



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES

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August 29, 2013

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

RE: 17 DE Reg. 152 [DOE Proposed Accelerated Academic Programs Regulation]

Dear Ms. Haberstroh:

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Education's (DOE's) proposal to adopt a new regulation regarding *Accelerated Academic Programs*. Specifically, S.B. 27 was signed by the Governor on June 30, 2013. It authorizes "academic excellence start-up grants" for public schools and directs the DOE to award such grants based on appropriated funds. The DOE is further charged with development of a formula for evaluating grant proposals which must be consistent with "preferences" identified in the legislation. The DOE is now issuing a proposed regulation implementing the bill which was published as 17 DE Reg. 152 in the August 1, 2013 issue of the Register of Regulations. SCPD endorses the regulation subject to revisions consistent with the following two (2) concerns.

First, there is an inconsistency between §1.0 (definition of "academic work") and §2.5. Although the legislation [§3113(b)(3)] authorizes inclusion of "programs on the visual and performing arts", it does not specifically list "visual and performing arts" in the definition of "academic work" [§3113(d)]. In contrast, the DOE regulation [§1.0, definition of "academic work"] specifically adds "visual and performing arts" to the definition. It then anomalously refers to "visual and performing arts" as outside the definition of "academic work" in §2.5. This discrepancy should be resolved. For example, the DOE could delete the reference from the definition of "academic work" in §1.0. In that case, §2.5 would be apt.

Second, §3.7 authorizes earning up to 6 points for "efficiency of spending" which focuses on the extent to which projects allocate funds to activities "that will directly impact students". The DOE explicitly stresses that educator professional development is "counted" as an activity directly affecting students. This approach is difficult to justify. Using funds to send teachers to training events should not be a core component of this

grant program. The regulatory emphasis on professional development “sends the wrong message” to prospective applicants and could result in dilution of funds more closely linked to “direct impact” on students (e.g. purchase of books and supplies; field trips; guest lecturers; films).

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

Sincerely,



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

cc: The Honorable Mark Murphy, Secretary of Education
Dr. Donna Mitchell, Professional Standards Board
Dr. Teri Quinn Gray, State Board of Education
Ms. Mary Ann Mieczkowski
Ms. Paula Fontello, Esq.
Ms. Terry Hickey, Esq.
Mr. John Hindman, Esq.
Mr. Brian Hartman, Esq.
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