



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

**Margaret M. O'Neill Bldg., Suite 1
Dover, Delaware 19901
302-739-3621**

**The Honorable John Carney
Governor**

**John A. McNeal
Director**

February 24, 2020

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

RE: 23 DE Register of Regulation 645 [DOE Final Regulation on Family Educational Rights and Privacy (February 1, 2020)]

Dear Ms. Cunningham:

The State Council for Persons with Disabilities (SCPD) has reviewed Delaware Department of Education's (DDOE) final regulation focusing on Family Educational Rights and Privacy Act (FERPA). The final regulations were published as 23 DE Reg. 645 in the February 1, 2020 issue of the Register of Regulations.

SCPD suggested that DOE leave in the sentence explaining that SPPO will investigate and review alleged FERPA violation complaints that are filed with its office and noted that the zip code listed on SPPO's website (20202-5920) differs from the zip code stated in the proposed regulation (20202-4605). DDOE in the final regulation corrected the zip code and noted that the complaints section is in 4.1; DDOE agreed to place the language regarding complaints in bold type to make it more prominent.

Thank you for your consideration of SCPD's comments and we certainly appreciate that DOE incorporated the Council's recommendations.

and please contact SCPD if you have any questions or comments regarding our observations on the final regulations.

Sincerely,

A handwritten signature in blue ink that reads "J. Todd Webb". The signature is written in a cursive style with a large, stylized initial "J".

J. Todd Webb, Chairperson
State Council for Persons with Disabilities

cc: The Honorable Susan Bunting – Department of Education
Mary Ann Mieczkowski – Department of Education
Linnea Bradshaw - Executive Director of the PSB
Laura Makransky, Esq. - Department of Justice
Terry Hickey, Esq. – Department of Justice
Valerie Dunkle, Esq. – Department of Justice
Whitney Sweeney, SBE
Tracy Poitras - PSB
Ms. Laura Waterland, Esq.
Governor’s Advisory Council for Exceptional Citizens
Developmental Disability Council

23reg645 - DOE family educational rights and privacy act (FERPA) 2-24-20