

DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Section 122(b) (14 **Del.C.** §122(b))
14 **DE Admin. Code** 925

ERRATA

925 Children with Disabilities Subpart D, Evaluations, Eligibility Determination, Individualized Education Programs

* **Please Note:** The Department of Education regulation, 14 **DE Admin. Code** 925 Children with Disabilities Subpart D, Evaluations, Eligibility Determination, Individualized Education Programs, was published as proposed in the *Delaware Register of Regulations*, 28 **DE Reg.** 14 (07/01/24). The following provisions were inadvertently published incorrectly.

Subsection 6.6.5 was published as:

- 6.6.5 Re-evaluation Procedures: For purposes of continued eligibility determination, the IEP ~~team~~ Team shall follow the procedures in 14 **DE Admin. Code** ~~925.3.0 through 925.5.0 and 925.6.6~~ 925, Sections 3.0 through 5.0 and subsection 6.6.

Subsection 6.6.5 should have read:

- 6.6.5 Re-evaluation Procedures: For purposes of continued eligibility determination, the IEP ~~team~~ Team shall follow the procedures in 14 **DE Admin. Code** ~~925.3.0 through 925.5.0 and 925.6.6~~ 925, Sections 3.0 through 5.0 and subsection 6.6.

Subsection 6.9.4.5 was published as:

- 6.9.4.5 *Behavioral observations by teachers and at least ~~one (1)~~ 1 other member of the IEP ~~team~~ Team; and*

Subsection 6.9.4.5 should have read:

- 6.9.4.5 *Behavioral observations by teachers and at least ~~one (1)~~ 1 other member of the IEP ~~team~~ Team; and*

Subsection 6.11.1.3 was published as:

- 6.11.1.3 Pattern of strengths and weaknesses: The child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State-approved grade-level standards, or intellectual development, that is determined by the child's IEP ~~team~~ Team to be relevant to the identification of a Specific Learning Disability, using appropriate assessments, consistent with 14 **DE Admin. Code** ~~925.4.0 and 925.5.0~~ 925, Sections 4.0 and 5.0.

Subsection 6.11.1.3 should have read:

- 6.11.1.3 Pattern of strengths and weaknesses: The child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State-approved grade-level standards, or intellectual development, that is determined by the child's IEP ~~team~~ Team to be relevant to the identification of a Specific Learning Disability, using appropriate assessments, consistent with 14 **DE Admin. Code** ~~925.4.0 and 925.5.0~~ 925, Sections 4.0 and 5.0.

Subsection 6.12.2 was published as:

- 6.12.2 Age of Eligibility: A child is eligible for special education and related services under the Intellectual Disability educational classification from the child's 3rd birthdate until the child's receipt of a regular high school diploma *or the end of the school year in which the child attains the age of 24* 22 as per 14 **DE Admin. Code** 925 subsection 6.5.5.1, whichever occurs first.

Subsection 6.12.2 should have read:

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Subsection 6.17.7 was published as:

- 6.17.7 Additional IEP ~~team~~ Team members: In addition to the IEP ~~team~~ Team members required by 14 **DE Admin. Code** ~~925.8.0, an orientation and mobility specialist, 925, Section 8.0, teacher of students with visual Impairments, and a certified school psychologist are required to be members of the IEP ~~team~~ Team for the purpose of determining eligibility.~~
- 6.17.7 Additional IEP ~~team~~ Team members: In addition to the IEP ~~team~~ Team members required by 14 **DE Admin. Code** 925, Section 8.0, teacher of students with visual Impairments, and a certified school psychologist are required to be members of the IEP ~~team~~ Team for the purpose of determining eligibility.

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Subsection 11.6 was published as:

- 11.6 Amendments: Changes to the IEP may be made either by the entire IEP ~~team~~ Team at an IEP ~~team~~ Team meeting, or as provided in subsection 11.4, by amending the IEP rather than by redrafting the entire IEP. Upon request, a parent shall be provided with a revised copy of the IEP with the amendments incorporated.

Subsection 11.6 should have read:

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28 DE Reg. 417 (12/01/24) (Errata)