



# *GACFC*

GOVERNOR'S ADVISORY COUNCIL FOR EXCEPTIONAL  
CITIZENS ANNUAL REPORT FY 2016

Submitted by: Wendy S. Strauss, Executive Director

& Robert Overmiller, Council Chairperson

## 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



Members of the community participated in the 25<sup>th</sup> anniversary celebration of the ADA commemorative parade hosted by GACEC and other Advocacy groups.

## **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

This year council and staff at the Governor's Advisory Council for Exceptional Citizens (GACEC) was pleased to work with other disability advocates and organizations to assist in organizing and planning of the Americans With Disabilities Act 25<sup>th</sup> Anniversary celebration that was held in Dover in July 2015. We had over 40 vendors participate in the parade and many vendors display their materials as well.

The GACEC worked with the Developmental Disabilities Council (DDC) and the State Council for Persons with Disabilities (SCPD) in preparation for the Joint Retreat which was held in April 2016. We held focus groups throughout the state as well as webinars to gather input from a variety of stakeholders that will help the three Councils understand where we still have barriers. We were pleased to have Attorney General Matthew Denn kick off the day.

We worked collaboratively for countless hours with the DDC and many other Disability Advocates throughout the state on the Supported Decision Making Bill. We were thrilled that Senator Bethany Hall-Long and Representative Heffernan agreed to be prime sponsors of the bill. Many thanks go out to the prime sponsors and to the legislators for the passing of this important bill. This Act creates an option for supported decision-making agreement for adults who do not need a guardian but who need assistance in gathering information, making decisions and communicating those decisions.

Speaking of bills GACEC would like to thank Representative Quinton Johnson and others on the passage of House Concurrent Resolution 33. This bill proclaims the month of October to be "Disability History and Awareness Month" in Delaware and encourages all Delaware Center and Family based preschools and childcare programs, annually during the month of October, to provide instruction and events focusing on disability history, people with disabilities and the disability rights movement. To assist in this endeavor the GACEC continues to work with early childhood professionals in order to bring awareness and sensitivity into the preschool settings. Staff has been going out to early childhood settings and training teachers on the All My Different Friends curriculum and giving them the curriculum and the "All My Different Friends at School" book as well as the "There is Nothing to Fear" coloring book which is focuses on oral health. We have reached out to more than 750 students at more than 40 sites. To date more than 50 presentations have been

There are quite a few other disability bills that passed the legislative session this year a few of the bills we are pleased to announce that passed: Senate Bill 255 Voting Assistance Bill, Senate Bill 221 Employer Tax Credit, House Bill 404 Youth League Concussion Bill and Senate Bill 179 the Fair Housing Source of Income Bill.

Council also had another great year in receiving hundreds of posters for the Disability History and Awareness Month Poster Contest for grades K-12. We had over 375 participants. As always choosing a winner in each category was not easy. Another project that continues to be well received is the Heart 2 Heart Hug Campaign. We received over 1100 items that were distributed to children that are homeless, including those in foster care.

The council is also very pleased with the video production of three Delaware specific videos that have been posted on the DeIDHub website. The videos explain how to ride public transportation, how to access Division of Vocational Rehabilitation (DVR) services and how to access Developmental Disability Services (DDS). We will continue to work on videos that will be Delaware specific to add to the website.

Again, it is been my pleasure to work with the dedicated advocates on the council and throughout the state as well as our public officials and legislators.

~ Wendy Strauss

Executive Director

## **Message from the Chair**

This year has been both challenging and rewarding, as they so often are. 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.

As a Council, we have reviewed legislation and regulations which have an effect on citizens with exceptionalities, to include gifted and talented students. We have also followed up on the application and implementation of these laws and regulations as well as their impact on our constituents. With new laws come new regulations which are needed to implement them. All of this takes 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. I am very happy that our members work so very hard for persons with disabilities, but we still have a lot of work to do. It has been my pleasure to serve as chairperson during six of the last ten years. With my health failing, I will be taking a back seat now as young, more energetic people carry on with this important work.

Thank you for you service,

Robert D. Overmiller  
GACEC Chairperson



## **GACEC COUNCIL GOALS FOR 2015-2016**

*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 Systemic Improvement Plan (SSIP), 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 include:**

1. Ensure compliance of IDEA and RTTT by monitoring and reporting on results of:
  - Annual Performance Report
  - State Systemic Improvement Plan for Part B and Part C
  - State Professional Development Grant
  - No Child Left Behind
  - DOE Special Education Regulations
  - DOE Focused Monitoring reports for all districts and charter schools, including Needs Based Funding Verification
  - ESEA Flexibility Waiver
  - Early Childhood RTTT
  - 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 building 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.
6. Oversee recommendations on Part B and Part C of the SSIP.
7. Review impact of ESEA reauthorization and prepare for IDEA reauthorization.

**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 (i.e.; legislation, meetings, events that affect students with disabilities) to appropriate personnel in districts, schools and to families in a timely manner.
4. Advocate in order to ensure 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 in collaboration with Center for Disabilities Studies (CDS) Health Equity Program.
9. Advocate for participation of students with exceptionalities in school sponsored athletic teams and activities.
10. Monitor implementation and training on the use of seclusion and restraints 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 support the reconstitution of the IEP Implementation Taskforce.
13. Advocate for injury prevention and return to play protection of juveniles participating in DIAA and non-DIAA sponsored activities.
14. Review and monitor implementation of recommendations from the Autism Educational Taskforce as outlined in Senate Bills 92 and 93.
15. Advocate for development of Special Education Councils as required by SB 33 to improve family engagement, parent education and parent advocacy.

**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.
4. Advocate for programs that enable individuals with exceptionalities to live independently and become active citizens in their community.
5. Foster partnerships with other agencies and councils to promote rights and quality of life for individuals with exceptionalities.
8. Assist with the development of legislation to support the inclusion of students with disabilities in the Delaware Stars rating system.
9. Monitor process and services provided for young children transitioning from Part C to Part B.
10. Monitor and support inclusion policies in early childhood programs proposed at the federal and state level.
10. Monitor and support inclusion policies in early childhood programs proposed at the federal and state level.
11. Review and provide recommendations on the Gifted and Talented Task Force Report.
12. 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.
13. Review, monitor and participate on the Behavioral and Mental Health Taskforce created by SCR 29 to make recommendations for the improvement of services and the mental healthcare system.
14. Promote the introduction of legislation implementing the recommendations of the Age of Majority taskforce.
15. Promote the introduction of legislation on supported decision making.
16. Monitor and provide input as appropriate on all legislation impacting individuals with exceptionalities directly or as preventatives.

**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 policymakers 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.



## Highlights and Collaborations

The GACEC held its Annual Fall Retreat on October 4 & 5, 2015, at the Atlantic Sands Hotel and Conference Center in Rehoboth Beach, DE as part of the Council's planning activities for FY 2016. Retreat participants included Council members, as well as Mary Ann Mieczkowski and Maria Locuniak from the Delaware Department of Education (DOE), who presented on the Department's 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.
- **Disability Awareness Legislative Event** –On March 25, 2016, 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 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 and Administrative Coordinator Sybil White are members 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 annually 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**- 2015 marked the sixth year for the GACEC’s Disability History and Awareness Month efforts and activities.
  - **Disability History and Awareness Month Resource Manuals**- GACEC produces and distributes 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-** GACEC was pleased to coordinate their sixth 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 11, 2015, 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**

This year we wanted to address identified children turning 3. Traditionally, they spend the first 3 years with Child Development Watch (CDW) providing services under Part C funding. When the child turns 3, they are now provided services by their School District under Part B funding. These children enter the system throughout the school year. The problem is that the unit counts for the school districts are in September, and that determines the amount of funding given for the school year. A school's preschool may have an appropriate ratio of teacher to students in October, but by May, there could be twice as many students with the same number of teachers. These children come with needs and each child should receive the same level of service, regardless of when they turn 3. Several sides of this issue were addressed.

The Committee would like to see a second unit count, to assure the resources are being allocated in a timely fashion and that district classrooms are adequately staffed and adequate services are being provided. To accomplish this we met with MaryAnn Mieczkowski and Matt Korobkin from the Department of Education (DOE), separately, as well as Attorney General Matt Denn and Susan Perry-Manning, Executive Director of the Office of Early Learning, to better understand the complexity of the problem (At a recent joint council meeting, AG Matt Denn started off the day with a story about how hard turning 3 was, referring to his son's medical issues not being considered, just educational.) It seemed like an easy fix, but the committee was told "it's a legislative issue because it's about funding."

We looked at having each school district provide itinerant services to district childcares in order to provide services in the "Least Restrictive" environment (LRE) if a child is already in a childcare setting rather than automatically bringing the child into a district classroom. To date, DOE has not been able to provide a list of school who currently provide itinerant services.

We need to find out who can clarify and/or create "intense" and "complex" categories for the funding unit as they are used to classify a *preschool aged* special education child. Also we need to set size limits on preschool aged special education classrooms, especially classrooms designed exclusively for two to three year old students and those with autism and, or severe behaviors. State funding for preschool special education students needs to be re-evaluated. This staff should be funded separately from teaching units so that preschool special education students receive the services they are entitled to as well as being the most developmentally appropriate. Having best practice classroom size in order to provide the most effective interventions prior to beginning Kindergarten. DOE has filled the position of 619 Coordinator that was vacated by Verna Thompson, Cindy Brown now holds the position. We are anticipating sharing our observations with the new Coordinator.

We looked at the aligning of the IFSP and the IEP, while not neglecting the medical aspects. Currently the Delaware Access Project ("Adapting Curriculum and Classroom Environments for Student Success (ACCESS) is a collaborative project with the Delaware Department of Education, the University of Delaware and the Center for Disabilities Studies. ACCESS is designed to provide educators and families with the necessary tools to improve educational outcomes for students with disabilities.") is addressing similar issues with the WRITES Project. "The **Writing Rigorous IEPs to Teach Educational Standards (WRITES)** standards-based IEP initiative is a project developed to train educators about writing data driven IEPs that promote access to the Common Core State Standards. Funded by a Federal State Personnel Development Grant through the Delaware Department of Education, WRITES is in the second year of a five-year roll out to train all Delaware school districts." They accomplish this with training and coaching. "The **Standards-Based IEP** training consists of initial full-day training which covers the development of each component of the IEP including identifying data considerations, using assessment information, developing strong present levels of educational performance (PLEPs), identification of unique learning needs, and development of S.M.A.R.T. aligned goals to promote access to the general education curriculum." We look forward to seeing the results of this project.

The committee also asked for clarification of the *Memorandum of Understanding* (MOU) used between New Castle County school districts when deciding who will provide Part B services to a student residing in one district but attending preschool in another district. It is out of date and due for review. After inquiring several times for this, we received it in May 2016. We are looking forward to providing input about its revision.

## **Children and Youth Committee 2015-2016**

The Children and Youth Committee is a sub-committee for the *Governor's Advisory Council for Exceptional Citizens* (GACEC). Members of the Children and Youth sub-committee provide advice and advocacy for school-aged children with exceptionalities. We had many guest speakers throughout the year speaking on a variety of topics and issues that are impacting our school aged population in Delaware. At the beginning of each year, our members come together to discuss our annual goals and activities we will provide advice and advocacy on throughout the year.

Over the last couple of years, we have been pleased with the increase in membership on the Children and Youth Committee. It's great to see the collaboration among individuals from different parts of the state representing a variety of stakeholders. We met 7 times from October 2015 to June 2016. We are very grateful for the many visitors and organizations which came out to speak with our Committee.

Our year begins at our Annual Retreat which was held in October 2015 in Rehoboth, Delaware. Members of the Committee worked on identifying important goals to focus on as well as selected activities which supported the goals of the Committee. Below you will find the Annual Goals and activities we developed during our Retreat. Throughout the year, we will also address issues or concerns that our brought to our attention. One area we looked at is unit funding. We will continue to monitor and provide advocacy for an alternate structure or alternate path that is in the best interest of the child.

### **Annual Goals and Activities**

Below are the Annual Goals the Children and Youth Committee focused on along with activities to support those goals.

**Council Goal #1:** *Outcomes for students with exceptionalities will be improved by monitoring and supporting the implementation of the APR, SSIP, SPDG, ESEA, RTTT, NCLB as the NCLB pertains to students with exceptionalities and review the Department of Education regulations.*

#### **Activities Focused on Meeting Council Goal 1**

→Advocate for professional development for teachers, paraprofessionals, specialists, and building administrators in the area of students with exceptionalities.

→Monitor and facilitate implementation of the SLP program at the University of Delaware

→Review and comment on the effectiveness of IDEA and ESEA compliance by monitoring and reporting on results.

**Council 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 Focused on Meeting Council Goal 2**

→Research and advocate for appropriate physical education services for students with exceptionalities in collaboration with the Center for Disabilities Studies (CDS) Healthy Equity Program.

→Provide commentary on school discipline regulations and collaborate with the Department of Education on improving Annual Performance Report Indicators relating to discipline.

→Advocate for development of Special Education Council as required by SB33 to improve family engagement, parent education, and parent advocacy.

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

#### Activities Focused on Meeting Council Goal 1

→Review and provide recommendations on the Gifted and Talented Task Force Report

#### Additional Work of the Children and Youth Committee

Throughout the year, members of the Children and Youth Committee also serve on other Committees, Councils, and ad-hoc groups. Two of our members served on the *State Systemic Improvement Plan (SSIP) Advisory Committee*. A diverse group of Delaware stakeholders worked collaboratively to develop a plan to increase the literacy proficiency of students with disabilities in K-3rd grade. Members engaged with the Delaware Department of Education representatives to advise the state on the development and implementation of the SSIP. They provided information and feedback to the Delaware DOE to consider in its establishment of baseline and targets; theory of action; accepting feedback on the SSIP; and developing Stakeholder involvement. Phase II wrapped up this year and Phase III is set to being in the fall of 2017.

Children and Youth Committee member Bill Doolittle identified concerns around the requirements for getting accommodations for SAT 2 exams. Bill indicated that in his initial meeting with DOE (*Department of Education*) he was told the requirements would not be invasive. Bill described the requirements from the College Board (the governing body of the SAT) as being excessive. The requirements include Psychiatric evaluation, medication taken, teacher evaluation, as well as documentation that supports the student's need for assistance with timed testing, most likely the results from test both timed and with extended time. Bill indicated he has written an initial brief and will forward it to staff to be distributed to Council. The Committee will continue to research and provide advocacy in this area.

Another area of focus for the Children and Youth Committee in which we have provided advice and advocacy over the last few years has been in the area of Speech and Language Pathology (SLP). There was an identified need for more speech language pathologists serving our school aged children in Delaware. High caseloads and a shortage of SLP's, has been an area of concern for our Committee. We are excited to report there has been much progress in addressing these concerns. It was exciting to hear from the University of Delaware as they begin to work with their first cohort of students in their new program designed for speech and language pathologists.

One of the other areas of concern we are reviewing is with our Gifted and Talented population. The work completed by the Gifted and Talented Task Force and their preliminary findings and recommendations they developed in their May 2013 report.

#### 2015-2016 Children and Youth Committee Visitors and Guests

In **November 2016**, Barbara Mazza (*Education Associate, Exceptional Children Workgroup*) from the Department of Education, came to discuss the Indicator 8, Parent Survey Data. We reviewed a revised copy of the *Parent Engagement Survey for Families of Students with Disabilities*. We were able to provide feedback and recommendations when we reviewed the revised survey. The survey is voluntary and the University of Delaware Center for Disabilities Studies assists the Department with mailing and gathering responses. We did discuss how a variety of ways in which we can help support families in completing the survey and increase the participation rates.

In **January 2016**, Tracy Bombara, Delaware Speech Language Pathologist, shared the *Can We Talk?* document with Committee members. The document focused on the need for speech language services, qualifications of SLP's, and benefits of provided strong speech-language services in schools.

In **February 2016**, Dr. Paul Herdman, Chief Executive Officer from the Rodel Foundation of Delaware, presented to the Committee on the Student Success 2025 Plan. Dr. Herdman also discussed the concept behind the North Star and its key parts. The Vision Coalition Leadership Team hosted “*Coalition Coffees*” throughout the year to discuss and make recommendations for Student Success 2025 and to help make it a reality. Our Committee was encouraged to provide feedback and recommendations to help support our school aged children.

In **March 2016**, Linda Smith with the Department of Education, presented to the Committee and gave an overview of the Delaware *Positive Behavior Support (PBS) Project*. She highlighted the three featured initiatives which included the following: *State Personnel Development Grant (SPDG)*, *DE-PBS Technical Assistance Project*, *Indicator 4 Monitoring and Compliance (IDEA)*. We reviewed the SPDG framework which includes academic and behavioral goals. The goal for behavior focused on increasing graduation rates of students with behavioral, social, and/or mental health needs, through the use of sustainable, evidence-based social and behavioral practices, as well as enhanced professional development to educators and staff. Local Education Agencies’ (LEA) are invited to participate and there were 8 schools across 4 Districts and 1 Charter which participated. Linda also highlighted the PEERS curriculum program which is a 16-week evidence based social skills intervention for middle and high school students and the success schools are seeing from implementing this program.

In **April 2016**, University Professor Dr. Dan Rich with the Institute for Public Administration and the Wilmington Education Improvement Commission presented to the Committee about the work being done by the Wilmington Education Improvement Commission. He began by giving an overview of the Action Agenda development by the Wilmington Education Advisory Committee and its four key areas of focus which included the following:

*-Creating Responsive Governance*

*-Funding Student Success*

*-Meeting the Needs of Wilmington Students Living in Poverty*

*-Implementing Change*

In **May 2016**, Tracey Neugebauer, from the Department of Education, came to discuss supporting students with behavioral needs and some of the featured initiatives currently underway in our Delaware schools. We discussed Indicator 4 Monitoring and Compliance. Tracey highlighted the percent of LEAs identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in the school year. She discussed the featured initiatives and the behavioral focus.

In **June 2016**, Jill Floore, Chief Financial Officer from the Red Clay School District who serves on the Funding Student Success Committee for the Wilmington Education Improvement Commission came to speak with the Committee on funding and the work that has been done on their Committee.

## **GACEC Adult Transition Services Committee 2015-2016**

The Adult Transition Services Committee continued to monitor services for young adults with disabilities transitioning into adult services as well as continued services for all adults:

- The committee goals were the following: Monitor and report on Annual Performance Review (APR) data on transition and post school outcomes. Monitor Medicaid funding programs and the family support waiver. Monitor how information is disseminated and monitor Free Appropriate Public Education (FAPE) for students. Monitor and advocate for the implementation of the transition task force and behavioral and mental health task force recommendations. Continue to enhance communication within the Council and throughout the state and increase partnerships with other state agencies.
- Sandi Miller, from the Division of Vocational Rehabilitation (DVR) reported to the committee about programs that had been piloted in the summer for students with disabilities who would potentially be able to receive services through DVR. There had been 11 programs that provided work based learning. Over 100 students had participated. Service providers partnered with employers, such as Dover Downs. University of Delaware had a program for college bound students. The Center for Disabilities Studies put supports in place for 4 students to attend. DVR provided funding for the students. Will provided additional programs for the 2016 summer.

In addition, Sandi shared information with the committee about self-referral to DVR for adults who were not officially referred prior to exiting school. Sandi also shared information on Pathways to Employment, another layer of support that starts at age 14 and is through the Division of Developmental Disabilities Services (DDDS) and the Division of Services for Aging and Adults with Physical Disabilities (DSAAPD).

- Ray Bivens and David Saveikis of the Department of Resources and Environmental Control (DNREC) reported to the committee. This year is the 65<sup>th</sup> Anniversary of Delaware State Parks. Last year DE was awarded the Gold Medal Award for the best managed State Park System in the nation. DE is the first small park to earn this award from the National Park and Recreation Association. The Spring Activities Book has been distributed. Recent updates to park facilities include bathroom and camping facilities at several parks to make them more accessible for individuals with disabilities.

Fish and Wildlife is the 2<sup>nd</sup> largest and the oldest division of DNREC. Covering 63,000 acres of land, they are the largest single landowner in Delaware. The bulk of their funding comes from Fishing and Hunting license fees, and they receive a \$3 federal match for every \$1 of these fees. However their revenues are down considerably, as fishing and hunting are not as popular with the younger generations, and there are several fee reduction/fee waiver programs for seniors and those with disabilities.

Fish and Wildlife are also in the process of converting and upgrading their facilities to allow more accessibility, such as accessible hunting blinds for deer and duck hunters, and accessible piers that cover a large area of lakes for fishing.

Their proposed funding right now is 3.5 million combined, which covers only basic maintenance and crisis management (i.e. storm repair). Their volunteer workforce supplies the same manpower hours as 53 full time employees, and they are seeking alternative funding methods (private grants, GoFundMe sites). They are asking for that funding piece to be raised to 6.5 million, to provide funding for the capital investments/improvements they have planned. They asked the council to write a letter in support of the increased funding, and asked that the council support individuals to testify at the JFC regarding the benefits of their new levels of accessibility. A letter of support was approved by council and sent to the Bond Bill Committee.

- Maureen Whelan, DOE Director of Adult Education reported to the committee about education in the prisons. A new teacher has been hired for culinary arts at Vaughn Correctional Center. Students will receive a ServSafe certificate if they successfully complete the course. They must have at least a 6 grade

reading and math level. It is difficult to tell how many obtain jobs because the Department of Labor database does not contain specific information about who is employed.

There are 40 teachers in the prison system. It takes 6-8 months to obtain a teacher. Education is not mandatory, but the inmate will get good time credit for participating and may be released sooner.

The Delaware prison and community programs are aligned with federal standards.

There is now more oversight monitoring for special education in the prisons. Meetings are set up every 3 months with the DOE Exceptional Children's team.

DVR is getting into prisons and working more with inmates who have disabilities. The process is more formal and more often with a stricter policy. A DVR counselor is now assigned to give information about DVR services.

- Dean Betts, DOE talked to the committee about driver's education and the new bills, House Bill 264 and House Bill 184. He clarified how the bills affect students receiving special education services.

#### House Bill 264

- Funding based on September 30<sup>th</sup> 10<sup>th</sup> grade count
- A student in 10<sup>th</sup> grade with an active IEP, can go to summer school for free at end of the sophomore year if the driver education course was failed during the school year

#### House Bill 184

- The IEP team can decide if the student is not ready for driver's education class in 10<sup>th</sup> grade
- The student can be placed at other times for free and then have summer school if needed
- Allows for students over 18 to take the class (money will follow the student)
- For ages 16-22 need a sponsor for an unrestricted license

Mr. Betts also provided additional information about the process to obtain a driver's license. Upon completion of the 44-hour Driver's Education Course, the student is given a blue certificate. There will be an indication on the blue certificate if a student has an IEP.

The student has 6 months to go to the Department of Motor Vehicles (DMV) with the blue certificate without being tested. After the 6-month grace period, each student will be given a written and road test at DMV.

The White Certificate is issued to any student who has almost passed the course; however, the teacher thinks the student needs additional driving time with a parent. The certificate is valid for 4-months only. It is not renewable. After the four months is over, the student is expected to go back to the driver education teacher to be given a final road test. If they pass, a blue certificate is issued. With that, they may enter the Graduated Driver's License (GDL) restricted program at DMV.

A matrix is used to determine the driving ability of an individual. Discussions and observations are conducted as well. This is taken very seriously.

Students with an IEP can take the driver's education class two times max for free.

Students transferring from another school who have failed driver education class once can only take it 1 other time.

If a student has reached the age of 16 and has no one who will be a sponsor, this issue needs to be addressed with Kami Beers, Chief of Driver Services, and the Department of Motor Vehicles (DMV).

- Jill Rogers, DDDS Director spoke to the committee about the Life Span Waiver as well as other changes happening within DDDS. The Life Span waiver will provide services under one umbrella when situations change for an individual, making it easier to be person centered. Services will be expanded from the previous waiver used by DDDS to include more residential support and assistive technology. The individual must be eligible for Medicaid and DDDS. Individuals with income beyond the threshold of \$15,000 will be outside of the waiver. The Life Span will be submitted to CMS by Jan 1 and possibility of implementation is April to July of 2017.

Family Support Services will be changing to target management, a more uniform approach. There will no longer be independent contractors but will be employees of an agency. A Request for Proposal (RFP) has been placed for an agency. Goal for implementation is Fall of 2016.

DDDS is working on improving behavioral health services for individuals registered with DDDS.



## **Policy and Law Committee 2015-2016**

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. See below for a brief synopsis of some of the bills Council commented on after careful review by the Policy and Law Committee.

### **Senate Bill 92**

#### **SYNOPSIS**

The magnitude of the increase in students identified with ASD has clearly created difficulty for the Statewide Director to provide the level of services/support that once was offered. Therefore, the recommended code changes also revise the concept of DAP toward a system in which the Statewide Director would work in collaboration with a team of experts to provide technical assistance and training to districts and educational entities. This recommendation reconstitutes the regulations to neutralize the distinction between DAP approved programs and other in-district options, thereby, allowing and providing adequate resources to serve on behalf of all student with ASD in Delaware. The number of technical/ training experts has been identified as one expert per 100 students statewide. It is suggested that the fiscal mechanism to support these changes should be through mandated district participation that is congruent with the current needs based funding system in Delaware. Lastly, the current mandatory committee structure is enhanced to include a Parent Advisory Committee, in addition to the Peer Review Committee and Statewide Monitoring Review board. These changes include articulation of the qualifications and duties of the Statewide Director for Students with ASD; the addition of a technical assistance team of educational autism specialists numbering a ratio of 1 for every 100 students (currently estimated at 15 positions); and the further clarification / additions to the committee structure for family input, monitoring, and protections under human rights. This recommendation recognizes and supports the need for specialized technical assistance and training staff to be available to build capacity for teachers in all districts and other programs educating students with ASD. These changes essentially expand available supports so that excellent, evidence-based training and technical assistance can be made available to all Delaware schools and the students within them. **(House appropriations 5/2016)**

### **Senate Bill 93**

#### **SYNOPSIS**

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.” The Delaware Network for Excellence in Autism is to provide a resource for training and technical assistance for Delaware state agencies, organizations and other private entities operating in the State of Delaware that provide services and support to individuals and families affected by Autism Spectrum Disorders. The Network is to support the operations of the Interagency Committee on Autism through the maintenance of the website, maintenance of reports created by the Interagency Committee on Autism and maintenance of meeting minutes, as well as other support as needed by the Interagency Committee on Autism. **(Signed 9/2016)**

### **Senate Bill 134**

#### **SYNOPSIS**

This Bill provides person experiencing homelessness protection from discrimination while on the streets and when seeking access to housing, employment, and temporary shelter a necessary to end their episode of homelessness. The bill amends Title 6 adding Chapter 78, “Homeless Person Bill of Rights”, which provides basic legal and civil protections and ensures equal treatment for person experiencing homelessness in Delaware. **(Substituted on5/2016)**

### **Senate Substitute 1 for SB 134**

#### **SYNOPSIS**

This bill establishes a “Homeless Bill of Rights” that provides rights to protection for individuals experiencing homelessness, including protections from discrimination while in public and while seeking access to housing,

employment and temporary shelter.. The bill vest important investigatory and enforcement authority with the State’s Division of Human Relations and the State Human Relations Commission, similar to their roles with Delaware’s Equal Accommodation Law and Delaware’s Fair Housing Act. **(Out of committee 5/2016)**

**Senate Bill 179**

**SYNOPSIS**

This Bill prohibits housing discrimination based on source of income by adding “source of income” as a protected class under the Delaware Fair Housing Act and the Landlord Tenant Code. **(Out of committee 5/2016)**

**Senate Bill 180**

**SYNOPSIS**

This Act provides procedure to ensure that each child with a disability who has reached age 18 has an identified education decision-maker to exercise rights unmet this chapter. **(Signed 6/2016)**

**Senate Bill 221**

**SYNOPSIS**

This Act is designed to further promote the purpose of Del. C. Chapter 96 (as amended). The intent is to advance the number of work opportunities made available to Delawareans with disabilities beyond those offered through State Use Law by presenting employers incentives to employ this under-represented workforce. **(House passed 6/2016)**

**Senate Bill 230**

**SYNOPSIS**

This Act creates the option of a supported decision –making agreement for adults who do not need a guardian but who need assistance in gathering information, making decision and communicating those decisions. **(House passed 7/2016)**

**Senate Bill 239**

**SYNOPSIS**

New federal discipline guidance, developed jointly by the U.S. Departments of Education and Justice, instruct schools to commit to regular evaluation of school discipline policies and practices, and monitor progress toward the schools’ climate and discipline goals. This process requires schools to first collect and publicly report disaggregated student discipline data, and solicit feedback from students, staff, families, and community representatives. This Act furthers those goals by replacing out-of-school suspensions with more effective and restorative interventions, and require school districts and charter schools that suspend defined numbers of students or suspensions disparities to take meaningful corrective action by implementing restorative justice practices and smart discipline advisory committees. **(Senate Education committee 5/2016)**

**Senate Bill 255**

**SYNOPSIS**

This Act updates sections of the Code to reflect federal law §4943 of the Election Code that was amended in 2012 to allow voters who require assistance to vote by reason of blindness, disability, or inability to read or write to be given assistance by a person of the voters choice. **(Senate Amendment 1 placed with bill 6/2016)**

**House Concurrent Resolution 86**

**SYNOPSIS**

This bill proclaims the month of October to be “Disability History and Awareness Month” in Delaware and encourages all Delaware center and family based pre-schools and childcare programs, annually during the month of October, to provide instruction and events focusing on disability history, people with disabilities and the disability rights movement. **(Senate passed 6/2016)**

**House Bill 161**

**SYNOPSIS**

This Bill provides opportunities to parents of special needs students to select the most appropriate and productive educational pathway for their children by using funds otherwise allocated to their residential school district. **(Amendment 2 introduced and placed with bill 6/2016)**

**House Bill 240**

**SYNOPSIS**

This Bill establishes the Statewide Afterschool Initiative Learning Program. The program will provide grants to public schools, that qualify as Title I schools, to develop afterschool engagement of students that will provide extended learning, homework assistance, enrichment, and nutrition. **(Amendment 1 placed with bill 6/2016)**

**House Bill 310**

**SYNOPSIS**

This Act provides Family Court with the jurisdiction to continue to review youth who have sever and persistent behavioral or mental health disorders, and who require services or treatment but are not amenable to or compliant with such services. **(Substituted 6/2016)**

**House Substitute 1 for HB 310**

**SYNOPSIS**

This substitute differs from the original House Bill 310 by:

1. Removing the procedural provisions in HB 310 because Chapter 50 of Title 16 already provides procedure.
2. Establishing the procedure only for the transfer of cases between the Superior Court and Family Court.
3. Clarifying that, upon transfer of a case from the Superior Court to the Family Court, the Family Court shall utilize and apply the same procedure and legal standard in Chapter 5 of Title 16 that Superior Court would otherwise apply to an individual of the same age.
4. Changing the effective date from 90 days after enactment to January 1, 2017, to allow tie to address the logistical matters associated with implementing this Act. **(Reported out of committee 6/2016)**

**House Bill 311**

**SYNOPSIS**

This Act authorizes the Family Court to order the Department of Health and Social Services (DHSS) to determine whether a child who is 17 years of age or older and in the custody of the Department of Services for Children Youth and their Families (DSCYF) qualifies for adult mental or behavioral health services. If the child does qualify for adult mental or behavioral health services, this Act authorizes the Family Court to order that DHSS coordinate with SDCYF to develop and implement a transition plan for mental or behavioral health services for the child. **(Out of committee 6/2016)**

**House Bill 317**

**SYNOPSIS**

This Bill prohibits discrimination in employment based upon an individual's caregiving responsibilities. This Bill ensures Delaware workers with responsibilities for child care, elder care, or both receive equal employment opportunities are protected from discrimination in the workplace. **(Signed 6/2016)**

**House Bill 404**

**SYNOPSIS**

This Bill establishes the same concussion protection standards for youth involved in non- DIAA regulated athletic activities as the current Delaware code allows for DIAA sponsored athletic activities. **(House Amendment 1 placed with bill 6/2016)**

*Council also comment on many regulation each year. Anyone wishing to view council's correspondence may do so at any time as they are kept at GACEC offices.*

**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.**

- 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 Task Force
- Autism Work Group
- Brain Injury Committee (BIC)
- Community Advisory Council on Disability Studies (CAC)
- 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 Oral Health Coalition
- 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
- Early Childhood Part C Collaboration Implementation Team
- Employment First Initiative Oversight Commission
- Endless Possibilities in the Community (EPIC)
- Expanding Inclusive Early Intervention Opportunities (EIEIO)
- 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 Systemic Improvement Plan (SSIP)
- 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
- Technology Taskforce
- Tobacco Advisory Committee
- 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



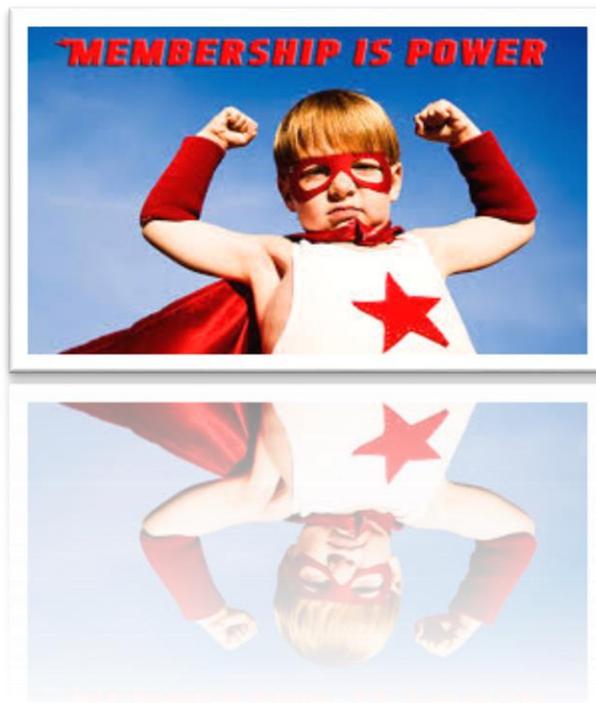
Thank You!  
**2015-2016 Presenters & Speakers**

- **Mary Ann Mieczkowski**, of the Delaware Department of Education (DOE), discussing disproportionality, Annual Performance Report (APR) monitoring and general supervision, DOE initiatives and assessments.
- **Barbara Mazza**, of the DOE, presenting on DOE initiatives and assessments.
- **Maria Locuniak**, of the DOE, presenting on DOE initiative and assessments.
- **Linda Smith**, of the DOE presenting on Positive Behavioral Supports program (PBS).
- **Verna Thompson**, of the DOE, presenting on the early childhood outcomes (APR) for Part C/ Early Childhood.
- **Achilles Iglesias**, of the University of Delaware's Speech Language Pathology Program presenting on the status of the program and what the objectives of the program are.
- **Steve Godowsky, Secretary of Education**, visited council to introduce himself and offer collaboration from his office.
- **Matthew Korobkin**, of the DOE, presented his Special Education Strategic plan to the council.
- **Dale Matusevich**, of DOE, presented a transition update to the council.
- **Mike Jackson**, from the Comptroller Generals office spoke about the Wilmington Education Advisory Committee.
- **Jill Floore**, of Red Clay Consolidate School District, spoke about the Wilmington Education Advisory Committee.
- **Tracy Bombarra**, presented to the Children and Youth Committee about the University of Delaware Speech Language Pathology Program.
- **Dr. Tony Allen**, from the Wilmington Education Advisory Committee spoke to the members of Children and Youth Committee.
- **Dean Betts**, Presenting information on Drivers Education programs for special education students.

## **GACEC MEMBERSHIP LIST 2015-2016**

Dafne Carnright  
Carma Carpenter  
Al Cavalier  
Nancy Cordrey  
Cathy Cowin  
A. Jane Donovan  
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  
William P. O'Neill  
Robert Overmiller  
Jennifer Pulcinella  
Shawn Rohe  
Ronald Russo  
Brenné Shepperson  
Howard Shiber  
Lavina Smith  
Kirsten Wolfington



**GACEC STAFF**

*Wendy S. Strauss*

Executive Director

*Kathie P. Cherry*

Office Manager

*Sybil J. White*

Administrative Coordinator



# FY 2016 Legislative Commentary



Bill Number	Summary	Letter Sent	Current Status
<b>House Bill 30 (State funding for basic special education)</b>	<b>Synopsis:</b> This bill provides State funding to kindergarten through third grade for basic special education, adding it to the already funded intensive and complex special education.		Reported out of Committee 6/2016
<b>House Bill 50 (Assessment Opt out)</b>	<b>Synopsis:</b> 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.		Vetoed by the Governor 7/2015
<b>House Bill 60 ("ABLE" Act)</b>	<b>Synopsis:</b> This bill creates an Achieving Better Life Experience "ABLE" Program in Delaware, to implement federal legislation enabling the creation of savings accounts with tax advantages similar to 529accounts, designed to be used by persons with disabilities to save for qualifying disability and education related expenses.		Signed by the Governor 6/2015
<b>House Bill 161 (Parent Empowerment Savings Account Act)</b>	<b>Synopsis:</b> As amended, the legislation would establish a system in which State educational funds could be used to cover the costs of some educational programming for students with disabilities.	1/2016	Assigned to House Education Committee with House Amendments 1&2 6/2015
<b>House Bill 184</b>	<b>Synopsis:</b> This legislation would require charter schools to be subject to and pay the State Auditor of Accounts to conduct "post audits" of their financial transactions.	1/2016	Signed by the Governor 10/2015
<b>House Bill 175 (Unified Sports)</b>	<b>Synopsis:</b> This legislation is intended to authorize and fund a pilot "unified sports" program in FY16 in which district and charter high schools would be expected to participate.	1/2016	Reported out of committee 6/2015
<b>House Bill 158 (Adult Protective Services)</b>	<b>Synopsis:</b> The purpose of this bill is to provide penalties for failure to report. The proposed penalty is up to \$10,000 for a first offense, \$50,000 for a subsequent offense, and costs and attorney's fees.	1/2016	Stricken 1/2016
<b>Senate Bill 134 (Homeless Bill of Rights)</b>	<b>Synopsis:</b> This bill is intended to prevent discrimination based on homelessness in a variety of contexts, including using public places, seeking employment, applying for housing, seeking temporary shelter, and voting.	1/2016	Substituted 5/2016
<b>House Bill 234 (School-based Health Centers)</b>	<b>Synopsis:</b> This legislation is intended to enhance student access to diagnostic screening, preventative and remedial health care and health education.	2/2016	Assigned to House Education Committee 1/2016
<b>House Bill 250 (Choice &amp; Charter School Enrollment: Bullying)</b>	<b>Synopsis:</b> In 2014, the Legislature passed a bill adding instances of "reported and recorded" bullying to the list of reasons why a child could be withdrawn from a choice or charter school before the expiration of the statutory minimum enrollment. This bill seeks to clarify and strengthen that law by adding a requirement that the instance of bullying must also be substantiated.	2/2016	Reported out of committee 6/2016

Bill Number	Summary	Letter Sent	Current Status
<b>House Bill 243 (Accountability: 95% Student Participation Standard)</b>	<b>Synopsis:</b> Under current federal and state regulations, if a school or district has less than 95% of their students taking the state assessment, this can be used against the school or district as it pertains to accountability or progress ratings. As the decision to opt out of state assessments is made by parents, and not the school or district, this bill will prohibit the state from using the rate of participation against a school or district.	2/2016	Assigned to House Education Committee 1/2016
<b>House Bill 261 (Alternative Schools)</b>	<b>Synopsis:</b> This bill seeks to close a “loophole” in which districts are not responding to charter schools request for student records for students who are expelled thus allowing the district to benefit financially.	2/2016	Assigned to the house education committee 1/2016
<b>House Bill 229 (School Choice Priority)</b>	<b>Synopsis:</b> This bill seeks to amend the statute defining priority categories for school choice.	2/2016	Tabled in committee 1/2016
<b>Senate Bill 180 (Age of Majority)</b>	<b>Synopsis:</b> This bill provides procedure to ensure that each child with a disability who has reached age 18 will have an identified educational decision-maker to exercise special education rights on their behalf.	3/2016	Signed by the Governor 6/2016
<b>Senate Bill 214 (Employment Discrimination)</b>	<b>Synopsis:</b> This bill will increase the amount of time provided to a person seeking to file a charge of employment discrimination from 120 days to 300 days, making the Delaware statute of limitations consistent with the statute of limitations under federal discrimination law.	4/2016	Signed by the Governor 7/2016
<b>Senate Bill 221 (Employer Tax Credit for DVR and DVI Referrals)</b>	<b>Synopsis:</b> This bill is intended to advance the number of work opportunities made available to Delawareans with disabilities beyond those offered through State Use Law by presenting employers incentives to employ this under-represented workforce.	4/2016	House passed 6/2016
<b>Senate Bill 186 (Disabled Veteran School Tax Refund Fund)</b>	<b>Synopsis:</b> This bill is seeks to create a Disabled Veteran School Tax Refund Fund which will provide property tax refund of up to \$500 to individuals who are disabled veterans with a disability rating as determined by the United States Department of Veterans Affairs.	4/2016	Senate Finance Committee
<b>House Bill 268 (Substance Exposed Infants and Medically Fragile Children)</b>	<b>Synopsis:</b> This bill implements the federal Child Abuse Prevention and Treatment Act (CAPTA) requirements for states to have policies and procedures in place to address the needs of infants born with and identified as being affected by substance abuse or Fetal Alcohol Spectrum Disorder.	4/2016	Stricken 4/2016
<b>House Bill 302 (Penalties for Texting and Hand-Held Phone Use While Driving)</b>	<b>Synopsis:</b> This bill would increase the penalties for using an electronic communication devise while a vehicle is in motion and authorize the imposition of points for second or subsequent offenses.	5/2016	Reported out of Senate Judiciary Committee 6/16

Bill Number	Summary	Letter Sent	Current Status
<b>House Bill 310 (Family Court Jurisdiction and Outpatient Treatment)</b>	<b>Synopsis:</b> This bill would expand the jurisdiction of the Family Court for youth who have severe and persistent mental or behavioral health disorders, and who require services or treatment but are not amenable to or compliant with such services could be ordered by the court to participate in such.	5/2016	Substituted on 6/2016
<b>House Bill 311 (Mental Health Transition Plan)</b>	<b>Synopsis:</b> This bill will authorize Family Court to order DHSS to determine whether a child in their custody who is 17 years of age or older qualifies for adult mental or behavioral health services.	5/2016	Reported out of Children, Youth and Families Committee (senate) 6/16
<b>House Bill 317 (Employment Discrimination and Family Responsibilities)</b>	<b>Synopsis:</b> This bill would add a protected class to Delaware's employment discrimination law – "family responsibilities".	5/2016	Reported out of committee with 4 on its merits
<b>House Bill 319 (Substance Exposed Infants)</b>	<b>Synopsis:</b> This bill would require health care providers to report to DSCY&F infants affected by either: illegal substance abuse by the infant's mother, withdrawal symptoms resulting from exposure or Fetal Alcohol Spectrum Disorder.	5/2016	House Amendment 3 placed with bill 6/16
<b>Senate Bill 230 (Supported Decision-Making)</b>	<b>Synopsis:</b> This bill would create the option of a supported decision making agreement for adults who do not need a guardian but who need assistance in gathering information, making decisions, and communicating those decisions.	5/2016	House passed 7/2016
<b>Senate Bill 239 (School Discipline)</b>	<b>Synopsis:</b> This bill would limit the use of out-of-school suspension to three circumstances: Willfully causing or attempting to cause bodily harm, threatening serious bodily injury or death to another person, except in self-defense and bringing a weapon or controlled substance onto school grounds.	6/2016	Senate Education Committee 6/2016
<b>Senate Bill 52 (Lay Caregivers)</b>	<b>Synopsis:</b> This bill would require the Delaware Health Information Network (DHIN) to provide a process for designation and interacting with a lay caregiver on behalf of a patient being discharged from the hospital. It also requires hospitals to provide patients or their agents an opportunity to designate and document that care giver in the patient's records prior to discharge.	6/2016	Signed by the Governor 8/2016
<b>House Bill 400 (Medical Marijuana)</b>	<b>Synopsis:</b> This bill would expand the scope of eligibility for access to medical marijuana to the following: adults with terminal illness and minors with a terminal illness accompanied by pain, anxiety or depression (limited to oil-based products).	6/2016	Reported out of committee 6/2016

Bill Number	Summary	Letter Sent	Current Status
<b>House Bill 382 (Representation of Minors in Delinquency Proceedings)</b>	<b>Synopsis:</b> This bill would guarantee that all children facing criminal charges and allegations of delinquency have the right to an attorney. It will codify the Office of Defense Services Practice of representing every juvenile that requests representation.	6/2016	Passed by the Senate 6/16
<b>House Bill 365 (Removal of TANF Eligibility Bar for Drug Convictions)</b>	<b>Synopsis:</b> This bill would remove the prohibition against receipt of TANF funds by person convicted of a drug felony.	6/2016	Reported out of committee (health and social services) 6/2016
<b>House Bill 402 (Tele coil/Hearing Loop Technology)</b>	<b>Synopsis:</b> This bill would authorize the Board of Speech/Language Pathologists, Audiologists and Hearing Aid Dispensers to establish requirements to provide information and notification on the operation and benefits of a tele coil when using a hearing aid with “hearing loop” technology.	6/2016	Reported out of House Sunset Committee 6/2016
<b>Senate Joint Resolution 4 (Establishing the Education Funding Improvement Commission.)</b>	<b>Synopsis:</b> This resolution establishes the Education Funding Improvement Commission to conduct a comprehensive review of Delaware’s public education funding system.	6/2016	Signed by the Governor 8/2016.

Regulation	Summary	Letter Sent
<b>DMMA Proposed Telemedicine Originating Site Regulation [19 DE Reg. 20 (7/1/15)]</b>	<b>Synopsis:</b> The Division of Medicaid and Medical Assistance (DMMA) proposes to adopt a State Medicaid Plan amendment to define an approved originating site as including a patient's place of residence.	7/2015
<b>DFS Camp Employee &amp; Volunteer Background Check Emergency Regulation [19 DE Reg. 6 (7/1/15)]</b>	<b>Synopsis:</b> The Division of Family Services (DFS) is providing notice of adoption of an emergency regulation amending its 'Rules for Early Care and Education and School-Age Centers'.	7/2015
<b>DOE Proposed School Transportation Regulation [19 DE Reg. 112 (8/1/15)]</b>	<b>Synopsis:</b> The current Department of Education school transportation regulation requires bus drivers and aide to complete annual district-provided training. The DOE is now implementing Section 337 by amending the pertinent sections of the school transportation regulation.	8/2015
<b>DOE Proposed K-12 School Counseling Program Regulation [19 DE Reg. 102 (8/1/15)]</b>	<b>Synopsis:</b> The Department of Education proposes to revise its standards covering school counseling programs. Each school is required to have a written plan with enumerated content (§2.2) which is submitted to the DOE annually.	8/2015
<b>DOE Proposed High School Graduation &amp; Diploma Reg. [19 DE Reg. 100 (8/1/15)]</b>	<b>Synopsis:</b> The Department of Education proposes to adopt a few discrete amendments to its standards covering graduation requirements and diplomas.	8/2015
<b>DPR Board. Of Nursing Regulation [19 DE Reg. 125 (8/1/15)]</b>	<b>Synopsis:</b> The Division of Professional Regulation proposes to adopt some discrete amendments to the Board of Nursing regulation.	8/2015
<b>DOE Proposed License &amp; Cert. of DOE, Adult &amp; Prison Education Emp. Reg. [19 DE Reg. 163 (9/1/15)]</b>	<b>Synopsis:</b> The Department of Education proposes revisions to its standards applicable to public education employees in the Department, in Adult Education, and in Prison Education Programs whose work responsibilities are directly related to curriculum and instruction. The standards are authorized by Title 14 Del.C. § 121(c). The standards are lengthy and prescriptive and liberally incorporate other DOE regulations by reference.	9/2015
<b>DOE Proposed Accountability Regulation [19 DE Reg. 162 (9/1/15)]</b>	<b>Synopsis:</b> The Department of Education proposes to adopt a sweeping revision of its school and district accountability standards. The impetus for changes include the Department's recently approved ESEA Flexibility application	9/2015
<b>DOE Proposed School Psychologist Regulation [19 DE Reg. 241 (10/1/15)]</b>	<b>Synopsis:</b> The Professional Standards Board of the Department of Education proposes to amend its standards for credentialing of school psychologists. The amendment to completion of the graduate level program is as follows: "culminating in a Masters with an additional Educational Specialist degree <u>or its equivalent</u> or a Doctoral degree in School Psychology".	10/2015

Regulation	Summary/Action	Letter Sent
<b>DOE Proposed Certification Programs for Leaders in Education Reg. [19 DE Reg. 243 (10/1/15)]</b>	<b>Synopsis:</b> The Professional Standards Board in conjunction with the Department of Education proposes to amend its certification standards for Certification Programs for Leaders in Education.	10/2015
<b>DOE Proposed School Health Record Keeping Regulation [19 DE Reg. 234 (10/1/15)]</b>	<b>Synopsis:</b> The Department of Education proposes to adopt many revisions to its standards covering school health records.	10/2015
<b>DPR Proposed Speech Lang. Path., Audiologist., &amp; Hearing Aid Disp. Tele practice Regulation [19 DE Reg. 284 (10/1/15)]</b>	<b>Synopsis:</b> The Division of Professional Regulation proposes to adopt a tele practice regulation covering speech/language pathologists, audiologists, and hearing aid dispensers.	10/2015
<b>DMMA Prop. Medicaid Home Health Services Reimbursement Regulation [19 DE Reg. 253 (10/1/15)]</b>	<b>Synopsis:</b> The Division of Medicaid & Medical Assistance proposes to amend its standards for reimbursing providers for home health services.	10/2015
<b>DMMA Prop. Deletion of Personal Care Services from Medicaid Plan [19 DE Reg. 258 (10/1/15)]</b>	<b>Synopsis:</b> The Division of Medicaid & Medical Assistance (DMMA) proposes to delete "personal care services" from the Medicaid State Plan. Instead, DMMA posits that supports currently covered as "personal care services" will be covered as "home health services".	10/2015
<b>DMMA Prop. Private Duty Nursing Services Regulation [19 DE Regulation 245 (10/1/15)]</b>	<b>Synopsis:</b> The Division of Medicaid & Medical Assistance (DMMA) proposes to amend the State Medicaid Plan and relevant policy manual by revising private duty nursing (PDN) standards.	10/2015
<b>DOE Proposed Emergency Certificate Regulation [19 DE Reg. 367 (11/1/15)]</b>	<b>Synopsis:</b> The Professional Standards Board of the Department of Education proposes to adopt some discrete amendments to the "emergency certificate" regulation.	11/2015
<b>DOE Prop. Educational Records Transfer &amp; Maintenance Regulation [19 DE Reg. 355 (11/1/15)]</b>	<b>Synopsis:</b> The Department of Education proposes to adopt some discrete amendments to its standards covering the transfer and maintenance of student records.	11/2015
<b>DOE Proposed Medications &amp; Treatments Regulation [19 DE Reg.362 (11/1/15)]</b>	<b>Synopsis:</b> The Department of Education proposes to amend its regulation covering assistance with self-administration of medications at approved school activities.	11/2015
<b>DPH Proposed Personal Assistance Services Agency Reg. [19 DE Reg. 392 (11/1/15)]</b>	<b>Synopsis:</b> Legislation (H.B. No. 107) was recently enacted to remove a ban on provision of personal assistance services in hospitals and nursing facilities. The Division of Public Health is now proposing regulations to implement the law.	11/2015
<b>DPH Prop. Skilled Home Health Agency Licensure Reg. [19 DE Reg. 391 (11/1/15)]</b>	<b>Synopsis:</b> Legislation (H.B. No. 107) was recently enacted to remove a ban on provision of home health agency services in hospitals and nursing facilities. The Division of Public Health is now proposing regulations to implement the law.	11/2015
<b>DMMA Prop. Medicaid Outpatient Drug Reimbursement Reg. [19 DE Reg. 369 (11/1/15)]</b>	<b>Synopsis:</b> The Division of Medicaid & Medical Assistance (DMMA) proposes to adopt some discrete changes to its reimbursement standards for prescription drugs.	11/2015

Regulation	Summary/Action	Letter Sent
<b>DMMA Prop. EPSDT Substance Use Disorder Reg. [19 DE Reg. 377 (11/1/15)]</b>	<b>Synopsis:</b> The Division of Medicaid and Medical Services (DMMA) proposes to amend the Medicaid State Plan in the context of coverage arid reimbursement methodology for Medicaid rehabilitative substance use disorder services.	11/2015
<b>DPH Proposed Delaware Medical Orders for Scope of Treatment (DMOST) Regulation [19 DE Reg. 388 (11/1/15)]</b>	<b>Synopsis:</b> The DMOST bill creates a new Title 25A which outlines the context and the mechanics for creating a DMOST by patients, their representatives, and health care providers.	11/2015
<b>DOE Proposed Instructional Program Requirements Regulation [19 DE Reg. 455 (12/1/15)]</b>	<b>Synopsis:</b> The Department of Education proposes to adopt some discrete changes to its instructional program standards.	12/2015
<b>DOE Prop. High School Interscholastic Athletics Reg. [19 DE Reg. 462 (12/1/15)]</b>	<b>Synopsis:</b> The Department of Education is now publishing a revised proposed regulation which attempts to address some of the concerns raised earlier by the Council.	12/2015
<b>DOE Prop. Jr. H.S. &amp; Middle School Interscholastic. Athletics Reg. [19 DE Reg. 461 (12/1/15)]</b>	<b>Synopsis:</b> The Department of Education is now publishing a revised proposed regulation which attempts to address some of the concerns raised earlier by the Council.	12/2015
<b>DOE Prop. Alt. Placement Mtgs. &amp; Exp. Hearing Due Process Reg. [19 DE Reg. 458 (12/1/15)]</b>	<b>Synopsis:</b> The Department of Education proposes to create a new regulation defining uniform due process standards for disciplinary matters and placement in alternative disciplinary settings.	12/2015
<b>DSCYF Proposed Juvenile Mental Health Screeners Regulation [19 DE Reg. 473 (12/1/15)]</b>	<b>Synopsis:</b> The Division of Prevention and Behavioral Health Services of the Department of Services of Children Youth and Their Families proposes to adopt a regulation controlling the several aspects of juvenile mental health screeners.	12/2015
<b>DOE Final Medications and Treatments Regulation [19 DE Reg. 622 (1/1/16)]</b>	<b>Synopsis:</b> The Department of Education proposes to amend the regulation covering assistance with self-administration of medication at approved school activities.	2/2016
<b>DOE Proposed Parent Councils Regulation [19 DE Reg. 714 (2/1/16)]</b>	<b>Synopsis:</b> This amendment will implement a recommendation from the IEP Improvement Taskforce which was created by SCR 63 of the 147 <sup>th</sup> General Assembly.	2/2016
<b>DOE Proposed Charter School Staff Training Regulation [19 DE Reg. 716(2/1/2016)]</b>	<b>Synopsis:</b> The Department of Education proposes amending its special education standards to add a charter school training requirement as established by Senate Bill 33.	2/2016

Regulation	Summary/Action	Letter Sent
<b>DOE Proposed Meeting Minutes and Prior Notice Regulation [19 DE Reg. 926 (2/1/2016)]</b>	<b>Synopsis:</b> The Department of Education proposes to revise its procedural safeguards standards in two contexts: 1) meeting minutes and 2) prior notice.	2/2016
<b>DOE Proposed Individualized Education Program (IEP) Regulation [19 DE Reg. 718 (2/1/2016)]</b>	<b>Synopsis:</b> The Department of Education proposes to amend standards related to Individualized Education Program to align with changes prompted by the enactment of SB 33.	2/2016
<b>DOE Proposed Emergency Certificate Regulation [19 DE Reg. 812 (3/1/2013)]</b>	<b>Synopsis:</b> The Department of Education proposes to amend its educator emergency certificate regulation.	3/2016
<b>DOE Proposed Post-Secondary Institutions Regulation [19 DE Reg. 809 (3/1/2013)]</b>	<b>Synopsis:</b> The Department of Education proposes to amend its standards covering post-secondary institutions and degree granting institutions of higher education.	3/2016
<b>DOE Proposed District and School Emergency Preparedness Policy Regulation [19 DE Reg. 810 (3/1/2016)]</b>	<b>Synopsis:</b> The Department of Education proposes to repeal the current emergency preparedness regulation completely in order to eliminate confusion for districts and charter schools in terms of the policy to follow with regards to emergency preparedness.	3/2016
<b>DFS Proposed Child Protection Registry Checks for Health Care Facilities, Public and Private School and Youth Camps [19 DE Reg. 822 (3/1/2016)]</b>	<b>Synopsis:</b> The Division of Family Services/Office of Childcare Licensing proposes to amend the DELACARE regulations in reference to child protection registry standards in order to comply with change to the Delaware Code.	3/2016
<b>DFS Proposed Criminal History Record Checks for Child Care Workers Regulation [19 DE Reg. 821 (3/1/2016)]</b>	<b>Synopsis:</b> The Office of Child Care Licensing proposes to repeal its existing regulation regarding criminal background check of child care worker and substituting a new set of standards.	3/2016
<b>DOE Proposed Skilled and Technical Sciences Teacher Regulation [19 DE Reg. 822 (4/1/2016)]</b>	<b>Synopsis:</b> The Department of Education proposes to amend its qualifications standards for a “skilled and technical sciences teacher”.	4/2016
<b>DMMA Proposed Medicaid Autism Spectrum Disorder Services Regulation [19 DE Reg. 898 (4/1/2016)]</b>	<b>Synopsis:</b> The Division of Medicaid and Medical Assistance proposes to amend the Medical State Plan to address coverage and reimbursement of treatment services for beneficiaries up to age 21 with a diagnosis of autism spectrum disorder (“ASD”).	4/2016
<b>DMMA Proposed Long Term Care (LTC) Facility Personal Needs Allowance Regulation [19 DE Reg. 893 (4/1/2016)]</b>	<b>Synopsis:</b> The Division of Medicaid and Medical Assistance proposes to raise the personal needs allowance for Medicaid funded individuals residing in long-term care facilities effect July 1, 2016.	4/2016
<b>DMMA Proposed Medicaid Long Term Care (LTC) “Bed Hold” Payment Regulation [19 DE Reg. 888 (4/1/2016)]</b>	<b>Synopsis:</b> The Division of Medicaid and Medical Assistance proposes to amend its “bed hold” standards applicable to long-term care facilities.	4/2016
<b>DMMA Proposed Drug Rebate Agreement Regulation [19 DE Reg. 884 (4/1/2016)]</b>	<b>Synopsis:</b> The Division of Medicaid and Medical Assistance proposes to amend its Medicaid State Plan in the context of its drug rebate agreement.	4/2016

Regulation	Summary/Action	Letter Sent
<b>DOE Proposed Emotional Disability Regulation [19 DE Reg. 967 (5/1/2016)]</b>	<b>Synopsis:</b> The Department of Education proposes to adopt a discrete change to the definitions section of its IDEA regulations, substituting “emotional disability” for “emotional disturbance”.	5/2016
<b>DMMA Proposed Spousal Impoverishment – Undue Hardship Regulation [19 DE Reg. 987 (5/1/2016)]</b>	<b>Synopsis:</b> The Division of Medicaid and Medical Assistance proposes to amend its definition of “undue hardship”.	5/2016
<b>DMMA Proposed ABLE Account Regulation [19 DE Reg. 982 (5/1/2016)]</b>	<b>Synopsis:</b> The Division of Medicaid and Medical Assistance proposes to adopt regulations relating to the ABLE Act.	5/2016
<b>DOE Proposed Uniform Due Process Procedures for Alternative Placement Meetings and Expulsion Hearings Regulation [19 DE Reg. 1057 (6/1/2016)]</b>	<b>Synopsis:</b> The Department of Education proposes creating a new regulation defining uniform due process standards for disciplinary matters and placement in alternative disciplinary settings.	6/2016
<b>DHSS/DMMA Proposed LTC Facilities- Eligibility Determinations and Post-Eligibility Treatment: Undue Hardship Provision Regulation [19 DE Reg. 1059 (6/1/2016)]</b>	<b>Synopsis:</b> The Delaware Health and Social Services Division of Medicaid and Medical Assistance proposes to amend the Delaware Social Services Manual (DSSM) by modifying provision regarding long-term care eligibility.	6/2016

