



STATE OF DELAWARE  
**STATE COUNCIL FOR PERSONS WITH DISABILITIES**

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February 22, 2016

Ms. Tina Shockley, Education Associate  
Department of Education  
401 Federal Street, Suite 2  
Dover, DE 19901

RE: 19 DE Reg. 714 [DOE Proposed Parent Councils Regulation]

Dear Ms. Shockley:

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Education's (DOE's) proposal to adopt a regulation related to the establishment and procedures for the creation and maintenance of a parent council for the parents of students with disabilities. The proposed regulation was published as 19 DE Reg. 714 in the February 1, 2016 issue of the Register of Regulations.

The proposed regulation is consistent with the recommendation from the IEP Improvement Task Force created by S.C.R. 63 in the 147<sup>th</sup> General Assembly which recommended that public schools encourage establishment of parent councils. This recommendation was also incorporated into S.B. 33 which was enacted in June 2015. The legislation contained the following provision:

Each school district and charter school enrolling any child with disabilities shall, on an annual basis, contact parents of each such child to attempt to facilitate the creation and maintenance of a parent council for the parents of students with disabilities. Parent councils will advocate generally for students with disabilities and provide person-to-person support for individual parents and children. The charter schools and school districts shall collaborate and coordinate with existing parent groups and other information and support groups to facilitate creation, maintenance, and effectiveness of the Parent Councils.

SCPD has the following observations.

First, in §25.1, SCPD recommends substituting "child with a disability" for "child with disabilities" to conform to 14 DE Admin Code 922.3.0.

Second, in §25.1, SCPD recommends substituting "in September of each year" for "on an annual basis". This change is still consistent with S.B. 33 but is preferable for multiple reasons.

September is the beginning of the school year when parents are acclimating to new schools. Having a uniform time frame should also facilitate compliance and DOE monitoring.

Third, the DOE regulation “parrots” the statutory language with no embellishment. It would be preferable to include some “prompts” to encourage districts and charter schools to consider various forms of support. They could be encouraged to consider the following: 1) provision of meeting space; 2) posting of agendas and minutes on school/district websites; 3) appointing at least one staff liaison (preferably from special education staff); and 4) offering or facilitating access to training (e.g. from Parent Information Center). This could be achieved by adding the following sentence to §25.3:

Facilitation may include provision of meeting space, appointment of at least one special education staff liaison, posting agendas and minutes on district and charter school websites, and offering or promoting access to training on special education and IEPs.

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

Sincerely,



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

cc: The Honorable Steven Godowsky, Ed.D, Secretary of Education  
Mr. Chris Kenton, Professional Standards Board  
Dr. Teri Quinn Gray, State Board of Education  
Ms. Mary Ann Mieczkowski, Department of Education  
Ms. Kathleen Geiszler, Esq., Department of Justice  
Ms. Terry Hickey, Esq., Department of Justice  
Ms. Ilona Kirshon, Esq., Department of Justice  
Mr. Brian Hartman, Esq.  
Developmental Disabilities Council  
Governor’s Advisory Council for Exceptional Citizens

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