



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES
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May 29, 2014

Ms. Susan K. Haberstroh, Ed.D.
Department of Education
35 Commerce Way – Suite 1
Dover, DE 19904

RE: DOE Proposed Administrator Appraisal Process Regulation [17 DE Reg. 1021
(5/1/14)]

Dear Ms. Haberstroh:

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Education's (DOE's) proposal to amend the Administrator Appraisal Process Delaware Performance Appraisal System (DPAS II) Revised published as 17 DE Reg. 1021 in the May 1, 2014 issue of the Register of Regulations. SCPD has the following observations.

First, in §2.0, the definition of “credentialed evaluator” requires a district superintendent to be evaluated by members of the local board of education. SCPD recommends modifying the definition to read “...A superintendent or charter school principal shall be evaluated by member(s) of the Board...” The definition of Board includes a charter school board of directors. In other regulations, the DOE refers to the chief executive officer of a charter school as the principal. See, e.g., 14 DE Reg. 211.

Second, in §6.2.2, SCPD recommends modifying the reference to read “...and a Satisfactory or Exceeds rating in the Student Improvement Component.” Otherwise, an administrator with an Effective or Highly Effective rating in 3 of the first 4 appraisal components and an Exceeds rating in the Student Improvement Component would not be covered.

Third, in its criteria for “Needs Improvement” and “Ineffective”, the DOE is ostensibly heavily “weighting” the Student Improvement Component. For example, an administrator who scores Highly Effective in the first four appraisal components while achieving an Unsatisfactory rating in the Student Achievement Component is given the lowest label, “Ineffective”. Conversely, an administrator who has 1 Effective and 3 Ineffective ratings on the first four appraisal components while achieving a Satisfactory rating in the Student Achievement Component is euphemistically labeled “Needs

Improvement". Reasonable persons may differ on the merits of this approach.

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 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.
Ms. Ilona Kirshon, Esq.
Mr. Brian Hartman, Esq.
Developmental Disabilities Council
Governor's Advisory Council for Exceptional Citizens

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