



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES
MARGARET M. O'NEILL BUILDING
410 FEDERAL STREET, SUITE 1
DOVER, DE 19901

VOICE: (302) 739-3620
TTY/TDD: (302) 739-3699
FAX: (302) 739-6704

February 22, 2016

Ms. Tina Shockley, Education Associate
Department of Education
401 Federal Street, Suite 2
Dover, DE 19901

RE: 19 DE Reg. 716 [DOE Proposed Charter School Staff Training Regulation]

Dear Ms. Shockley:

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Education's (DOE's) proposal to amend its special education regulations to add a charter school training requirement established by S.B. 33 (codified at 14 Del.C. §3125A). The proposed regulation was published as 19 DE Reg. 716 in the February 1, 2016 issue of the Register of Regulations.

SCPD has only one observation regarding the new §9.0. The legislation (signed 6/18/15) required charter school compliance by January 1, 2016 while the regulation is ostensibly effective on September 1, 2016. Since the regulation is being proposed in February, it cannot become final until Spring. Hopefully, the DOE has alerted charter schools to the need to attend training (scheduled per §9.4.2) rather than deferring such an alert until adoption of the final regulation. The statute was effective on January 1 and does not require adoption of an implementing regulation to be binding on charter schools.

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

Sincerely,

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

cc: The Honorable Steven Godowsky, Ed.D, Secretary of Education
Mr. Chris Kenton, Professional Standards Board
Dr. Teri Quinn Gray, State Board of Education
Ms. Mary Ann Mieczkowski, Department of Education
Ms. Kathleen Geiszler, Esq., Department of Justice
Ms. Terry Hickey, Esq., Department of Justice
Ms. Ilona Kirshon, Esq., Department of Justice
Mr. Brian Hartman, Esq.
Developmental Disabilities Council
Governor's Advisory Council for Exceptional Citizens

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