



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES
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December 23, 2013

Dr. Donna Lee Mitchell, Executive Director
Professional Standards Board
Townsend Building
401 Federal Street
Dover, DE 19901

RE: DOE Proposed Paraeducator Permit Regulation [17 DE Reg. 591 (12/1/13)]

Dear Dr. Mitchell:

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 adopt revisions to its regulation covering paraeducator permits. The proposed regulation was published as 17 DE Reg. 591 in the December 1, 2013 issue of the Register of Regulations. SCPD has the following observations.

First, §§3.1.1.4 and 3.1.2.4 are not grammatically correct. The other subparts begin with nouns ("completion"; "receipt"; and "completion" while this subpart begins with a verb ("submits"). Moreover, the reference to "and meets all the requirements" is redundant since §3.1 and 3.1.2 already require the applicant to meet listed standards. Compare analogous regulations (e.g. 14 DE Admin Code 1520, §3.0; 14 DE Admin Code 1521, §3.0). SCPD recommends consideration of the following substitute: "Submission of sufficient verifiable evidence to the Department that the applicant meets the above qualifications."

Second, §3.2.1 literally allows an applicant to submit either transcripts or tests scores. SCPD recommends substituting "and" for "or" since §§3.1.1 and 3.1.2 require both completion of education studies and satisfactory score on a test/assessment.

Third,, the grammar in §4.2 is incorrect. Consider inserting "who" between "applicant" and "has".

Fourth, the grammar in §5.2 is incorrect. Consider inserting "who" between "Paraeducator" and "has".

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

Sincerely,

A handwritten signature in black ink that reads "Daniese McMullin-Powell". The signature is written in a cursive style with a large initial 'D'.

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

cc: The Honorable Mark T. Murphy
Dr. Teri Quinn Gray
Ms. Mary Ann Mieczkowski
Ms. Paula Fontello, Esq.
Ms. Terry Hickey, Esq.
Mr. Ilona Kirshon, Esq.
Ms. Susan Haberstroh
Mr. Brian Hartman, Esq.
Developmental Disabilities Council
Governor's Advisory Council for Exceptional Citizens

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