



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES
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Dover, Delaware 19901
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The Honorable John Carney
Governor

John McNeal
SCPD Director

April 30, 2021

Department of Education
Office of the Secretary
Attn: Regulation Review
401 Federal Street, Suite 2
Dover, Delaware 19901

RE: Proposed DOE Regulation on 1574 Teacher of Students Who Are Deaf and Hard of Hearing, 24 Del. Register of Regulations 931 (April 1, 2021)

The State Council for Persons with Disabilities (SCPD) has reviewed the proposed regulation by the Department of Education (DOE) to amend 14 Del. Admin. C. § 1574, which describes the requirements for obtaining the Teacher of Students Who Are Deaf or Hard of Hearing standard certificate (hereinafter "Certificate") pursuant to 14 Del. C. § 1220. DOE, in cooperation with the Professional Standards Board (hereinafter "The Board"), is proposing to amend this regulation to add definitions to Section 2.0, clarify the requirements for issuing a Certificate, specify application requirements, and add Sections 6.0-9.0 which concern the validity of the Certificate, disciplinary actions, requests for the Secretary of Education to review applications and, recognizing past certifications, respectively. The proposed regulation was published as 24 DE Reg. 931 in the April 1, 2021 issue of the Register of Regulations. SCPD has the following observations.

DOE, in partnership with the Board, has been systematically reviewing and updating the requirements for the different Standard Certificates since approximately April of 2020. SCPD has previously submitted comments to

several of these proposed regulations with little to no effect. Of the recommendations put forth by SCPD, DOE and the Board have adopted only one – clarifying the language of subsection 3.2, which was ambiguous in the proposed regulation for the Special Education Teacher of Students with Disabilities (found at 14 Del. Admin. C. § 1571). This change has been adopted in the proposed regulations which have followed.

The proposed regulation is nearly identical to the previous except for the amendments made to current 14 Del. Admin. C. § 1574.4, which lists the additional requirements for obtaining the Certificate. The current language requires that an educator, in addition to the requirements enumerated under § 1574.3, must also satisfy one of two requirements specific to educating students who are Deaf. The two requirements are either (1) hold a master’s degree from a regionally accredited college or university in Deaf education from a program approved by the Council for Education of the Deaf; or (2) complete twenty-one (21) credits from a regionally accredited college or university or their equivalent in professional development as approved by the DOE in several areas related Deaf and Hard of Hearing individuals.

Proposed 14 Del. Admin. C. § 1574.4 would list the prescribed education, knowledge, and skill requirements for obtaining the Certificate and expand the current options from two (2) to five (5). An applicant would need to satisfy at least one of five additional education requirements. They are:

- 4.1.1 Obtained and currently maintain an Exceptional Needs Specialist certificate in the specialty area of Deaf/Hard of Hearing from the National Board for Professional Teaching Standards; or
- 4.1.2 Earned a master's degree from a Regionally Accredited college or university with a minimum of 30 semester hours of coursework in Deaf education from an educator preparation program approved or recognized by the CED; or
- 4.1.3 Satisfactorily completed an alternative routes for licensure or certification program to teach students who are Deaf or Hard of Hearing as provided in 14 Del.C. §§1260 - 1266; or
- 4.1.4 Satisfactorily completed a Department-approved educator preparation program in Deaf education; or
- 4.1.5 Earned a bachelor's degree from a Regionally Accredited college or university in any content area and satisfactorily completed 21 college credits or the equivalent number of hours with one credit equating to 15 hours taken as part of, or in addition to, a degree program from a Regionally Accredited college or university or a professional development provider approved by

the Department with a focus in Deaf education that are guided by and include [several enumerated] CED Initial Preparation Standards.

Proposed §§ 1574.4.1.2 and 1574.4.1.5 are virtually identical to the current §§ 1574.4.1.1 and 1574.4.1.2. With this proposed change, DOE would expand these additional prescribed requirements to allow an applicant to obtain the Certificate if they (1) currently hold a specialist certificate in the area of Deaf or Hard of Hearing from the National Board for Professional Teaching Standards; (2) satisfactorily complete an alternate route for licensure to teach students who are Deaf or Hard of Hearing; or (3) satisfactorily complete a Department-approved educator preparation program in deaf education.

Delaware law requires that when developing an individualized education plan (“IEP”) for children who are Deaf or Hard of Hearing, the local education agency (“LEA”) must consider “[t]he provision of optimal, direct, and ongoing language access to teachers of the Deaf and Hard of Hearing...who are knowledgeable due to specific training and who are proficient in the child’s primary communication mode or language[,]” as well as “[t]he provision of communication-accessible academic instruction, school services, and direct access to all components of the educational process[.]” 14 Del. C. § 3112.

Thank you for your consideration and please contact the SCPD if you have any questions or comments regarding our observations and recommendations 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
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Governor’s Advisory Council for Exceptional Citizens

Developmental Disabilities Council

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