



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

Margaret M. O'Neill Bldg., Suite 1, Room 311  
410 Federal Street  
Dover, Delaware 19901  
302-739-3621

The Honorable John Carney  
Governor

John McNeal  
SCPD Director

October 1, 2020

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

RE: 24 DE Reg. 220 [DOE Proposed Regulation on 505 High School Graduation Requirements and Diplomas (September 1, 2020)]

Dear Ms. Cunningham:

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Education's (DOE's) proposal to amend 14 Del. Admin. C. § 505, which describes the State requirements for high school graduation. DOE is proposing to amend this regulation to add the definition for Homeless Youth and to allow students that have experienced homelessness during any of their high school years to graduate based on the State's requirements. The proposed regulation was published as 24 DE Reg. 220 in the September 1, 2019 issue of the Register of Regulations. SCPD has the following observations.

DOE believes this change will remove barriers that could arise if a student experiencing homelessness transfers between high schools that have different / additional requirements for graduation. This idea was included in the State's Every Student Succeeds Act Plan.

Specifically, this proposed amendment will add “Homeless Youth” to 14 Del. Admin. C. § 505.11.0, which currently allows for students in the custody of the Department of Services for Children Youth and Families to graduate based on the graduation requirements in the regulation in lieu of the particular District or Charter School’s graduation requirements. Given the “transient nature” of homelessness, youth who are homeless often experience “significant disruption in their education.” See National Conference of State Legislatures, <https://www.ncsl.org/research/human-services/homeless-and-runaway-youth.aspx>. For example, this disruption can be seen as youth withdraw and enroll in several schools over the course of a single school year or chronic absenteeism. What this proposed amendment is attempting to do is alleviate the difficulties of the former: switching schools several times throughout a single school year.

This proposed amendment will bring Delaware in line with several other states that have passed similar legislation. School House Connection, <https://www.schoolhouseconnection.org/state-laws-to-increase-high-school-graduation-for-students-experiencing-homelessness/>. SCPD endorses this proposed regulation, but also acknowledges that there is still more work to be done in this area.

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

Sincerely,



Terri Hancharick, 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  
Tracy Poitras - PSB  
Kathleen Smith - Professional Standards Board  
Laura Makransky, Esq. - Department of Justice  
Valerie Dunkle, Esq. - Department of Justice  
Whitney Sweeney, SBE  
Laura Waterland, Esq.  
Governor’s Advisory Council for Exceptional Citizens  
Developmental Disabilities Council

