



# FY 2015 Annual Report

**Submitted by:**

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**Governor's Advisory Council for Exceptional Citizens**

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## MISSION STATEMENT

*The Council's mission is to provide leadership through advice and advocacy for the unmet needs of citizens of all ages who are exceptional\*, in order to improve their lives.*

- \* The term "exceptional citizens" refers to persons of all ages who have special needs. It should be noted that the GACEC state mandate for exceptional citizens includes children with special gifts and talents.

### *What is the Governor's Advisory Council for Exceptional Citizens?*

#### **Statutory Responsibilities**

In accordance with CFR 300.650 (b), the Council serves as the State Advisory Panel for the Individuals with Disabilities Education Act (IDEA) and its amendments.

1. Delaware Code: Title 14, Chapter 31, Sub. Sec. 3111
2. Federal Statute: Individuals with Disabilities Education Act (IDEA) and its amendments  
The State Advisory Panel will:
  - (1) "...advise(s) the state educational agency of unmet needs within the state in the education of children with disabilities;
  - (2) comment(s) publicly on any rules or regulations proposed for issuance by the state regarding the education of children with disabilities and the procedures for distribution of funds under this part; and
  - (3) assist(s) the state in developing and reporting such data and evaluations as may assist the Secretary under Section 618..."
3. Delaware Code: Title 14, Chapter 24, subsection 2408



Council member Terri Hancharick and Executive Director Wendy Strauss join advocates to tour the Disability Rights Museum on Wheels at the 25<sup>th</sup> Anniversary Celebration of the Americans with Disabilities Act (ADA)

## **A NEW ROLE FOR GACEC**

Senate Bill 20 increased the role of the Council to include acting in an advisory capacity with the Department of Education and the Department of Corrections on the operation of the joint agency prison education program.

The Governor's Advisory Council for Exceptional Citizens (GACEC), in its advisory capacity as authorized by 14 Del. C. §3111 shall meet annually with Department of Education and Department of Correction designated representatives to discuss the operation of the joint agency prison education program. No more frequently than every other year, the GACEC may conduct a site visit, which may include interviews and access to public records pursuant to its advisory authority under 14 Del. Code §3111. Prior to commencing the review, the GACEC, Department of Correction and Department of Education shall agree upon the scope and purpose of the review. Any site visit, interviews, and public record reviews shall be coordinated by a representative(s) of the joint agency prison education program and shall be conducted in a manner consistent with any common law privileges, applicable federal and state laws, and security procedures and considerations. The GACEC will include findings related to site visit and program review and assessment in its annual report.



## **GOVERNOR'S ADVISORY COUNCIL FOR EXCEPTIONAL CITIZENS (GACEC)**

The legal authority of this Council shall be Title 14, Chapter 31, Exceptional Persons, Sub. Sec. 3111: "The Governor shall appoint an advisory council to act in an advisory capacity to the State Board of Education and other State agencies on the needs of exceptional citizens." The General Assembly shall provide for the maintenance of the Council. The Council shall also serve in the capacity of the Advisory Panel as required by the Individuals with Disabilities Education Act (IDEA).

(a) *General.* The membership of the State advisory panel must consist of members appointed by the Governor, or any other official authorized under State law to make these appointments, that is representative of the State population and that is composed of individuals involved in, or concerned with the education of children with disabilities including:

1. Parents of children with disabilities (ages birth through 26);
2. Individuals with disabilities;
3. Teachers;
4. Representatives of institutions of higher education that prepare special education and related services personnel;
5. State and local education officials, including officials who carry out activities under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.);
6. Administrators of programs for children with disabilities;
7. Representatives of other State agencies involved in the financing or delivery of related services to children with disabilities;
8. Representatives of private schools and public charter schools;
9. Not less than one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities;
10. A Representative from the State child welfare agency responsible for foster care; and
11. Representatives from the State juvenile and adult corrections agencies.

(b) *Special Rule.* A majority of the members of the panel must be individuals with disabilities or parents of children with disabilities (age's birth through 26).

*GACEC plants the seeds to ensure equal justice for  
Delawareans with disabilities and their families*



## *A Word from the Executive Director*

It has been an extremely busy year for the Governor's Advisory Council for Exceptional Citizens (GACEC) members and staff. At the very end of the Legislative session last year we rolled out the Delaware DisABILITY Hub website [www.deldhub.com](http://www.deldhub.com). Since January 2015 we have had over 176,331 hits and 7199 unique visitors. We continue to receive positive feedback from individuals and organizations in Delaware, and from across the nation. I was able to share our site with many national organizations and I am happy to say since the launch of our site I have seen a few other states develop transition websites.

Council staff has been conducting informational sessions about the Delaware DisABILITY Hub and how to maneuver through it at conferences and meetings as well as on webinars. We are grateful to the Legislature for the startup funding, as well as the assistance of the Department of Technology and Information (DTI). Both were major stakeholders in the website development process.

I have been working with various departments throughout the state, including the Division of Vocational Rehabilitation (DVR) and Division of Developmental Disabilities Services (DDDS) over the past year in order to produce informational videos that will be housed on the DelDHub website. The videos will explain to users what services are available in our state as well as provide them with information needed to obtain services. Look for the videos to be live on [www.deldhub.com](http://www.deldhub.com) in the fall of 2015.

Speaking of videos, we currently have a short video montage that was created using footage from the July 18, 2015 Americans with Disabilities Act (ADA) 25<sup>th</sup> Anniversary Celebration held here in Dover. You can view the video on the GACEC Facebook page. We hope that you enjoy the footage and look forward to sharing the entire video with you when it is complete. Many disability organizations came together this past year to organize the celebration of the passage of the ADA. We have much to be thankful for, but there is still work to be done. The ADA is a wide-ranging civil rights law that prohibits discrimination based on disability. It affords similar protections against discrimination to Americans with disabilities as the Civil Rights Act of 1964, which made discrimination based on race, religion, sex, national origin, and other characteristics illegal. In addition, unlike the Civil Rights Act, the ADA also requires covered employers to provide reasonable accommodations to employees with disabilities, and imposes accessibility requirements on public accommodations. The changes brought about by the passage of the ADA have allowed individuals with disabilities to be more able – able to work, able to ride public transportation, able to have reasonable accommodations at work and in school.

I have been working with the Developmental Disabilities Council (DDC) and the State Council for Persons with Disabilities (SCPD) to plan focus groups that will be held in the fall. In addition to the focus group preparation planning is under way for the Joint Retreat which will be held in the spring of 2016.

I would like to thank Council members for their hard work and dedication to enhancing the lives of individuals with disabilities. Delaware has made great strides when it comes to disability rights; however we must continue to advocate for change. I look forward to another great year of advocacy with council members and community partners.

~Wendy Strauss

## Message from the Chair

This year, our Council lost some very close friends and hard workers. Marie-Anne Aghazadian, Helene Diskau, Janet Cornwell, Dave Hosier, Dennis Rubino, Nina Bunting, John Ryan, Blake Roberts, Marshall Stevenson and Raymond Verlinghieri all resigned from Council in the past fiscal year. Council member, Jean Butler passed away in February of 2015, after having served as a member of the GACEC since 1996. Her loss will be greatly felt, especially in the Policy and Law committee where she was the committee chairperson for many years. Several new members have joined us this year. Shawn Rohe, Kirsten Wolfington, Ann Fisher, Emmanuel Jenkins, Keith Morton and Sonya Lawrence all committed to the work of the GACEC. These major changes did not change our work on behalf of persons with disabilities. Our standing committees reviewed and conducted their work and our members gave of their time and energy in other activities in support of our constituents.

Meetings were held with Secretary of State Jeffrey W. Bullock, Secretary of Health and Social Services Rita Landgraf, Secretary of the Division of Services for Children Youth and their Families Jennifer Ranji, Secretary of the Division of Natural Resources and Environmental Control David Small, Secretary of Education Mark Murphy, Secretary of Labor John McMahon, Commissioner of Corrections Robert M. Coupe, Director of DNREC Parks and Recreation Raymond Bivens and Director of DNREC Fish and Wildlife Dave Saveikis to discuss our goal to work with them on behalf of the individuals they serve. Our meetings were very productive and opened new lines of communication. They learned more about the work of the Council and we learned much about their operations.

As a Council, we have reviewed legislation and regulations which have an effect on citizens with exceptionalities, to include gifted and talented students. We also follow up on the application and implementation of these laws and regulations and their impact on our constituents. Many new laws and the regulations needed to implement them take time to move to the point of affecting citizens, so continuous follow up and monitoring is crucial.

I respect all the time and energy our members give to the GACEC and other groups which support our citizens with exceptionalities.

Thank you for you service,  
Robert D. Overmiller, GACEC Chairperson

## **GACEC COUNCIL GOALS FOR 2014-2015**

*Action is the foundational key to all success.*

*-Pablo Picasso*

**GOAL 1: Outcomes for students with exceptionalities will be improved by monitoring and supporting the implementation of the Annual Performance Report (APR), State Professional Development Grant (SPDG), Elementary and Secondary Education Act of 1965 (ESEA) Flexibility Waiver, Race to the Top (RTTT) for Early Childhood, No Child Left Behind (NCLB) as the NCLB pertains to students with exceptionalities and review of the Department of Education (DOE) Special Education Regulations.**

### **Activities for this year could include:**

1. Ensure compliance of IDEA and RTTT by monitoring and reporting on results of:
  - Annual Performance Report
  - State Professional Development Grant
  - DOE Special Education Regulations
  - DOE Focused Monitoring reports for all districts and charter schools, including Needs Based Funding Verification
  - ESEA Flexibility Waiver
  - Early Learning Challenge Grant
  - Overall DOE enforcement and district compliance of State and Federal requirements.
2. Work with DOE when a district non-compliance issue arises until it is resolved.
3. Advocate for professional development for teachers, paraprofessionals, specialists, and school administrators in area of students with exceptionalities.
4. Advocate for service personnel at the appropriate levels with the appropriate qualifications.
5. Monitor and facilitate implementation of Speech-Language Pathology (SLP) program.

**GOAL 2: Programs and services for students with exceptionalities will be improved by monitoring and advocating for the delivery of evidence-based special education and related services in the least restrictive and natural environments.**

### **Activities for this year could include:**

1. Review and comment on Medicaid funding, including programs and system for processing requests for all individuals with special needs. Comments will be sent to DMMA and Medicaid Representatives.

2. Review and comment on proposed Department of Education regulatory changes. Comments will be sent to DOE, State Board of Education and Professional Standards Board for discussion at the State Board of Education meetings.
3. Work with DOE to create a plan of action to disseminate information (ie; legislation, meetings, events that affect students with disabilities) to appropriate personnel in districts, schools and to families in a timely manner.
4. Advocate ensuring that educational services and materials, particularly accessible instructional materials (AIM), will be available in all settings.
5. Foster collaboration among agencies that address special education in the State of Delaware.
6. Review and comment on proposed charter school regulations and the development of the charter school framework.
7. Review educational programs in the Department of Services for Children, Youth and their Families (DSCY&F) for compliance with FAPE (Free Appropriate Public Education).
8. Research and advocate for appropriate physical education services for students with exceptionalities.
9. Advocate for participation of students with exceptionalities in school sponsored athletic teams and activities.
10. Monitor implementation and training on the use of restraints and seclusion in public schools.
11. Provide commentary on school discipline regulations and collaborate with the Department of Education on improving Annual Performance Report Indicators relating to discipline.
12. Monitor and consider recommendations developed by the IEP Improvement Taskforce.

**GOAL 3: Programs and services for citizens with exceptionalities will be improved by reviewing and advocating for funding, policies and procedures that positively impact and empower citizens with exceptionalities.**

**Activities for this year could include:**

1. Identify, review and provide comments on memoranda of understanding, inter-agency agreements, legislation and regulations. Send comments to the lead agency in the memoranda with copies to the other agencies involved.
2. Promote implementation and compliance with Americans with Disabilities Act (ADA).
3. Advocate for increased and appropriate transition services statewide in accordance with the recommendations of the State Transition Task Force for Emerging Adults with Disabilities and Special Health Care Needs developed by Senate Concurrent Resolution (SCR) 34.
6. Advocate for programs that enable individuals with exceptionalities to live independently and become active citizens in their community.
7. Foster partnerships with other agencies and councils to promote rights and quality of life for individuals with exceptionalities.

8. Review and comment on prison education system, adult educational services and development of Memorandum of Understanding (MOU) between the Department of Education and Department of Corrections.
9. Advocate for and promote the expansion of the Disability Education and Awareness Program which includes the transition website (Deldhub) throughout educational and community settings in Delaware.
10. Assist with the development of legislation to support the inclusion of students with disabilities in the Delaware Stars rating system.
11. Monitor process and services provided for young children transitioning from Part C to Part B.
12. Review and monitor implications due to the influx of ELL children allowed to enter Delaware on the Department of Education, Department of Services for Children, Youth and their Families (DSCY&F) and the Department of Health and Social Services (DHSS).
13. Review and provide recommendations on the Gifted and Talented Task Force Report.
14. Support maintenance and updating of transition website (Deldhub) to ensure its relevance to transitioning youth with disabilities and/or special healthcare needs and their families.

**GOAL 4: The GACEC will impact legislators, agencies, councils and other entities through more effective communication strategies.**

**Activities for this year could include:**

1. Continue current modes of communication (letters, outside committee involvement, etc.).
2. Provide training for GACEC members on how to discuss issues with state legislators and on the GACEC Code of Ethics.
3. Increase partnerships with other agencies and councils that are involved in promoting rights and quality of life for individuals with disabilities.
4. Encourage diversity of participants in GACEC meetings, membership and activities.
5. Encourage collaborative efforts among committees, particularly in working with the Policy and Law Committee, on issues of overlapping interest to individual committees.
6. Encourage Council members to contact their legislators each year to introduce themselves and the GACEC and report back to the Council.
7. Encourage GACEC committees to invite legislative representatives from relevant legislative committees, such as the Education Committee, Health and Social Services Committee, etc. to discuss their priorities for the fiscal year.

**GOAL 5: Delaware Department of Education standards-based reform and accountability efforts will be reviewed in order to provide advice and advocacy for the inclusion of students with exceptionalities in all programs and initiatives.**

**Activities for this year could include:**

1. Review and comment on any changes to statewide services and the educational accountability system in relation to the needs of children with exceptionalities.
2. Participate on Department of Education committees and workgroups in order to provide input on issues impacting students with exceptionalities.



## Celebrating 25 Years of the ADA

On July 18, 2015 GACEC saw the rewards of staff's hard work in planning the ADA 25<sup>th</sup> Anniversary Celebration, which took place in Dover on both Legislative Mall and Lookerman Square. The event was kicked off with a parade that was made possible because of the hard work and dedication of GACEC staff, especially Executive Director Wendy Strauss who oversaw the entire planning process as well as overseeing the parade on the day of the event. The Americans with Disabilities Act (ADA) was enacted after being signed by then president George H.W. Bush on July 19, 1990. This historic piece of legislation finally assured individuals with disabilities the same rights afforded any other citizen, including freedom from discrimination of any kind due to one's disability. While work still needs to be done, the passage of the ADA was a giant step for disability rights in our country.



## Highlights and Collaborations

The GACEC held its Annual Fall Retreat on October 4 & 5, 2014, at the Atlantic Sands Hotel and Conference Center in Rehoboth Beach, DE as part of the Council's planning activities for FY 2015. Retreat participants included Council members, as well as Sarah Celestin and Barbara Mazza from the Delaware Department of Education (DOE), who presented on the Department's new compliance monitoring system.

*The following is a list of some of GACEC's collaborative efforts with other organizations and agencies to promote education and awareness:*

- The GACEC **wrote more than 1800 letters** to the Governor, Legislators, the Department of Education and other agencies advocating on behalf of individuals with disabilities and their families.
- **LIFE Conference Design Team-** The annual LIFE Conference seeks to assure that persons with disabilities in Delaware have full access to supportive **Legislation, Independence, Family support services and Education**. GACEC Executive Director Wendy Strauss is a member of the LIFE Conference Design Team. The team is also comprised of representatives from DDC, SCPD, Delaware Health and Social Services (DHSS), Delaware Public Health (DPH), Easter Seals, the Division of Medicaid and Medicare Assistance (DMMA), DOE and the Delaware Coalition for the Americans with Disabilities Act (DCADA). The 2015 LIFE conference was attended by over 700 people. This is the largest conference focusing on disabilities in Delaware.
- **Disability Awareness Legislative Event** –On March 25, 2015, participants spent the afternoon at Legislative Hall speaking with their legislators on policy issues. Over **200** individuals received information on disability related issues at Legislative Hall through the information packets provided and by speaking with the advocates in attendance. GACEC Executive Director Wendy Strauss along with other advocates was present on the House floor to accept House Concurrent Resolution HCR 13 recognizing the Americans with Disabilities Act celebrating 25 years in 2015 and recognizing March 25, 2015 as “Developmental Disabilities Awareness Day” in Delaware.
- GACEC Executive Director Wendy Strauss is a member of the **SCPD Policy and Law Committee**. This committee reviewed and/or provided commentary on **more than 130** proposed or final regulations, State bills, Federal bills and many other policies which impact persons with disabilities.
- **SCPD Brain Injury Committee (BIC)** - GACEC Executive Director Wendy Strauss is a member of the SCPD Brain Injury Committee (BIC). BIC's mission is to improve the lives of Delawareans with brain injury by providing the following: 1) a forum for the sharing and analysis of information; 2) a network to identify and facilitate acquisition of enhanced resources; 3) a technical assistance provider to educate public and private policymakers; and 4) an advocacy agency to promote a consumer oriented, effective injury and prevention service delivery system.

- **Statewide Transition Task Force for Emerging Adults with Disabilities and Special Health Care Needs-GACEC** Executive Director Wendy Strauss and GACEC Past Chairperson Terri Hancharick took the lead on forming this task force following a request from Council's Adult/Transition Services Committee in 2011. The Delaware General Assembly passed Senate Concurrent Resolution (SCR) No. 34, establishing the State Transition Task Force for Emerging Adults with Disabilities and Special Health Care Needs and its related work groups. The Task Force studied the transitional needs of youth and young adults with disabilities and special health care needs. The Task Force's main goal was to develop strategies to ensure successful transition from school to adult services. The Task Force continues to meet quarterly in order to advance the objectives outlined in the report.
- **DOE Special Education Leadership Work Group-GACEC** staff attend these statewide meetings to monitor what is happening with special education in Delaware, as well as to provide input.
- **Dover Air Force Base Exceptional Family Member Program-GACEC** staff has attended numerous information fairs held on Dover Air Force Base by their Exceptional Family Member Program (EFMP). Information about the GACEC and our mission was shared with members of the Exceptional Family Member Program and families at Dover Air Force Base.
- **Transition Conference -GACEC** staff attended the Transition Conference held by DOE and the Division of Vocational Rehabilitation (DVR) on October 31, 2015. Over 700 individuals were in attendance. Staff provided information on the GACEC and how Council seeks to provide advice and advocacy for persons with disabilities for their full lifespan in Delaware. Brochures and other information from the Delaware Coalition for Americans with Disabilities Act (DCADA) and Camp Lenape were shared. Executive Director Wendy Strauss presented information about the State Transition website.
- **Inter-Agency Coordinating Council (ICC)-The ICC** focuses on early childhood issues. Wendy Strauss and other members of Council are members and attend meetings to provide information and keep up to date on new information regarding early childhood issues.
- **Access to General Education Curriculum (AGEC) Work Group-** This group focuses on assessment issues for students in special education. GACEC Office Manager Kathie Cherry attends these meetings to provide input from her perspective as a parent, as well as a representative of the Council.
- **Family Leadership Advisory Council (FLAC) -** This Council was established by Delaware Family Voices to address the unmet service needs of persons with disabilities and to provide guidance and resources to their families or caregivers. GACEC Executive Director Wendy Strauss regularly attends FLAC meetings to share and obtain information.

- **Transition and Post-Secondary Programs for Students with Intellectual Disabilities (TPSID)** - The University of Delaware Center for Disabilities Studies (CDS) has been awarded a \$2.3 million grant from the U.S. Department of Education to create comprehensive, inclusive and customized postsecondary education programs for students with intellectual disabilities. The Transitions and Postsecondary Programs for Students with Intellectual Disabilities (TPSID) demonstration grant provides funding over five years (2010-2015). . GACEC Executive Director Wendy Strauss regularly attends TPSID meetings to share and obtain information.
- **CDS Emergency Preparedness for Individuals with Disabilities (EPID)** - The EPID initiative focuses on expanding family-centered and inclusive emergency planning and preparedness in Delaware. The emphasis is on family involvement, preparedness of individuals with disabilities and training for emergency planners and responders. GACEC staff regularly attends meetings of the CDS Disaster Preparedness Committee to share and obtain information.
- **Heart 2 Heart Hugs-** This initiative of the GACEC began in the fall of 2011 as the Sleeping Bag Campaign. Soon the endeavor expanded with the goal of collecting new, warm, cuddly items for children who are homeless or in foster care in Delaware. At a reception held at Massey Station on February 18, 2015 the GACEC was proud to distribute thousands of “practical, portable, positive hugs” in the form of coats, blankets, scarves, cuddly animals, handmade quilts, afghans, pajamas, slippers and more to the assembled Hug Ambassadors. These Hug Ambassadors included social workers, school nurses, foster care coordinators and representatives from the Division of Services for Children, Youth and their Families (DSCYF). Representative Quinton Johnson provided the welcoming remarks. At the distribution event we gave out over 1200 items.
- **Disability History and Awareness Month Activities-** 2014 marked the fifth year for the GACEC’s Disability History and Awareness Month efforts and activities.
  - **Disability History and Awareness Month Resource Manuals-** The GACEC produced and distributed a resource manual for use at every school and charter school in Delaware. The manuals include information on the Individuals with Disabilities Education Act (IDEA) of 2004, the Help America Vote Act of 2002, and the Americans with Disabilities Act (ADA) of 1990. The manual also contains information regarding disability etiquette, examples of People First Language, activities to help promote disability awareness and inclusion in the classroom and a sample letter to notify parents of upcoming Disability History and Awareness activities. In an effort to conserve resources, a PDF file of the resource manual is available on the GACEC website.
  - **Disability History and Awareness Month Poster Contest-** The GACEC was pleased to coordinate their fifth annual Disability History and Awareness Month Poster Contest. A request was sent out to all school districts to have their students create posters about Disability Awareness. Entries poured in from throughout the

State, culminating in three winners from each category: Elementary School, Middle School and High School.

- **Disability History and Awareness Month Poster Contest Awards Luncheon**- On December 4, 2014, the winners of the GACEC's Disability History and Awareness Month Poster Contest were honored at the third annual Awards Luncheon, which was held at The Duncan Center in Dover. The winning students were joined by their families, as well as other honored guests. The students, their teachers, principals and parents were treated to lunch with the dignitaries. Each student was also given an award certificate and a prize was awarded for each category.
- **Center for Disabilities Studies (CDS) Community Advisory Council (CAC)** - The Center for Disabilities Studies is supported with its work through the contribution of their Community Advisory Council (CAC). The CAC is composed of individuals with developmental and related disabilities; family members of individuals with developmental disabilities; representatives from disability-related training, service, and advocacy organizations; representatives from state agencies; and other disability advocates. Meetings of the CAC are held a four times a year. GACEC Executive Director Wendy Strauss is a CAC member.
- **Special Olympics Delaware (SODE)** - Special Olympics Delaware (SODE) is an organization that changes lives by promoting understanding, acceptance and inclusion between people with and without intellectual disabilities. Through year-round sports training, athletic competition and related programs conducted for more than 3,500 children and adults with intellectual disabilities, the organization creates a model community that celebrates people's diverse gifts. Special Olympics Delaware builds sports skills, confidence, strength, motivation and self-esteem - not just for athletes, but for everyone involved. The GACEC partnered with the SODE to distribute information on inclusion.

## **GACEC Infant and Early Childhood Committee 2014-2015**

We've had some wonderful additions to our committee this year: Ann Fisher is a teacher at Leach School and Kirsten Wolfington is a parent and active member of her community. Frieda Collins of CDW and Heather Gladish of the Delaware Early Childhood Center, have been nice enough to sit in and provide us with the birth to three point of view. Lisa Gonzon is on a leave of absence.

We met seven times from Oct 2014 to May 2015. With so many new members, we started our session with a roundtable discussion of incidents in the birth to five world that each has information about. Topics included the following:

Logisticare is providing transportation services to AI DuPont, however they are contracted as a limousine type service and do not provide car seats. A parent from Sussex, without personal transportation, is not typically going to own a car seat and may not be able to make follow-up appointments in Wilmington.

According to the State of Delaware, "Non-Emergency Transportation (NET) is provided to and from a covered service. The Division of Medicaid and Medical Assistance (DMMA) contracts for NET services with a transportation broker, LogistiCare, Inc. Who is eligible? All fully eligible Medicaid clients. NET services are not a benefit in the Delaware Healthy Children Program. Where it is available? Statewide. Transportation arrangements should be made no less than two days in advance of a scheduled appointment. LogistiCare will verify that the recipient is Delaware Medicaid eligible and that transportation is required to a covered service. Once both criteria are confirmed, LogistiCare will arrange for appropriate transportation to the covered medical service by one of their contracted transportation providers A discussion with Stephen Geoff and Lisa Zimmerman of DHSS/DMMA (Department of Health and Social Services/Division of Medicaid and Medical Assistance) brought the problem to light. The committee will be following up with Family Voices (the source of the information) to see if this gets resolved.

Another issue that was brought to light and discussed was the shortage of mental health consultants in Sussex County. This comes from the SECC (Sussex Early Childhood Council). Mary Moor, with the Office of Childcare Licensing, shared with us that it is a temporary shortage due to personnel issues and that the Kid's Department is reclassifying 14 positions including mental health professionals.

The committee also discussed the IEP (Individualized Education Plan) transition process, when a child reaches age three, has proven to be difficult for some families. Although the transition is taking place in a timely manner (as reported by Verna Thompson of the Department of Education, the accuracy is in question. An assessment done in the past three years is what is expected, however, a child has many changes in those three years. After speaking with DMMA it was brought to light that CDW (Child Development Watch) is not responsible for providing an

exit assessment. This makes creating an accurate IEP, by the school districts, very difficult. We will continue to follow this issue.

Lastly, the committee looked at the problem of AI DuPont not accepting United Healthcare. Apparently, this has been an ongoing issue with AI DuPont and they are suing United in several states. AI DuPont will accept United Health Care patients in the emergency room however; other services will have to come from CHOP (Children's Hospital of Philadelphia) or the eastern shore of Maryland. We will be following the outcome.



## **GACEC Adult Transition Services Committee 2014-2015**

The Adult Transition Services committee had a busy year continuing to monitor services for young adults with disabilities transitioning into adult services. Their goals and activities included the following:

- The committee planned to monitor Medicaid, DSCYF, and FAPE compliance, adult education in the prisons, transportation, and preparedness for students leaving school and review legislation and Code that would affect adult transition services.
  
- Dale Matusovich, DOE reported to the committee about transition programming in schools in Delaware. He discussed several areas of transition in the schools:
  - ❖ Technical Assistance from NSTTAC, National Dropout Prevention Center and the National Post School Outcome Center
    - DOE has committed to building capacity in DE for transition
    - Technical Assistance will continue until December 2014
    - Nine districts have agreed to create Transition Cadres to help reshape and rebrand how we implement transition in DE
    - Data from Indicator-1 (graduation rates for students with disabilities), Indicator-2 (dropout rates for students with disabilities), Indicator-13 (transition IEP compliance) and Indicator-14 (post-secondary outcomes) will be used to drive results oriented outcome accountability for students with disabilities
  - ❖ Indicator-13 – Transition IEP compliance
    - Overall state compliance with Indicator-13 is 73%
    - 2009 baseline expectations were changed and were raised
    - Written evidence must be in the file or it is considered non-compliance
    - Compliance for interagency release of information for the Division of Vocational Rehabilitation (DVR) and other agencies was 93%
    - Assessments will be monitored by employment, education and independent living. Previously assessments were grouped and not broken out by area.
  - ❖ Indicator-14- Post-secondary outcomes
    - The Indicator-14 Post-secondary survey will be cross-matched with data from the Division of Developmental Disabilities Services (DDDS) and DVR to create a better picture of outcomes.
    - 2011-2012 data (students were one year from exiting school)
      - 1042 students left, 30% responded to survey (345 students)
      - 81% engaged
      - 31% higher education
      - 34% worked 90 days, 20 hours or more a week
      - 14% had other post-secondary training

- 2% had other employment (with family)
  - 19% not engaged
- Jane Gallivan of DDDS spoke to the committee about the Family Support Waiver. Jane has been seeking community input through a series of meetings regarding what families of persons with disabilities would like the Family Support Waiver to contain. A report from DDDS on the Family Support Waiver is due to the legislature on April 1, 2015. Jane stated that she has completed 15 information-gathering sessions and has two more sessions planned. She has heard significant input from families regarding the need for respite care, Personal Care Assistants (PCA), behavioral and medical consults in home settings, home modifications and funding for assistive technology. Jane said that in the coming months, she will be working on consolidating the information that she has gathered into a comprehensive report. If the legislature approves the final report in April, work can begin on building the Family Support Waiver.
- Bonnie Hitch of DART Paratransit and the Delaware Transit Corporation (DTC) presented on the series of public comment meetings held by DART/DTC regarding the changes to public transit and Paratransit operations in Delaware. Bonnie stated that the deadline for public comment was Friday, November 22, 2014. DART/DTC met on Monday, November 25, 2014 to discuss the data and feedback collected during the public comment meetings. Bonnie stated that she could not speak regarding any common issues voiced by attendees of the public hearings, since the data has not been fully reviewed yet. She stated that DART/DTC is implementing a new way of partnering with agencies and is currently attempting to replicate the processes which a particular agency implements when working with Paratransit. This agency was not specifically named. Bonnie also discussed the electronic bus tracking system which was mentioned to the Adult Transition Services Committee during a presentation last year. She reported that the process is almost complete in Kent and Sussex Counties and is still being introduced in New Castle County. Once implemented, Bonnie stated that she believes the electronic bus tracking system will greatly improve services and punctuality. Data on the effectiveness of the bus tracking system will not be available for several months.
- Angela Porter from DSCYF spoke to the committee about mental health initiatives.
- Robert Overmiller, member of the ATS committee has been involved with the State Assessment Ad Hoc Committee which has been discussing the Delaware Comprehensive Assessment System Alternate 1 (DCAS Alt. 1). Two things were revealed at a meeting in March. First, there is no real justification for replacing the DCAS Alt. 1, other than that it has been used for five years and DOE does not think they should keep it. Second, there is no indication that the two alternatives currently being explored by DOE are anything like the DCAS Alt. 1. The group will move forward with some other activities related to this issue.
- Robert Overmiller has also kept the committee up-to-date on various bills. Senate Bill 20, which is the Prison Education Bill, passed the house unanimously. A House amendment will be written to address the concern of hazard duty pay for teachers in the correction system. A

House Resolution for social promotion, which will examine dropout rates and proposes solutions to the identified issues, was brought to the floor at the end of April. There is also a Senate Bill regarding the removal of education requirements from the electrical journeyman license. Senator Sokola has met with DOE and the Professional Regulations Board. Once they give it a green light, the bill will be assigned a number and sent to the floor for a vote. Representative Mulrooney is working with a bill related to Career and Technical Education (CTE) Advisory Boards. The Office of Management and Budget (OMB), several legislators and other key people, including school board members, are discussing the possibility of turning the soon to be former Dover High School facility into Polytech North. This would provide Kent County with another vocational school option. The Dover High Building is actually structurally sound and though there will be cost associated with renovations, there is money set aside for demolition of the Dover High building that could be applied to those expenses. If approved, it is possible that in the next three years there could be another Polytech campus. A motion was made in the committee to ask DOE to send Council data for special education students who have received a zero on the DCAS Alt. 1 over the past five school years. The motion was approved.

- The committee heard a report from Maureen Whalen from DOE about the prison education system. Federal funding has ceased for college credits for individuals in the prison system. There is continued mentoring available. Maureen also discussed the GED program and the Groves Adult Education program that allows the attainment of a high school diploma. Groves is open to individuals 16 and older. Students must test at the 9<sup>th</sup> grade level. They complete an assessment to see if remedial programming is necessary.
- The AT committee discussed the focus for next year to align the State Transition Plan with the committee's goals and to monitor progress. The committee will also visit a prison this summer to monitor the education programming.
- Cathy Cowin, committee chair, is co-chair of the Red Clay Committee for Inclusion for students in the Central School which is a separate setting for students with IEPs. Cathy reported that the committee is made up of parents as well as educational staff members. The first meeting was held and background information was given about the district's plan.



## **Children and Youth Committee 2014-2015**

At the time of printing no report had been submitted by the Children and Youth Committee. The following is a brief highlight of their year using information gleaned from monthly committee reports.

- In November the committee met with Sarah Celestin from DOE to discuss Indicator 3.
- In March the committee met with Barbara Mazza from DOE to discuss the Parent Survey Report.
- In May the committee met with Sarah Celestin from DOE to discuss the Adapting Curriculum and Classroom Environments for Student Success (ACCESS) project, professional development related to grade band extensions and the Systematic Processes for Enhancing and Assessing Communication Supports (SPEACS) Communication Initiative as well as discussing state assessments including the DCAS Alt. 1 and portfolio assessments.
- In June the committee met with Linda Smith from DOE to discuss the Positive Behavioral Supports (PBS) Program.



## **Policy and Law Committee 2014-2015**

This year the Policy and Law Committee reviewed many pieces of proposed legislation. Please see the attached appendices for a full listing of the responses and outcomes of the regulations and legislation commented on by the GACEC. There were many education bills this past year as well as many others. See below for a brief synopsis of some of the bills Council commented on after careful review by the Policy and Law Committee.

**H.B. 12** (School Nurse Funding) – This bill seeks to ensure that every public school in the State of Delaware has a nurse. This bill provides a mechanism to allow public schools that currently do not have a school nurse to receive state funds. The bill also allows for a match tax to assist those school districts that acquire a nurse as a result of this bill to pay for the local share of that nurse. GACEC endorsed the legislation since the availability of school nurses has several salutary effects. GACEC suggested that the sponsors may wish to consider an amendment to require both district and charter schools to have a school nurse in each facility.

Status: Reported Out of House Education Committee on 3/18/15 and Assigned to Appropriations Committee in House on 3/24/15 with Fiscal Note.

**H.B. 14** (Lockable Classroom Doors) - This bill requires that any door to a classroom will be equipped with a lock that can be locked from either side of the door. Many doors are currently not capable of locking from the inside. Locking the door(s) to a classroom from inside the classroom would enable precluding a school intruder from entering that classroom. GACEC provided observations and deferred to the views of the Department of Homeland Security or other law enforcement agency with expertise in this context. GACEC noted that the pros and cons of having all classroom doors lockable from both the inside and outside are not entirely clear. GACEC noted that the \$3,994,500 fiscal note on the predecessor bill (H.B. 221 in 2013) is not insignificant. The fiscal note for installing an alarm system in all public schools was between \$110,500 and \$331,500.

Status: Reported Out of Education Committee in House on 3/18/15 and Assigned to Appropriations Committee in House on 3/24/15 with Fiscal Note.

**H.B. 27** (School Safety) – This bill requires all new school construction or major renovation to include the following features: an intruder alarm, bulletproof glass in entrance areas and interior doors and windows, and doors lockable with keys on both sides. Further, the bill would require all new school construction plans to be submitted to the Office of Management and Budget’s Facilities Management Section for compliance with these requirements as well as with Crime Prevention through Environmental Design principles. GACEC endorsed the legislation subject to incorporation of an amendment to add the following sentenced at the end of line 23: “Such review shall be coordinated with the Architectural Accessibility Board Established by Chapter 73 of this title to ensure compatibility of safety and architectural accessibility features.”

Status: Stricken 7/01/15

**H.B. 8** (Mental Health Commitment Code) - This legislation amends the definition of psychiatrist to include a doctor who has completed an accredited residency training program in psychiatry so that all psychiatrists can act under this statute. Also, the statute limits credentialed mental health screeners to physicians licensed by the State of Delaware. Doctors at the United States Department of Veterans Affairs Medical Center in Delaware often are licensed in other states but permitted by federal law to practice at a Veterans Affairs facility. This legislation amends the definition of credentialed mental health screener to include Veterans Affairs doctors working in Delaware. This will allow Veterans Affairs doctors to hold patients for involuntary observation and treatment of mental conditions. GACEC provided observations and recommendations.

Status: Signed on 04/23/2015.

**H.B. 10** (State Office of Financial Empowerment) – Stand By Me is an innovative financial empowerment program that has been operating within DHSS for the past two years. Stand By Me is designed as a partnership model, integrated into the culture and operations of businesses, educational institutions, state agencies, and non-profit organizations, funded almost exclusively by the private sector and is a robust program based on collaboration and best practices. In just two years since start up, the program has made great strides and has helped many individuals and organizations. Codifying a State Office of Financial Empowerment, housed within DHSS, will ensure the sustainability of the Stand By Me program and other financial empowerment programs. GACEC endorsed the legislation since it addresses a huge problem with lack of education about credit, budgets, and financial planning by many Delawareans.

Status: Signed on 7/09/15

**H.B. 17** (Adult Protective Services Definition of “Financial Institution”) - This Act restores “broker-dealer”, “investment adviser”, and “federal covered adviser” to the definition of “financial institution” following successful discussions with these entities regarding the intent and scope of Chapter 438, Volume 79 of the Laws of Delaware. Chapter 438, Volume 79 of the Laws of Delaware (House Bill 417 from the 147th General Assembly) provides a mechanism for financial institutions to freeze transactions that they suspect are financial exploitation of an elderly person and requires them to report suspected financial exploitation to the proper state or federal agency. Chapter 438, Volume 79 of the Laws of Delaware defined “financial institution” for the first time in Chapter 39 of Title 31. When introduced, House Bill 417 included “broker-dealer”, “investment adviser”, and “federal covered adviser” within the definition of “financial institution”; however, these terms were removed by an amendment due to concerns expressed by some of these entities. GACEC endorsed the legislation since clarification of the scope of “financial institutions” may result in enhanced protection of covered individuals from financial exploitation.

Status: Signed on 6/4/2015.

**H.B. 30** (Special Ed Funding) - This bill provides State funding to kindergarten through third grade for basic special education. State funding already occurs for intensive and complex special education during these grades. Currently the basic special education funding runs from fourth through twelfth grade. This bill is an effort to promote earlier identification and assistance for basic special education needs which should then mitigate costs over the long term. GACEC endorsed the legislation subject to one amendment.

Status: Reported Out of Education Committee in House on 3/25/15 with Fiscal Note and Assigned to Appropriations Committee in House on 3/26/15.

**H.B. 45** (Epilogue: DOE Flexible Funding Pilot) - This bill is the Fiscal Year 2016 Appropriation Act. GACEC reviewed the Department of Education's "flexible funding" initiative which has been authorized in §353 of the FY16 budget bill epilogue. As background, the FY 15 budget bill epilogue established a working group to develop a pilot plan for submission to the Governor and Joint Finance Committee by December 1, 2014. The working group had no representatives of parent organizations, student organizations, or agencies [e.g. Parent Information Center (PIC); Governor's Advisory Council for Exceptional Citizens (GACEC)] which focus on special education. GACEC formed a committee and met with the Department of Education. Council sent formal letters to the Governor and legislators which provided observations and recommendations. Our concerns were addressed in the epilogue language. Section 1. Upon approval of the Director of the Office of Management and Budget, the Controller General and the Secretary of Education, school districts are authorized to utilize unfilled full and/or combine unfilled partial units of Division I funding earned in accordance with 14 Del. C. c. 13 and 17 and the Annual Appropriations Act to address instructional needs of their respective school districts. This option shall only apply if the school district has not filled the unit and/or partial unit at any time during the fiscal year in which it was earned and if the unit was filled the prior fiscal year and became vacant. This option shall exclude Division I units and associated Related Services units earned in Pre-K, Basic, Intensive and Complex categories. School districts approved to utilize the provisions of this section shall continue to be subject to all relevant salary schedules and supplemental compensation pursuant to 14 Del. C. c. 13 and the Annual Appropriations Act; be subject to financial reporting requirements of 14 Del. C. §1507 and §1509; and continue to be subject to the provisions of 14 Del. C. §1310(b) regarding school

Status: Introduced in House and Assigned to House Appropriations Committee on 1/29/15.

We want to thank everyone that joined us in our advocacy on this one. It was and still is very much appreciated and we cannot thank you enough.

**H.B. 46** (Children in DSCYF Custody Bill of Rights) - This bill sets forth the rights of abused, neglected and dependent youth in DSCYF Custody. GACEC endorsed the legislation and provided observations.

Status: Signed on 8/05/15.

**H.B. 50** (Smarter Balanced Assessment "Opt-Out") - This bill creates the right for the parent or guardian of a child to opt out of the annual assessment, currently the Smarter Balanced Assessment System. GACEC expressed concerns and did not support the legislation, but noted that it believes it is important to eliminate duplicative testing and testing programs which may be "overkill".

Status: Vetoed by the Governor on 7/16/15.

**H.B. 52** (Cursive Writing) - This bill requires will make the teaching of cursive writing a requirement for all public schools in Delaware. GACEC endorsed the legislation.

Status: Reported Out of House Education Committee on 4/19/15.

**H.B. 60** (ABLE Act) - This bill creates an Achieving a Better Life Experience (“ABLE”) Program in Delaware, to implement federal legislation enabling the creation of savings accounts with tax advantages similar to 529 accounts, designed to be used by persons with disabilities to save for qualifying disability and education related expenses. GACEC endorsed the legislation.

Status: Signed by the Governor on 6/10/15.

**H.B. 64** (DMOST) - This Act authorizes the use of Medical Orders for Scope of Treatment in Delaware. This document, a “DMOST form,” will allow Delawareans to plan ahead for health-care decisions, express their wishes in writing, and both enable and obligate health care professionals to act in accordance with a patient’s expressed preferences. GACEC endorsed the legislation and provided extensive observations.

Status: Signed by the Governor on 5/28/15.

**H.B. 94** (Supplemental Nutrition Assistance Program) - The legislation would amend State law by adding the following limit on purchases: “Benefits provided pursuant to this Chapter shall only be used for foods, food products, and beverages that have beneficial nutritional value.” The Department of Health & Social Services would be directed to issue implementing regulations to “identify specific foods, food products, and beverages, or general categories of foods, food products, and beverages ...that have beneficial nutritional value.” DHSS would also be required to apply for a waiver from the U.S. Department of Agriculture (USDA) to permit implementation of the law. GACEC has identified concerns with similar legislation introduced in 2014.

Status: Tabled in Committee on 4/16/15.

**H.B. 116** (DSCYF Education System) – This bill would allow DSCYF Education Unit teachers to apply for federal, state, or private loan forgiveness programs available to educators who work in a Local Education Agency. It would also allow the DSCYF Education Unit to apply for federal, state, or private grants that are made available to Local Education Agencies and allow the Education Unit to issue credits to youth who finish classes while they are in our care and educated by the Unit. GACEC endorsed the legislation and provided observations.

Status: Signed on 6/30/15.

**H.B. 117** (Low-Income Student Unit Funding) - This Act will create a funding source for students enrolled in Delaware public schools who are determined as low-income according to the Department of Education. This funding source will be in addition to the normal enrollment based funding provided to school districts and charter schools. To ensure the low-income resources reach the schools where they are most needed, this Act requires that at least 98% of the units be directed towards the schools that generate the funding unless otherwise waived by a local board of education during a public meeting. GACEC believes the basic concept underlying the legislation is well-intentioned, but has significant concerns which were shared.

Status: H.A. 1 Placed With Bill on 6/2/15. Reported Out of House Education Committee on 6/3/15.

**S.B. 10** (DPAS II Advisory Committee) - This bill makes technical changes to the Delaware Performance Appraisal System (DPAS) II Advisory Committee membership and meeting dates. Additionally, this Act clarifies language regarding the Committee's duties in order to better provide advice to the Secretary of the Department of Education and the State Board of Education in the promulgation of regulations relating to DPAS II. GACEC stated that it would have ideally preferred the expansion of membership to include a Governor's Advisory Council for Exceptional Citizens (GACEC) representative, but otherwise had no reservations in endorsing the bill.

Status: Signed on 4/30/15 with S.A. 1.

**S.B. 33** (IEP Process) – This bill implements the legislative recommendations of the IEP Improvement Task Force created by the 147th General Assembly. The Governor's Advisory Council for Exceptional Citizens (GACEC) provided input to the sponsors. The amendment reflects the recommendations offered by GACEC; therefore we endorsed S.B. 33 with S.A. 1.

Status: Signed on 6/18/15.

**S.B. 38** ("Right to Try" Act) - This bill allows a terminally ill patient, and his or her treating physician, to decide if they will pursue treatment with an investigational drug, biological product or device, which has successfully completed Phase One of a clinical trial. This Bill does not obligate manufacturers to provide an investigational drug, biological product or device upon the patient's request. It also does not obligate health insurance providers to cover the expenses of, or associated with, the use of an investigational drug, biological product or device. The Bill also protects all involved parties from being held liable for any loss, damage or injury that results from the use of investigational drug, biological product or device, and prevents state interference in the implementation of this policy. GACEC endorsed the legislation after balancing the pros and cons since the advantages of access by terminally ill patient to products which have successfully passed Phase One of a clinical trial outweigh negative considerations.

Status: Assigned to Senate Health & Social Services Committee on 3/24/15.

**S.B. 92** (Autism Services) - The bill revamps the current statutory framework for the Delaware Autism Program (DAP) initially adopted in the early 1980s. GACEC shared observations.

Status: Reported Out of Senate Education Committee on 6/3/15 with Fiscal Note.

**S.B. 93** (Autism Planning, Training & Resource Bodies) - This bill establishes an Interagency Committee on Autism and the Delaware Network for Excellence in Autism. Among other things, the Interagency Committee on Autism is charged with a) utilizing evidence-based practices and programs to improve outcomes for people living with Autism Spectrum Disorders (ASD) and related developmental disabilities in Delaware by sharing information, initiatives, data and communications among both public and private agencies providing services and supports for individuals and families affected by Autism Spectrum Disorders in the State of Delaware; and b) implementing the recommendations outlined in the 2013 Delaware Strategic Plan entitled "Blueprint for Collective Action: Final Report of the Delaware Strategic Plan to Improve Services and Supports for Individuals with Autism Spectrum Disorder." GACEC shared observations.

Status: Reported Out of Senate Education Committee on 6/3/15 with Fiscal Note.

In addition Council members and GACEC staff were there on various occasions to support other pieces of legislation such as, House Concurrent Resolution 13 which recognizes the Americans with Disabilities Act Celebrating 25 years in 2015 and recognizing March 25, 2015 as the "Developmental Disabilities Day" in Delaware. Along the same lines, GACEC Executive Director was on the floor to show support of House Concurrent Resolution 36 which recognizes May 15- June 15, 2015 as "Tourette Syndrome Awareness Month.



Governor Jack Markell signing legislation surrounded by advocates and self-advocates.

**GACEC members and staff are involved on a recurrent basis with the following organizations and committees. These groups assist the Council with interagency collaboration and coalition building.**

- 31<sup>st</sup> Democratic Council Committee
- 321 Foundation
- Adoption Committee
- Alliance for Full Participation Committee
- American Association of University Women
- American Counseling Association
- ARC of Delaware
- Art Therapy Express
- Association for Supervision & Curriculum Development
- Autism Delaware
- Autism Work Group
- Camden-Wyoming Challenger Little League
- Camp Lenape/Camp Manito (UCP)
- Children & Adults w/Attention Deficit Disorder (CHADD)
- Collaborative Efforts to Reinforce Transition Success (CERTS)
- Correctional Education Association
- CPAC- Child Protection Accountability Commission
- DDC Data Analysis Ad-Hoc Committee
- Delaware and National Council for Exceptional Children (CEC)
- Delaware Coalition for Americans with Disabilities Act
- Delaware State Teachers Association
- Delaware Asperger's Support and Advocacy Group
- Delaware Association of School Administrators
- Delaware Care Plan Trust Board
- Delaware Counseling Association
- Delaware Early Childhood Council
- Delaware Education Support System (DESS) Advisory Council
- Delaware Families for Hands and Voices
- Delaware Family Support Coordinating Council
- Delaware Healthy Mothers & Infant Consortium (DHMIC)
- Delaware Parent Teacher Association (PTA)
- Delaware State Network of Educators
- Department of Education, Special Education Group

**GACEC members and staff are involved on a recurrent basis with the following organizations and committees. These groups assist the Council with interagency collaboration and coalition building.**

- Department of Labor Vocational Rehabilitation Advisory Committee
- Developmental Disabilities Council (DDC)
- DHSS Mortality Review Board
- DOE IEP Work Group
- DOE Teacher Retention and Recruitment Committee
- DOE Transition Council
- Domestic Violence Coordinating Council (DVCC)
- Dover Air Force Base Exceptional Families Resources Program
- Down Syndrome Association
- Division of Service to Aging and Adults with Physical Disabilities (DSAAPD)
- DVRC For Visually Impaired Council
- Employment First Initiative Oversight Commission
- Endless Possibilities in the Community (EPIC)
- Family SHADE
- Fetal Alcohol Spectrum Disorder (FASD) Task Force
- Governor's Advisory Council for Aging and Disabled Persons (GACADP)
- Governor's Commission on Building Access to Community-Based Services (GCBACS)
- Governor's Commission on Employment of People w/Disabilities
- Health Care Commission Disability Health Equity Sub Committee
- Healthy Delawareans with Disabilities
- Hearing Loss Association of Delaware
- Help Me Grow Committee
- Indian River School Board
- Interagency Coordinating Council (ICC) for Part C of IDEA
- Kent Inter-Agency Council
- LIFE Conference Design Team
- McKean High School Inclusion Workforce Committee
- Military Community Partners (MCP)
- National and Delaware Chapter of Hands and Voices
- National Association for the Education of Young Children
- Parent Information Center of Delaware (PIC)
- Protection & Advocacy of Individual Rights (PAIR)
- Respite Care Committee
- Restraints and Seclusion Committee
- State Council for Persons with Disabilities (SCPD)

**GACEC members and staff are involved on a recurrent basis with the following organizations and committees. These groups assist the Council with interagency collaboration and coalition building.**

- SCPD Brain Injury Committee (BIC)
- SCPD Policy and Law Committee
- SCPD Traumatic Brain Injury (TBI) Committee
- Sexual Assault Network of Delaware (SAND)
- Speech/Language Pathologist Task Force
- State Transition Task Force for Emerging Adults with Disabilities and Special Health Care Needs and associated Work and Discussion Groups (see bullets, below)
  - Education Work Group
  - Employment Work Group
  - Health Work Group
  - Housing/Transportation Work Group
  - Transition IEP Discussion Group
- Sussex Early Childhood Council
- Sussex Inter-Agency Council
- Super Stars of Education
- Trauma Informed Care Interest Group
- Universal Design Coalition
- University of Delaware Center for Disabilities Studies (CDS) Community Advisory Council (CAC)
- VTRF Disability Committee
- Workforce Investment Act Advisory Board
- Youth Advisory Committee



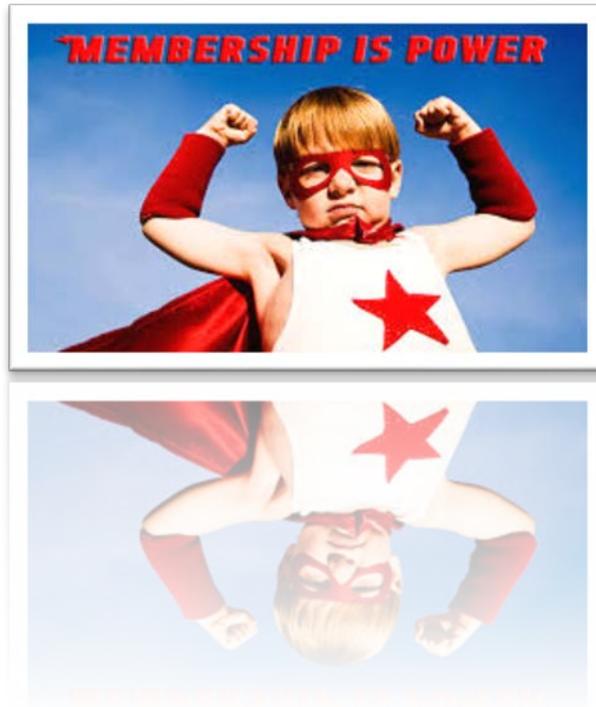
Thank You!  
**2014-2015 Presenters & Speakers**

- **Sarah Celestin**, of the Delaware Department of Education (DOE), discussing disproportionality, Annual Performance Report (APR) monitoring and general supervision, DOE initiatives and assessments.
- **Matthew Chesser**, of the Division of Parks and Recreation (DNREC) presenting to the Adult Transition Services Committee about accessible programs and parks.
- **Stephen Groff**, of the Division of Medicaid and Medical Assistance (DMMA) presenting to the Infant and Early Childhood Committee regarding issues with United Health Care plans no longer being accepted by AI DuPont Children Hospital.
- **Bonnie Hitch**, of the Delaware Transit Corporation (DART), presenting to the ATS committee on various DART Projects, including the shuttle program.
- **Linda Lawrence**, of the Division of Services for Aging Adults with Physical Disabilities (DSAAPD) presenting to the Adult Transition Services Committee regarding Adult Protective Services (APS).
- **Dale Matusевич**, of the DOE Exceptional Resources Group, presenting on DOE Indicators 13 & 14 (Transition Compliance).
- **Barbara Mazza**, of the DOE, presenting on DOE initiatives and assessments.
- **Mary Moor**, of Delaware's Bringing Evidence-based System of Care and Treatment (B.E.S.T) presenting to the Infant and Early Childhood Committee on the impact of child mental health services on success in childcare programs.
- **Linda Smith**, of the DOE presenting on Positive Behavioral Supports program (PBS).
- **Verna Thompson**, of the DOE, presenting on the DOE's Annual Performance Report (APR) for Part C/ Early Childhood.
- **Maureen Whalen**, of the DOE, presenting on the Adult and Prison Education Program.
- **Lisa Zimmerman**, of DMMA, presenting to the Infant and Early Childhood Committee about the issues with United Health Care no longer being accepted at AI DuPont Children's Hospital

## GACEC MEMBERSHIP LIST 2014-2015

Marie-Anne Aghazadian  
Nina Bunting  
Jean Butler  
Dafne Carnright  
Carma Carpenter  
Al Cavalier  
Nancy Cordrey  
Janet Cornwell  
Cathy Cowin  
Helene Diskau  
A. Jane Donovan (LOA)  
Bill Doolittle  
Karen Eller  
Ann Fisher  
Lisa Gonzon  
Bernhard Greenfield  
Terri A. Hancharick  
Brian J. Hartman, Esq.

Emmanuel Jenkins  
Thomas Keeton  
Sonya Lawrence  
Danna Levy  
Christopher McIntyre  
Carrie Melchisky  
Beth Mineo  
Janella Newman  
William P. O'Neill  
Robert Overmiller  
Jennifer Pulcinella  
Shawn Rohe  
Dennis Rubino  
Ronald Russo  
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Howard Shiber  
Lavina Smith  
Marshall Stevenson



**GACEC STAFF**

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Executive Director

*Kathie P. Cherry*

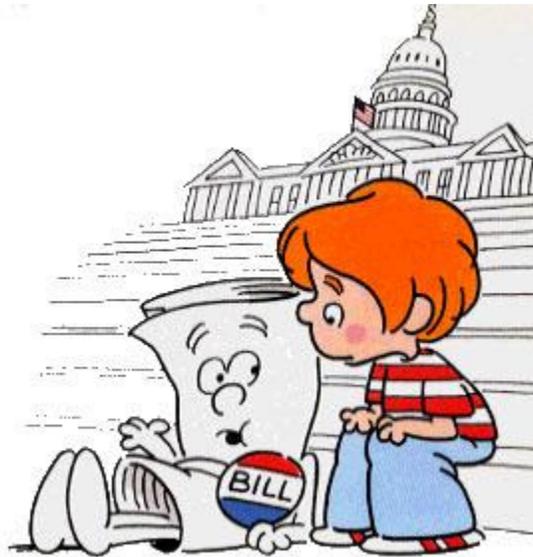
Office Manager

*Sybil J. White*

Administrative Coordinator



# FY 2015 Legislative Commentary



Bill Number	Summary	Letter Sent	Current Status
Senate Bill No. 10 DPASII Advisory Committee	<b>Synopsis:</b> This bill makes technical changes to the Delaware Performance Appraisal System (DPAS) II Advisory Committee membership and meeting dates.	February 2015	Signed by the Governor 4/23/15
<b>House Bill No. 7 School Safety</b>	<b>Synopsis:</b> This bill requires all new school construction or major renovation to include the following features: an intruder alarm, bulletproof glass in the entrance area, interior doors and windows, and doors lockable with keys on both sides.	February 2015	Passed by both House and Senate
<b>House Bill No. 17 Adult Protective Services Financial Institution Definition</b>	<b>Synopsis:</b> This bill restores broker-dealer, investment advisor and federal covered advisor to the definition of financial institution in Chapter 438, Volume 79 of the Laws of Delaware.	February 2015	Signed by the Governor 6/4/15
<b>House Bill No. 14 Lockable Classroom Doors</b>	<b>Synopsis:</b> This bill would require all public schools to comply with the following standards: every door into a classroom in every public school shall be lockable from both inside and outside the classroom.	February 2015	In House Appropriations
<b>House Bill No. 10 State Office of Financial Empowerment</b>	<b>Synopsis:</b> This bill will codify a State Office of Financial Empowerment to be housed within the Department of Health and Social Services (DHSS).	February 2015	Passed by Senate 4/30/15
<b>House Bill No. 8 Mental Health Commitment Code Definition</b>	<b>Synopsis:</b> This bill amends the definition of psychiatrist to include a doctor who had completed an accredited residency training program in psychiatry so that all psychiatrists can act under this statute.	February 2015	Signed by the Governor 4/23/15
<b>House Bill No. 12 School Nurse Funding</b>	<b>Synopsis:</b> This bill authorizes public schools to apply for supplemental State funds subject to annual appropriations to fund school nurses.	March 2015	In House Appropriations
<b>House Bill No. 30 Basic Special Education Unit Funding</b>	<b>Synopsis:</b> This bill would provide state funding to kindergarten through third grade for basic special education to promote earlier identification and assistance for basic special education needs.	March 2015	In House Appropriations
<b>Senate Bill No. 28 Office of Defense Services</b>	<b>Synopsis:</b> This bill would streamline the operation of the system for providing counsel to indigent defendants in criminal proceedings.	March 2015	Stricken 5/6/15

Bill Number	Summary	Letter Sent	Current Status
<b>Senate Bill No. 33 IEP Process</b>	<b>Synopsis:</b> This bill implements the legislative recommendation of the IEP Improvement Task Force created by the 147 <sup>th</sup> General Assembly.	March 2015	Signed by the Governor 6/18/15
<b>House Bill No. 5 E-Cigarettes</b>	<b>Synopsis:</b> This bill adds electronic smoking devices to the Clean Indoor Air Act and prohibits the use of electronic smoking devices in all public places where smoking is prohibited under current law.	April 2015	Passed by Senate 6/11/15
<b>House Bill No. 46 Bill of Rights for Children in DSCY&amp;F Custody</b>	<b>Synopsis:</b> This bill sets forth the rights of abused, neglected and dependent youth in DSCY&F Custody.	April 2015	Passed by Senate 5/6/15
<b>House Bill No. 63 Guardianship and Sale of Ward's Real Estate</b>	<b>Synopsis:</b> This bill covers the procedures to be followed by a guardian when selling properties owned by a ward with a disability.	April 2015	Passed by Senate 4/29/15
<b>Senate Bill No. 38 Right to Try Act</b>	<b>Synopsis:</b> This bill will allow a terminally ill patient and his or her treating physician to decide if they will pursue treatment with an investigational drug, biological product or device, which has successfully completed Phase one of a clinical trial.	April 2015	In Health and Social Services committee
<b>House Bill No. 52 Cursive Writing</b>	<b>Synopsis:</b> This bill will make the teaching of cursive writing a requirement for all public schools in Delaware.	April 2015	Out of committee 4/29/15
<b>House Bill No. 64 Delaware Medical Orders for Scope of Treatment (DMOST)</b>	<b>Synopsis:</b> This bill authorizes the use of Medical Orders for Scope of Treatment in Delaware.	May 2015	Signed by the Governor 5/28/15
<b>Senate Bill No. 92 Autism Services</b>	<b>Synopsis:</b> This bill revamps the current statutory framework of the Delaware Autism Program (DAP) initially adopted in the early 1980s.	June 2015	Out of committee 6/3/15
<b>Senate Bill No. 93 Interagency Committee on Autism and the Delaware Network for Excellence in Autism</b>	<b>Synopsis:</b> This bill established an Interagency Committee on Autism (ICA) and the Delaware Network for Excellence in Autism (DNEA).	June 2015	Out of committee 6/3/15

Bill Number	Summary	Letter Sent	Current Status
<b>House Bill No. 94 Supplemental Nutrition Assistance Program</b>	<b>Synopsis:</b> This bill seeks to bring the Supplemental Nutrition Assistance Program (SNAP) in line with other state programs and initiatives aimed at improving the health and welfare of Delawareans.	June 2015	Tabled in committee
<b>House Bill No. 126 Minimum Age of Prosecution</b>	<b>Synopsis:</b> This bill seeks to disallow prosecution of a child for conduct occurring when the child was under the age of 10.	June 2015	Passed by the Senate 6/25/15
<b>House Bill No. 155 Voter Eligibility in School Elections</b>	<b>Synopsis:</b> This bill seeks to require that individuals voting in school board elections, school tax elections and school bond elections be registered voters eligible to vote in general elections.	June 2015	In House Education Committee 5/28/2015

Regulation	Summary	Letter Sent/Action Taken	Response/Update
<b>18 DE REG. 9 DMMA Proposed Telemedicine Regulation</b>	<b>Synopsis:</b> The Division of Medicaid and Medical Assistance proposed to amend the Medicaid State Plan to clarify the scope of providers authorized to deliver services via telemedicine.	July 2014	August 2014 Letter from Sharon Summers thanking council for its endorsement.
<b>18 DE REG. 7 DOE Proposed Supportive Instruction (Homebound) Regulation</b>	<b>Synopsis:</b> The Department of Education proposes to amend its supportive instruction (homebound) regulation.	July 2014	
<b>18 DE REG. 11 DMMA Proposed Medicaid Primary Care Services Payment Regulation</b>	<b>Synopsis:</b> The Division of Medicaid and Medical Assistance proposes to adopt a Medicaid Plan Amendment to conform to CMS guidelines	July 2014	
<b>18 DE REG. 19 DSS Proposed Child Care Subsidy: Prioritizing Service Needs Regulation</b>	<b>Synopsis:</b> The Division of Social Services proposes to adopt discrete amendments to its regulation listing priority individuals in the event DSS adopts a wait list for its child care subsidy program.	July 2014	
<b>18 DE REG 104 DOE Proposed Comprehensive Health Education Program/CPR Regulations</b>	<b>Synopsis:</b> The Department of Education proposes to amend its health education program regulations in order to implement §306 of the FY 15 budget bill.	August 2014	
<b>18 DE REG. 106 DMMA Proposed Preadmission Screening and Resident Review (PASRR) Regulation</b>	<b>Synopsis:</b> Delaware Health and Social Services/Division of Medicaid and Medical Assistance is proposing to amend the Title XIX Medicaid State Plan and the Division of Social Services Manual (DSSM) regarding administration of the Medicaid Preadmission Screening and Resident Review (PASRR), specifically, Categorical Determinations and Specialized Services.	August 2014	September 2014 Letter from Sharon Summers many of councils recommended changes were adopted.
<b>18 DE REG. 119 DPH Proposed Hospital Standards/Locked Bathroom Door Access Regulation</b>	<b>Synopsis:</b> DPH proposes the addition of a regulation requiring hospital staff have ready access to a locked bathroom in the event of an emergency.	August 2014	

Regulation	Summary	Letter Sent/Action Taken	Response/Update
<b>18 DE REG. 122 DFS Proposed Residential Child Care Facility and Day Treatment Program</b>	<b>Synopsis:</b> the Department of Services for Children, Youth and Their Families/Division of Family Services (DFS)/Office of Child Care licensing proposal to amend the Delacare Requirements for Residential Child Care Facilities and Day Treatment Programs.	August 2014	
<b>18 DE REG. 186 DHSS/DMMA Proposed DSHP 1115 Demonstration Waiver Amendment</b>	<b>Synopsis:</b> The Department of Health and Social Services in collaboration with the Division of Medicaid and Medical Assistance proposes to amend the Diamond State Health Plan to coordinate coverage in the PROMISE program(Promoting Optimal Mental Health for Individuals through Supports and Empowerment)	September 2014	
<b>18 DE REG. 177 DOE Proposed Charter School “Impact” Regulation</b>	<b>Synopsis:</b> The Secretary of Education seeks the consent of the State Board of Education to amend 14 DE Admin. Code 275 Charter Schools. This regulation amends the approval procedure for charter schools as required by Senate Bill 209 as amended by Senate Amendment 1.	September 2014	October 2014 Letter received from Tina Shockley thanking council for its comments.
<b>18 DE REG. 183 DMMA Proposed Delaware Healthy Children Program Premium Regulation</b>	<b>Synopsis:</b> Delaware Health and Social Services/Division of Medicaid and Medical Assistance is proposing to amend the Title XXI Delaware Healthy Children Program State Plan and the Division of Social Services Manual (DSSM) regarding Cost Sharing and Payment, specifically, Premium Requirements	September 2014	
<b>18 DE REG. 280 DOE Proposed Extended School Year (ESY) Regulation</b>	<b>Synopsis:</b> The Department of Education proposed to amend the Extended School Year (ESY) regulation in order to comply with SB 229	October 2014	
<b>18 DE REG. 279 DOE Proposed State Assessment System Regulation</b>	<b>Synopsis:</b> The Department of Education proposes to amend the state assessment system standards to comply with HB 334 and SB 229	October 2014	

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<b>18 DE REG. 281</b> <b>DOE Proposed Evaluation, Eligibility Determinations and IEP Reading Interventions Regulation</b>	<b>Synopsis:</b> The Department of Education proposes to adopt some distinct changes to its IEP standards to implement Senate Bill No. 229.	October 2014	
<b>18 DE Reg. 282</b> <b>Division of Long Term Care Residents Protection (DLTCRP) Rest (Family) Care Homes Regulation</b>	<b>Synopsis:</b> The DLTCRP proposes to amend its standards covering family car homes.	October 2014	
<b>18 DE Reg. 104</b> <b>DOE Proposed CPR Regulation</b>	<b>Synopsis:</b>	November 2014	
<b>18 DE Reg. 177</b> <b>DOE Proposed Charter School Impact Regulation</b>	<b>Synopsis:</b> The Department of Education proposed to revise its regulations to comply with S.B. No. 209 signed by the Governor on June 25, 2014	November 2014	
<b>18 DE Reg. 343</b> <b>DOE Proposed James H. Groves High School Regulation</b>	<b>Synopsis:</b> The Department of Education proposes to adopt several revisions to its regulations covering enrollment in the James H. Groves High School,	November 2014	
<b>18 DE Reg. 350</b> <b>DOE Proposed Teacher of Students Who are Gifted and Talented Regulation</b>	<b>Synopsis:</b> The Department of Education in collaboration with the Professional Standards Board proposed to revise its regulations on eligibility for a standard certificate for a Teacher of Students Who Are Gifted or Talented.	November 2014	
<b>18 DE Reg. 354</b> DSS Proposed <b>Temporary Aid to Needy Families (TANF) State Plan Renewal</b>	<b>Synopsis:</b> The Division of Social Services seeks renewal of the Temporary Aid to Needy Families (TANF) State Plan	November 2014	
<b>18 DE Reg. 369</b> <b>DOE Final CPR Regulation</b>	<b>Synopsis:</b> The Department of Education proposes to amend its health education regulations in order to implement §306 of the FY 15 budget bill.	November 2014	

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<b>18 DE Reg. 340 DE Admin. Code 245 Department of Education Proposed Michael Ferguson Achievement Awards Program Regulation.</b>	<b>Synopsis:</b> The Department of Education proposes to revise several of its existing Michal Ferguson Achievement Awards program regulations.	November 2014	
<b>18 DE Reg. 419 DE Admin. Code 817 Department of Education Proposed Medication and Treatments Regulation</b>	<b>Synopsis:</b> The Department of Education proposes to issue regulations implementing the requirements of Senate Bill No. 246	December 2014	
<b>18 DE Reg. 424 DMMA Proposed Medicaid Primary Care Payment Rate Regulation</b>	<b>Synopsis:</b> The Division of Medicaid and Medical Assistance proposes to adopt a State Medicaid Plan amendment in reference to methods and standards for establishing payment rates for primary care services and physician administered vaccination.	December 2014	
<b>18 DE Reg. 429 DMMA Proposed Medicaid Rehabilitative Services Regulation</b>	<b>Synopsis:</b> The Division of Medicaid and Medical Assistance proposes to adopt a State Medicaid Plan amendment in reference to State Plan Rehabilitative Services, specifically coverage and reimbursement for Community Support Services.	December 2014	
<b>18 DE Reg. 496 14 DE Admin. Code 1507 Professional Standards Board/Department of Education Proposed Alternate Routes to Teacher Licensure and Certification Program Regulation</b>	<b>Synopsis:</b> The Professional Standards Board proposes to readopt its regulation entitled "Alternate Routes to Teacher Licensure and Certification Program".	January 2015	
<b>18 DE Reg. 504 DMMA Proposed Certification and Regulation of Medicaid MCOs Regulation</b>	<b>Synopsis:</b> The Division of Medicaid and Medical Assistance proposes to adopt standards for fiscal solvency of Medicaid managed care organizations (MCOs).	January 2015	Letter received from Sharon Summers indicating DMMA adopted many of Councils recommendations

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<b>18 DE Reg. 514 DSS proposed Child Care Subsidy Program, Child Support Policies Regulation.</b>	<b>Synopsis:</b> The Division of Social Services Proposes to amend policies in its manual regarding the Child Care Subsidy Program, Child Support Policies and Procedures.	January 2015	
<b>18 DE Reg. 509 DMMA Proposed Medicaid Inpatient Rehabilitation Hospital Regulation.</b>	<b>Synopsis:</b> The Division of Medicaid and Medical Assistance proposes to amend the Medicaid State Plan in the context of Freestanding Inpatient Hospital Services.	January 2015	
<b>18 DE Reg. 497 DLTCRP Financial Capability Reporting Regulation.</b>	<b>Synopsis:</b> The Division of Long Term Care Residents Protection proposes to adopt a set of regulations covering the financial soundness of licensed long term care facilities with three or more residents.	January 2015	
<b>18 DE Reg. 616/14 Del. Admin. Code 902 DOE Proposed Gifted or Talented Education Plan Regulation.</b>	<b>Synopsis:</b> The Department of Education proposes to require each district and charter school to develop and maintain a “Gifted or Talented” Education Plan.	February 2015	
<b>18 DE Reg. 621/14 DE Admin. Code 925 DOE Proposed IEP Reading Interventions Regulation.</b>	<b>Synopsis:</b> The Department of Education proposes to amend multiple provisions within its regulations covering evaluations, eligibility and IEP’s.	February 2015	
<b>18 DE Reg. 759/14 DE Admin. Code 1105 DOE Proposed School Transportation Regulation.</b>	<b>Synopsis:</b> The Department of Education proposes to adopt some discreet amendments to its regulation covering school transportation.	April 2015	
<b>18 DE Reg. 761 DLTCRP Proposed Financial Capability Regulation.</b>	<b>Synopsis:</b> The Division of Long Term Care Residents Protection proposes to issue regulations implementing §1104 which will define the scope and timetable of submission of financial information.	April 2015	
<b>18 DE Reg. 832/14 DE Admin. Code 804 DOE Proposed Vaccination Regulation.</b>	<b>Synopsis:</b> The Department of Education proposes to amend its standards for vaccinations of public school students.	May 2015	

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<b>18 DE Reg. 828/14 DE Admin. Code 108A DOE Proposed Administrator Evaluation System (DPASII) Regulation.</b>	<b>Synopsis:</b> The Department of Education proposed to revise its standards for the evaluation of administrators.	May 2015	
<b>18 DE Reg. 823/14 DE Admin. Code 107A DOE Proposed Specialist Appraisal Regulation.</b>	<b>Synopsis:</b> The Department of Education proposes to revise its standards for the evaluation of specialist performance.	May 2015	
<b>18 DE Reg. 817/14 DE Admin. Code 106A DOE Proposed Teacher Appraisal (DPASII) Regulation.</b>	<b>Synopsis:</b> The Department of Education proposes to revise its standards for the evaluation of teacher performance.	May 2015	
<b>18 DE Reg. 838 DMMA Proposed Medicaid Plan Drug Rebate Regulation.</b>	<b>Synopsis:</b> The Division of Medicaid and Medical Assistance proposes to amend the Medicaid State Plan regarding the Multi-State Purchasing Pool Supplemental Rebate Agreement (SRA) for pharmaceutical products, specifically to include Medicaid Managed Care Organizations (MCOs) utilization for accrual of supplemental rebates.	May 2015	
<b>18 DE Reg. 938 DSAMH Proposed Substance Abuse Facility Licensing Regulation.</b>	<b>Synopsis:</b> The Division of Substance Abuse and Mental Health proposes to replace the existing standards covering the licensing of substance abuse facilities in their entirety.	June 2015	