

May 15, 2014

Susan Haberstroh, Regulation Review
Department of Education
35 Commerce Way, Suite 1
Dover, DE 19901

RE: DOE Proposed Teacher Appraisal Process Regulation [17 DE Reg. 1014 (May 1, 2014)]

Dear Ms. Haberstroh:

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed the Department of Education proposal to adopt several discrete amendments to the current teacher appraisal standards. The GACEC and SCPD commented on earlier versions of this regulation in June of 2013. Council would now like to share two observations on the proposed revisions.

First, in §2.0, definition of "Student Achievement", the term "Students scores" is grammatically incorrect. Council suggests substituting "Students' scores" or, in order to be consistent with Pars. (b) and (c), substitute "Student scores".

Second, in the commentary submitted on the June, 2013 regulation, the Councils expressed concern with an authorization for districts and charter schools to waive/disregard some appraisal components. Proposed §5.1 expands this approach by authorizing districts and charter schools to apply for approval of an alternate Professional Responsibilities Component. Council would like to note our objection to this approach which undermines uniformity in the specialist appraisal process and would make it much more difficult to make valid comparisons of data across districts and schools. Section 11.0 contemplates presentation of statewide data on the teacher appraisal process to the State Board of Education (SBE) annually. We would like to reiterate an observation from our June commentary which stated the following:

"Since each district and charter school can waive different components, valid comparisons of data among districts and charter schools will not be possible. Each district and charter school will be using different criteria."

The usefulness of the assessment system results that DOE publishes would be seriously undermined by the use of differing standards across the many districts in Delaware. Cf. pp. 21-22 of DOE report covering DCAS II teacher results [Educator Effectiveness in Delaware: Recruitment to Retention (February, 2014)] published at http://www.doe.k12.de.us/tleu_files/From_Recruitment_to_Retention_Data_2-28-14.pdf.

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

Sincerely,

Terri A. Hancharick
Chairperson

TAH:kpc

CC: The Honorable Mark Murphy, Secretary of Education
Dr. Teri Quinn Gray, State Board of Education
Dr. Donna Mitchell, Professional Standards Board
Mary Ann Mieczkowski, DOE
Paula Fontello, Esq., DOE
Terry Hickey, Esq., DOE
Ilona Kirshon, Esq., DOJ