



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES

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September 25, 2018

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

RE: 22 DE Register of Regulation 1009 [DOE Proposed Regulation 187 DIAA High School Athletics (September 1, 2018)]

Dear Ms. Cunningham:

The State Council for Persons with Disabilities (SCPD) has reviewed Delaware Department of Education's (DDOE) proposed regulation focuses on providing a rational approach to school transfers, in an attempt to diminish transfers that are motivated by obtaining athletic advantage. The proposed regulation was published as 22 DE Reg. 187 in the September 1, 2018 issue of the Register of Regulations.

This proposed regulation mirrors the proposed changes in Section 1008 relating to concussion protocol (Section 3.2.1-3.2.7; 3.4.1) in Regulation 186. Additionally, Sections 7.1.2.2 and 7.1.2 require all certified and emergency coaches to complete the NFHS Concussion in Sports course online¹ every two years. Section 7.4.1 requires all football coaches to complete Heads Up Football Training. Schools that fail to comply are subject to forfeiture, fines and suspension under Section 2.10 for not following concussion protocol and subject to a \$50 fine and possible suspension for not completing training requirements.

The SCPD supports these important changes to training requirements related to head injury for athletic coaches as the DIAA takes these important steps to avoid and mitigate the effects of sports-related head injuries and traumatic brain injury.

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

¹ <https://nfhslearn.com/courses/61151/concussion-in-sports;>

Sincerely,



Nicholas J. Fina, Ed.D.

Chairperson - State Council for Persons with Disabilities

cc: The Honorable Susan S. Bunting, Ed.D. Secretary of Education
Mr. Chris Kenton, Professional Standards Board
Ms. Whitney Sweeney, State Board of Education
Ms. Maryann 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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