed the Professional Standards Board's [in collaboration with the Department of Education (DOE)] proposal to amend its standards covering alternative routes to teacher licensure and certification. The amendments are prompted by changes in legislation effected by H.B. No. 102 enacted in the Spring of 2009 and are published as 13 DE Reg. 354 in the September 1, 2009 issue of the Register of Regulations.

SCPD did not identify any disability-related issues with the amendments which generally track statutory law compiled at Title 14 Del.C. §§1260-1264. However, Council did identify a few technical concerns.

First, proposed Section 3.1.1 contains the following standard:

3.1.1. Hold a bachelor's degree from a regionally accredited college or university in a coherent major, or its equivalent, in the instructional field they will teach;...

The analogous statute [Title 12 Del.C. §1260(a)(1)a] contains the following standard:

a. Hold a bachelor's degree from a regionally accredited college or university in a coherent major or its equivalent, which shall be no less than 30 credit hours appropriate to the instructional field; ..

The regulation omits the underlined reference and the DOE should consider inclusion in Section 3.1.1.

Second, Section 4.1.1 requires completion of “a summer institute of approximately 120 instructional (clock) hours...” [emphasis supplied] In contrast, the analogous statute [Title 12 Del.C. §1261(b)(1)] requires “a seminar/practicum of no less than 120 hours’ duration...” [emphasis supplied] While the regulation would ostensibly allow a summer institute/practicum of 117-119 hours, the statute would not. In other contexts, the same statute authorizes “approximate” hours. See, e.g., Title 12 Del.C. §1261(c). The absence of the term “approximate”, coupled with a reference literally establishing 120 hours as the “minimum”, suggests that the regulation should also require at least a 120-hour seminar/practicum.

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

Sincerely,

Daniese McMullin-Powell, Chairperson
State Council for Persons with Disabilities

cc: The Honorable Lillian Lowery
Ms. Jean Allen
Ms. Martha Toomey
Ms. Paula Fontello, Esq.
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Ms Jennifer Kline, Esq.
Ms. Susan Haberstroh
Developmental Disabilities Council
Governor’s Advisory Council for Exceptional Citizens