



**Governor's Advisory Council for Exceptional Citizens (GACEC)**  
**516 West Loockerman St., Dover, DE 19904**  
**302-739-4553 (voice) 302-739-6126 (fax) <http://www.gacec.delaware.gov>**

November 30, 2020

Department of Education  
Office of the Secretary  
Attn: Regulation Review  
401 Federal Street, Suite 2  
Dover, DE 19901

**RE: 24 DE Reg. 453/14 DE Admin. Code 934 [DOE Family & Large Family Care Homes Regulation (November 1, 2020)]**

Dear Secretary Bunting:

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed the Delaware Department of Education (DDOE) proposal to revise existing regulations pertaining to standards for the licensure and operation of family childcare homes and large family childcare homes. These regulations now fall under the jurisdiction of the DDOE due to the recent relocation of the Office of Child of Care Licensing (OCCL) from the Department of Services for Children Youth & Families (DSCYF) to the DDOE. Council **supports** the proposed changes to the regulations since most of the changes are non-substantive. However, we would like to share the following observation.

Sections 4.2, 55.2-55.5 and 56.2-56.3 are being deleted in the proposed amendment to address "a previously posted error that allowed a family child care home to designate a family provider, when the licensee must be the provider." Per the proposed amended regulations at 4.2, it appears a licensed large family childcare home could still designate a "large family provider," however the amendments would further clarify that "[a] licensee must designate a natural person, not an entity." If that distinction between family childcare homes and large family childcare homes is intended, it would be helpful for additional language to be added to emphasize that only large family care homes can designate a large family provider, while other family care homes cannot designate a family provider and that the licensee must act as the provider. Simply removing existing references to designation leaves it a bit unclear.

Thank you for the opportunity to share our observations with you. Please contact Wendy Strauss or me if you have any questions.

Respectfully,

*Ann C Fisher*

Ann C. Fisher  
Chairperson

ACF: kpc

CC: Whitney Sweeney, State Board of Education  
Mary Ann Mieczkowski, Department of Education  
Emily Cunningham, Department of Education  
Linnea Bradshaw, Professional Standards Board  
Jenna Ahner, State Board of Education  
Rae Mims, Esq.  
Darryl A. Parson, Esq.  
Carla Jasrosz, Esq.