



Governor's Advisory Council for Exceptional Citizens (GACEC)
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April 26, 2024

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

RE: 27 DE Reg. 726 DE Admin. Code 101 DDOE State Assessment System regulation (April 1, 2024)

Dear Secretary Holodick:

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed the Delaware Department of Education (DDOE) proposal to amend 14 *Del. Admin. Code* 101 regarding state assessments. Council notes that the edits are primarily technical edits and regulatory drafting style edits; however we would like to share the following observations with you. The regulations (and underlying State law) continue to allow for portfolio assessments for students for whom the parent believes the student, even with accommodations, would not produce a valid result through state testing; but Council has not been given any information on the use of the Portfolio Assessment for many years. The regulation indicates that stakeholder groups should be involved in developing portfolio criteria and standards and lists the Governor's Advisory Council for Exceptional Citizens (GACEC) as a partner stakeholder. As a stakeholder, Council would like to receive information on the following questions:

1. Are any LEAs or public charter schools currently utilizing the Portfolio Alternate Assessment?
2. If still being used, why has the GACEC not been notified and involved with updating standards or criteria for the Portfolio Alternate Assessment?
3. Who is the current Portfolio Alternate Assessment provider?

The GACEC hopes that the DDOE will take our inquiries in the spirit that they are being provided and respond in a manner that will benefit students with disabilities in Delaware. We look forward to being able to discuss our thoughts on a stronger collaborative effort and

becoming a true ‘thought partner’ with the DDOE in the near future. As always, we thank you for this opportunity to share our observations with you. Please contact Pam Weir or me at the GACEC office if you have any questions on our questions.

Sincerely,

Ann C Fisher

Ann C. Fisher
Chairperson

ACF: kpc

CC: Shawn Brittingham, State Board of Education
Kathleen Smith, State Board of Education
Dale Matusevich, Department of Education
Emily Cunningham, Department of Education
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