



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES

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July 30, 2018

Ms. Emily Cunningham
Department of Education
401 Federal Street, Suite 2
Dover, DE 19901

RE: 22 DE Register of Regulation 11 [DOE Proposed Regulation 290 Approval of Education Preparation Programs (July 1, 2018)]

Dear Ms. Cunningham:

The State Council for Persons with Disabilities (SCPD) has reviewed Delaware Department of Education's (DDOE) proposed regulation that incorporates the statutory requirements into the regulations. House Bill 286 created requirements that alternative route to certification ("ARTC") programs for teachers of students with disabilities must meet for the program to earn state approval. These requirements are codified in 14 *Del. C.* § 1266. The proposed regulation was published as 22 DE Reg. 11 in the July 1, 2018 issue of the Register of Regulations.

Pursuant to 14 *Del. C.* § 1266, an ARTC program for teachers of students with disabilities must include the following to be state-approved:

- (1) Delivery of high quality professional development to a teacher that is sustained, intensive, and classroom-focused.
- (2) The requirement that a teacher participates in intensive supervision that consists of structured guidance and regular, ongoing support or teacher mentoring.
- (3) The requirement that a teacher participate for no more than 3 years.
- (4) The requirement that a teacher demonstrate satisfactory progress toward standard certification.
- (5) Provision of regular reports to the Department, made in accordance with rules and regulations that the Department promulgates, that the requirements under this subsection are being met.

The proposed amendment closely tracks the statutory language. The SCPD is supporting the amendment with the following minor amendments:

- Proposed Section 9.1.1.1 uses the term “initial certification.” There is no such thing as an initial certification. A participant in an ARTC program may be issued an initial *license* and a Certificate of Eligibility or an Emergency Certificate. Emphasis added. It is more clear and accurate to change “initial certification” to “licensure and certification.”
- Additionally, proposed Section 9.1.1.1 states that a teacher ARTC participant “hired after July 1 of a school year shall fulfill *the* 120-hour seminar/practicum requirement prior to the start of the following school year.” Emphasis added. The 120-hour practicum requirement for ARTC participants is not located in proposed Section 9.0; rather the practicum requirement is in 14 DE Admin C. § 1507.¹ Section 1507 contains program requirements for ARTC programs that also apply to ARTC programs for teachers of students with disabilities. It may be clearer to refer the reader to 14 DE Admin. C. § 1507 for the practicum requirement and other ARTC program requirements that are located in § 1507, but not in § 290. Council may wish to recommend inclusion of language in Section 9.0 such as the following: “In addition to satisfying the provisions of 14 DE Admin. Code 1507, alternative routes to certification programs for teachers of students with disabilities must meet the following requirements, pursuant to 14 *Del. C.* § 1266.”
- Finally, use of the term “program” in Section 290 means Educator Preparation Programs. 14 DE Admin. C § 290.2.0. ARTC programs are not Educator Preparation Programs. Currently, the definition of Educator Preparation Program states that the term ‘program’ does not mean Educator Preparation Program when it is used in Section 8.0, which discusses the ARTC program approval process. The proposed amendment adds Section 9.0, which also addresses ARTC programs, not Educator Preparation Programs. Council may wish to recommend that DDOE amend the definition of Educator Preparation Programs in the following way: “except that where used in Section 8.0 and Section 9.0 of this regulation, the word ‘program(s)’ shall mean the program(s) approved pursuant to said section(s). *The recommended insertions are shown by underline.*”

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

Sincerely,



Nicholas J. Fina, Ed.D.
Chairperson - State Council for Persons with Disabilities

¹ The language “seminar/practicum” and the date, July 1, come from the former version of 14 *Del. C.* § 1261. The new version of § 1261, which passed as part of HB 433, no longer discusses a practicum requirement. However, the seminar/ practicum requirement remains in Section 1507, although different language is used to describe the requirement. Section 1507 uses the term “summer institute” instead of “seminar/practicum.” It also does not state that an individual hired after July 1 has been hired too late to participate in the summer institute. Rather no hire date is specified: “candidates employed too late to participate in the summer institute will complete the practicum experience and seminars on teaching during the first school year and will participate in the summer institute following their first year of teaching.”

cc: The Honorable Susan S. Bunting, Ed.D. Secretary of Education
Mr. Chris Kenton, Professional Standards Board
Dr. Dennis Loftus, State Board of Education
Ms. Mary Ann Mieczkowski, Department of Education
Ms. Laura Makransky, Esq., Department of Justice
Ms. Terry Hickey, Esq., Department of Justice
Ms. Valerie Dunkle, Esq., Department of Justice
Ms. Laura Waterland, Esq.
Developmental Disabilities Council
Governor's Advisory Council for Exceptional Citizens

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