

February 18, 2016

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

**RE: 19 DE Reg. 714/14 DE Admin. Code 923 [DOE Proposed Parent Councils Regulation (February 1, 2016)]**

Dear Ms. Shockley:

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed the Department of Education (DOE) proposed amendment to 14 DE Admin. Code 923 Children with Disabilities Subpart B General Duties and Eligibility of Agencies. This amendment will implement a recommendation from the IEP Improvement Taskforce which was created by Senate Concurrent Resolution 63 of the 147<sup>th</sup> General Assembly. The final report from the Taskforce was issued in January, 2015 and may be found at [http://legis.delaware.gov/LIS/TaskForces.nsf/113411bdd5de74d385257b3b005e343c/7c3d3ee3db3b9f7b85257d23004ffacd/\\$FILE/IEP%20Task%20Force%20Report%20FINAL.pdf](http://legis.delaware.gov/LIS/TaskForces.nsf/113411bdd5de74d385257b3b005e343c/7c3d3ee3db3b9f7b85257d23004ffacd/$FILE/IEP%20Task%20Force%20Report%20FINAL.pdf). The final report (p. 5) recommended that public schools encourage establishment of parent councils:

2. Parent Councils. The task force saw great value in schools facilitating communication between parents of students with special needs new to the IEP process and parents who have more experience with the process. Therefore, the task force recommends that the state require school districts and charter schools to facilitate the creation of parent councils for the parents of students with disabilities. These parent councils would have two purposes: first, to advocate generally for children with disabilities within their school districts, and second, to provide person-to-person support for individual parents and children attempting to navigate the IEP process.

This recommendation was incorporated into S.B. No. 33 which was enacted in June, 2015. The legislation contained the following provision:

Each school district and charter school enrolling any child with disabilities shall, on an annual basis, contact parents of each such child to attempt to facilitate the creation and maintenance of a parent council for the parents of students with disabilities. Parent councils will advocate generally for students with disabilities and provide person-to-person support for individual parents and children. The charter schools and school districts shall collaborate and coordinate with existing parent groups and other information and support groups to facilitate creation, maintenance, and effectiveness of the Parent Councils.

The preamble recites that “the Department of Education has met and received preliminary input from the Governor’s Advisory Council for Exceptional Citizens regarding the amendments to this regulation.” Council appreciates the opportunity we were given to provide preliminary feedback in regard to the development of the parent councils but would like to share additional observations at this time.

First, in §25.1, Council recommends substituting “child with a disability” for “child with disabilities” to conform to 14 DE Admin Code 922.3.0.

Second, in §25.1, Council recommends substituting “in September of each year” for “on an annual basis”. This change is still consistent with Senate Bill No. 33 but is preferable for multiple reasons. September is the beginning of the school year when parents are acclimating to new schools. Having a uniform time frame should also facilitate compliance and DOE monitoring.

Third, Council notes that the DOE regulation is the same as the statutory language with no enhancement. The GACEC would suggest the inclusion of either requirements or some prompts to encourage districts and charter schools to consider the following supports as part of their statutory maintenance requirement as noted in Senate Bill No. 33. Council suggests the DOE strongly encourage districts and charter schools to provide the following:

- 1) meeting space;
- 2) posting of agendas and minutes on school/district websites;
- 3) appointing at least one staff liaison (preferably from special education staff);
- 4) offering or facilitating access to training (e.g. from Parent Information Center);
- 5) providing access to school information dissemination options; and
- 6) offering reasonable financial resources to facilitate council activities.

This could be achieved by adding the following sentence to §25.3:

Facilitation may include provision of meeting space, appointment of at least one special education staff liaison, posting agendas and minutes on district and charter school websites and offering or promoting access to training on special education and IEPs.

Council is aware that several districts have already begun to work to develop their parent councils and we are pleased to hear about their progress. Inclusion of the items above will help to standardize the role of the districts and charters as they continue to work towards implementation. Please contact me or Wendy Strauss at the GACEC office if you have any questions on our observations.

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  
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