

November 18, 2015

Tina Shockley
Education Associate – Policy Advisor
Department of Education
401 Federal Street, Suite 2
Dover, DE 19901

RE: 19 DE Reg. 355/14 DE Admin. Code 252 [DOE Proposed Educational Records Transfer and Maintenance Regulation (November 1, 2015)]

Dear Ms. Shockley:

The Governor’s Advisory Council for Exceptional Citizens (GACEC) has reviewed the Department of Education (DOE) proposal to adopt amendments to its standards covering the transfer and maintenance of student records. Council **endorses** the proposed regulation subject to DOE review of the proposed practice for students transferring to out of state public schools.

Council understands that the transfer and maintenance of student records would occur as follows: First, if a student transfers from a public school to either a private school or a Department of Services for Children, Youth and their Families (DSCY&F) educational program, the public school will keep the original cumulative file while sending a copy to the receiving private school or DSCY&F program. Second, if a student transfers from a public school to another public school, the original cumulative file will be sent to the receiving public school. This is a reasonable approach. However, there could be ambiguity if a student transfers to an out-of-state “public school”. There is no definition of “public school” in the proposed regulation. Also, it might be wise for the Delaware public school to retain at least a copy of the cumulative file sent to an out-of-state public school so there is a Delaware record. Otherwise, if the out-of-state school loses the record and the student seeks to document his/her education in Delaware, there would be no Delaware cumulative record for reference.

Please contact me or Wendy Strauss at the GACEC office if you have any questions on our observations. Thank you for your consideration.

Sincerely,

Robert D. Overmiller
Chairperson

RDO:kpc

CC: The Honorable Dr. Steven H. Godowsky, Secretary of Education
Dr. Teri Quinn Gray, State Board of Education
Mr. Chris Kenton, Professional Standards Board
Mary Ann Mieczkowski, Department of Education
Matthew Korobkin, Department of Education
Kathleen Geiszler, Esq.
Terry Hickey, Esq.
Ilona Kirshon, Esq.