

November 14, 2012

Charles Michels, Executive Director  
Delaware Professional Standards Board  
John G. Townsend Building  
401 Federal Street  
Dover, DE 19901

**RE: DOE Proposed Special Education Director Certification Regulation [16 DE Reg. 506 (November 1, 2012)]**

Dear Mr. Michels:

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed the Professional Standards Board and DOE proposal to revise the qualifications for the Special Education Director certification. Council would like to share the following observations and recommendations on the proposed revisions.

First, the current regulation "counts" three (3) years of "administrative experience with children with disabilities". This is omitted from the current regulation. It is unclear if this represents an intentional restriction or if DOE views administrative experience to be generally included under "working with exceptional children." The change does create some ambiguity.

Second, the current regulation (§3.2) specifically "counts" work experience by certified school psychologists, speech pathologists, and audiologists. The proposed regulation deletes the references.

The APA envisions identification of the substance and issues presented by proposed regulations. See Title 29 Del.C. §10115(a)(1). This regulation contains only the following vague statement: "It is necessary to amend this regulation in order to upgrade the requirements' rigor and to build upon the other amended administrator regulations." This imparts little context to explain the intent of the DOE in proposing the changes; therefore, Council would recommend that future proposed regulations include more specific information on the rationale for proposed changes.

Thank you in advance for your consideration of our comments and observations. Please feel free to contact me or Wendy Strauss should you have any questions.

Sincerely,

Terri A Hancharick  
Chairperson

TAH:kpc

CC: The Honorable Mark Murphy, Secretary of Education  
Dr. Teri Quinn Gray, State Board of Education  
Mary Ann Mieczkowski, DOE  
Susan Haberstroh, DOE  
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