



STATE OF DELAWARE  
**STATE COUNCIL FOR PERSONS WITH DISABILITIES**  
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The Honorable John Carney,  
Governor

John McNeal, Director  
SCPD

**MEMORANDUM**

DATE: June 20, 2024

TO: Delaware Department of Education, Office of the Secretary  
Attn: Regulation Review

FROM: Susannah Eaton-Ryan, Chairperson   
State Council for Persons with Disabilities

RE: DOE Proposed Regulation Related to Professional Development Standards and Standards for Professional Learning, 27 DE Register of Regulations 927 and 945 (June 1, 2024)

As the Delaware Department of Education (DOE) proposes to repeal 14 Del. Admin. Code § 1598 Delaware Professional Development Standards, via the rulemaking at 27 Del. Reg. 945, and adopt instead a new regulation, 14 Del. Admin. Code § 288, Standards for Professional Learning, 27 Del. Reg. 927 and these regulations, along with Senate Substitute 1 for Senate Bill 304 set forth the professional learning standards for educators in Delaware public schools, how the standards are applied, and how the standards are enforced, the SCPD considered these in tandem and have the following comments:

- The proposed regulation reframes looking at leadership, resources, data, and through an equity lens. The need to train educators on equity and the inclusion of equity when conducting professional development is sorely needed.
- According to Delaware's Every Student Succeeds Act ("ESSA") Plan<sup>1</sup>, 64% of low-income students, 85% of English language learners and **86% of students with disabilities did not meet the state standards** in grades three through eight for English Language Arts established by the state; similarly, 74% of low-income students, 81% of English language learners and **89% of students with disabilities did not meet the**

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<sup>1</sup> Available at <https://education.delaware.gov/community/funding-contracts/federal-and-state-programs/essa/>.

state's math standards in those grades.

- Statistics based on race and ethnicity are similarly concerning - data compiled by Propublica shows significant racial disparities in our state's education: Black students are 3.5 times as likely to be suspended than white students and Hispanic 1.5 times as likely as White students, whereas white students are 2.1 times more likely to be enrolled in at least one or more AP class and 2.5 times more likely than Hispanic students.<sup>2</sup> In Delaware, where 31% of our students are Black and 46% are white, 57% of our out-of-school suspensions are for Black students, compared to 24% for White Students; expulsion rates are similar (56% vs. 30%).<sup>3</sup> In at least one Delaware district discipline rates were reported as 5.1 times higher for Black students, compared to white students, coupled with an achievement gap of as much as 2.8 grades (Brandywine School District).<sup>4</sup>

**The SCPD commends the DOE for incorporating equity principles into the standards for professional learning. The SCPD would suggest that disability and ableism be explicitly included when discussing equity practices.**

**Further, the SCPD is eager to assist the DOE with development of curriculum addressing ableism in schools and society.**

Thank you for considering our comments. Please do not hesitate to contact the SCPD if you have any questions or comments regarding our observations.

cc: Marissa Band, Esq., DLP  
Governor's Advisory Council for Exceptional Citizens

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<sup>2</sup> <https://projects.propublica.org/miseducation/state/D>

<sup>3</sup> *Id.*

<sup>4</sup> *Id.* See also: <https://www.delawareonline.com/story/news/education/2023/06/07/delaware-schools-suspension-rates-student-behavior-discipline-restorative-practices/70247312007/>