



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES

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December 21, 2012

Mr. Charlie Michels, Executive Director
Professional Standards Board
Townsend Building
401 Federal Street
Dover, DE 19901

RE: 16 DE Reg. 582 [DOE Proposed Teacher of Students Who Are Deaf or Hard of Hearing Certification Regulation]

Dear Mr. Michels:

The State Council for Persons with Disabilities (SCPD) has reviewed the Professional Standards Board's [in collaboration with the Department of Education (DOE)] proposal to revise the certification requirement for Teachers of Students Who Are Deaf or Hard of Hearing published as 16 DE Reg. 582 in the December 1, 2012 issue of the Register of Regulations. SCPD has the following observations.

First, the published version of the regulation contains the following limited "grandfather" provision.

5.0 Past Certification Recognized

The Department shall recognize a Standard Certificate Teacher of Students Who are Deaf or Hard of Hearing issued by the Department between January 11, 2007 and the effective date of this regulation. A teacher holding a Standard Certificate Teacher of Students Who Are Deaf or Hard of Hearing issued between January 11, 2007 and the effective date of this regulation shall be considered certified to teach children who are deaf or hard of hearing.

A. At a minimum, this section should be revised as follows: 1) capitalize "deaf" in last sentence for consistency; 2) capitalize two references to "are" in both sentences; and 3) substitute "students" for "children" in last sentence to match Part 1574 title.

B. SCPD appreciates that the PSB adopted a "grandfather" provision that was not included in a

previous draft that was shared on October 31st. However, the rationale for adopting the “2007 forward” date is unclear. The “autism teacher” standard has a “look back” period dating to 2005. See 16 DE Reg. 489, 493 (November 1, 2012) (proposed). If the qualifications did not change between 2005-2007, the DOE may wish to use a 2005 date.

C. The “grandfather” provision does not appear to “cure” a concern that an educator would have only 18 months to complete the required 21 credits. A longer time frame should be considered.

II. Reasonable persons could differ on the requirement of 3 credits in American Sign Language (ASL). Sections 4.1.2.6 - 4.1.2.8 actually makes the 3 credits in ASL optional. An educator can take either “Visual Language Development” or “American Sign Language.” On the one hand, the proposed standard it is ostensibly too low to develop proficiency and one could question the lack of a more robust standard for ASL competency. On the other hand, there may not be a “logical” requirement regarding ASL credits for a Standard Certificate for Teachers of Students Who are Deaf or Hard of Hearing. For example, even 3 courses may not make someone competent enough in ASL to be instructing deaf students and one could opine that Teachers of Students Who are Deaf or Hard of Hearing should not be interpreting or teaching ASL. Query whether someone is qualified to instruct Spanish speaking individuals after 3 credits or even 3 courses of Spanish?

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

Sincerely,



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

cc: The Honorable Mark T. Murphy
Dr. Teri Quinn Gray
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