



Governor's Advisory Council for Exceptional Citizens (GACEC)
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March 26, 2021

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

RE: 24 DE Reg. 826/14 DE Admin. Code 210 [DOE Proposed District School Board Member Special Education Due Process Hearing Training Regulation (March 1, 2021)]

Dear Secretary Bunting:

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed the Delaware Department of Education (DDOE) proposal to amend 14 Del. Admin. C. 210 in reference to District School Board Member Special Education Due Process Hearing Training. The proposed amendments will clarify Section 1.0, add definitions to Section 2.0, and specify training requirements in Sections 3.0 and 4.0. Council **endorses** the proposed amendments and would like to share one recommendation.

The proposed training is to inform school board members of the educational and legal issues generally involved in special education due process hearings arising under the Individuals with Disabilities Education Act or IDEA. Council would recommend that stakeholders receive more than the minimum of two hours of Special Education Due Process Hearing Training and that the timeframe in which school board members must be trained be reduced from one year to three months. Special Education Due Process Hearings are complex and due diligence should be given to ensure school board members are given ample opportunity to learn as much as possible, in as short a timeframe as possible, in order to protect the rights of students with disabilities under the IDEA.

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

Sincerely,

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
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