



Governor's Advisory Council for Exceptional Citizens (GACEC) 516 West Loockerman St., Dover, DE 19904
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MEMORANDUM

DATE: May 16, 2012

TO: The Honorable Bruce Ennis, Delaware State Senate

FROM: Terri A. Hancharick, Chairperson
GACEC

RE: **Senate Substitute No. 1 for Senate Bill No. 183 (Department of Correction Educational Services)**

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed Senate Substitute 1 for Senate Bill No. 183. The GACEC would like to share the following observations.

First, according to the synopsis, the legislation is intended to remove a section from the epilogue to the Budget Bill and incorporate it into Title 14 of the Code. For perspective, see Section 308 from the Governor's proposed budget bill (Senate Bill No. 175). The legislation essentially incorporates Section 308 into a new Section 2404 of Title 14 (lines 22-34).

Second, the bill also addresses prison education program staffing, staff qualifications, job duties, training, and GACEC review. However, there are several technical problems with these sections.

A. Lines 7-12 is unclear. The term "44.7" was apparently omitted at line 8. Compare the original bill at line 8. There are ostensibly other omissions and basic grammatical irregularities. For example, the second "sentence" reads as follows: "Prison Educational Program, 2.0 of these authorized secretaries will be located within a correctional facilities served."

B. Lines 14-17 are difficult to understand. The term "qualification" at line 14 should be "qualifications" to mirror the reference in line 15. Lines 16-17 recite as follows: "Teachers/supervisors are required to have or obtain School Leadership I as set forth in 14 Del.C. Ch. 12." Council could not locate any reference to "School Leadership I" in Title 14 Del.C. Ch. 12. There is a reference to a "School Leader I" in the administrative code, 14 DE Admin Code 1592. However, it is limited to administrators while the bill also links teachers to the qualification.

C. At lines 47- 50, for grammatical reasons and to enhance the legislation, consider the following substitute:

The Governor's Advisory Council for Exceptional Citizens will meet annually with Department of Education and Department of Correction representatives to review and assess the operation of the Prison Educational Program. To facilitate its review, the Council will conduct a site visit at least every other year which will include interviews with administrators, inmates, instructional staff and security staff. The GACEC is authorized to obtain data information from the Department of Education and will have access to records as part of its review. The Council will include findings related to site visits and program review and assessment in its annual report.

Thank you for your time and consideration of our observations and comments. Please feel free to contact me or Wendy Strauss at the GACEC office should you have any questions or concerns.

CC: The Honorable Lillian Lowery, Secretary of Education
Commissioner Carl C. Danberg, Department of Correction
Dr. Teri Quinn Gray, State Board of Education
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