



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES

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March 27, 2012

Ms. Susan K. Haberstroh
Education Associate
Department of Education
401 Federal Street, Suite 2
Dover, DE 19901

RE: 15 DE Reg. 1254 [DOE Proposed Specialist Appraisal Process Regulation]

Dear Ms. Haberstroh:

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Education's (DOE's) proposal to amend its regulations regarding *Specialist Appraisal Process Delaware Performance Appraisal System (DPAS II) Revised*. The proposed regulation was published as 15 DE Reg. 1254 in the March 1, 2012 issue of the Register of Regulations. As background, DOE previously issued a regulation covering specialist appraisal in October, 2011. SCPD commented on that regulation which became final in December, 2011 [15 DE Reg. 417 (October 1, 2011) (proposed); 15 DE Reg. 835 (December 1, 2011) (final)]. The DOE is now proposing some discrete amendments to the standards.

The regulation includes an exemption from counting "student improvement" in the assessment of a specialist in the 2011-12 school year (§5.2). The rating of "highly effective" is not available to specialists for the 2011-12 school year (§6.2.1.1). Specialists qualify for an "effective" rating by earning a satisfactory rating in four appraisal components apart from student improvement (§6.2.2.3). A specialist qualifies for a "needs improvement" rating based on a satisfactory rating in 2 of 4 appraisal components apart from student improvement (§6.2.3.3). A specialist qualifies for an "ineffective" rating based on a satisfactory rating in 0-1 of the 4 appraisal components apart from student performance (§6.2.4.3). An improvement plan is available based on unsatisfactory ratings (§§8.1-8.2).

SCPD endorses this regulation, but reiterates its observation on the October regulation that the categories are euphemistic and overly generous by characterizing a specialist with a satisfactory rating in 2 of 4 contexts as "needs improvement" and a satisfactory

rating in 0 or 1 context as "ineffective".

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

Sincerely,



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

cc: The Honorable Lillian Lowery
Dr. Teri Quinn Gray
Ms. Martha Toomey
Ms. Paula Fontello, Esq.
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