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”.

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

Sincerely,

[Signature]

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.
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Developmental Disabilities Council
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