

June 4, 2014

Susan Haberstroh, Associate Secretary
Education Supports and Innovative Practices
Department of Education
Townsend Building
401 Federal Street
Dover, DE 19901

**RE: Department of Education Proposed Approval of Educator Preparation Programs
Regulation [17 DE Reg. 1030 (May 1, 2014)]**

Dear Ms. Haberstroh:

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed the Department of Education proposal to adopt a new version of its standards covering educator preparation programs. The amendment is to align the regulations with Senate Bill No. 51 as amended by Senate Amendment No. 1 enacted in 2013 and to align with changes in the national teacher accrediting agency. A non-exhaustive list of changes is compiled in the Synopsis of Subject Matter of the Regulation. A University of Delaware professor authored the attached April 27, 2014 News Journal article which questions some of the statutory and regulatory standards. The professor is unconvinced that a "raising the bar" approach for prospective teachers will result in improved teaching. Overall, the new standards are rigorous and impose far-reaching obligations on education preparation providers. Council would however, like to share the following observations.

First, in §1.1, Council recommends modifying the reference to "14 Del.C. §§122(b)(22) and 1280(a)" since both statutes impose a licensing and DOE approval requirement.

Second, the regulation contains multiple references to the Delaware Performance Appraisal System II (DPAS-II). See, e.g., §2.0, definition of "High Quality Cooperating Teacher"; and §6.1.4.3. In other regulations published this month, the DOE notes that it may approve a different appraisal system. See 17 DE Reg. 1018, §1.0 (May 1, 2014); and 17 DE Reg. 1014, §1.0. The DOE may wish to consider adding a definition of DPAS-II which encompasses any DOE-approved replacement of the assessment system.

Third, in §2.0, definition of "High Quality Clinical Supervisor", there is a plural pronoun (they) with a singular antecedent (supervisor). Consider substituting "...field in which supervision is provided...".

Fourth, in §2.0, the definition of "High Quality Clinical Supervisor" would allow a supervisor to qualify under this standard even if rated "Ineffective" on all five DPAS-II components if the supervisor achieved

a satisfactory rating on some other evaluation system. The latter evaluation system could be a brief, in-house assessment. The DOE may wish to reconsider whether this option should be less “open-ended”.

Fifth, Title 14 Del.C. §1280(b)(2) authorizes entry of students into an educator preparation program based on “achieving a minimum score on a standardized test normed to the general college-bound population, such as Praxis, SAT, or ACT, as approved by the Department.” In contrast, §3.1.1 merely refers to “achieving a score deemed to be College Ready on a test of general knowledge normed to the college-bound population.” Although there is a definition of “College Ready”, the Legislature expected the DOE to identify and approve qualifying tests, not simply say any test of general knowledge nationally normed for college-bound students is acceptable. There may be many tests of general knowledge with norms for incoming college students which are not comparable to the Praxis, SAT, or ACT. In deference to the statute, the DOE may wish to define qualifying tests as the Praxis, SAT, and ACT and other tests approved by the Administrator.

Sixth, in §3.2.1.1.2, there is a lack of consistent form. See Register of Regulations Style Manual, §6.2.3. Consider substituting “A recipient of” for “Receives”.

Seventh, in §3.2.1.2, consider substituting “with a summative effective or highly effective rating under 14 DE Admin Code 108” for “deemed effective or highly effective under 14 DE Admin Code 108”. Otherwise, administrators could theorize that they qualify based on ratings on individual appraisal components.

Eighth, in §3.4.1.1.1, consider inserting “Professional” before “Standards Board”.

Ninth, in §§7.3.1 and 7.3.2, Council recommends substituting “may” for “shall”. If a Unit or Program fails to meet only a technical or minor standard, the DOE literally has no discretion but to revoke approval. This is a rather inflexible approach which may unnecessarily limit DOE discretion.

Thank you for your consideration of our comments and recommendations. Please contact the GACEC office if 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
Dr. Donna Mitchell, Professional Standards Board
Ms. Mary Ann Mieczkowski, Department of Education
Ms. Paula Fontello, Esq., Department of Education
Ms. Terry Hickey, Esq., Department of Education
Ms. Ilona Kirshon, Esq., Department of Justice

Attachment