



## 2013 Annual Report



### Governor's Advisory Council for Exceptional Citizens (GACEC)

Report Submitted By:

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## Mission Statement

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

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



GACEC Members and staff pose with Lieutenant Governor Matt Denn at the 2012 GACEC Annual Fall Planning Retreat.

## 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..."



## Message from the Chair

Dear Friends:

This has been another wonderful year of hard work and successes. We could not have done it without all of you. Each of you brings expertise and passion in a specific area. And when we all sit down together, magic somehow happens. The best example of that magic this year was Senate Bill (SB) 100: Restraint and Seclusion. We have worked very hard on this bill for two years and now finally students do have some protection in our schools. Our hope is that the federal bill will pass and it will not matter in which state you live, students will be safe in the classroom.

Another fabulous success was the speech therapy issue. It looks like the Legislature and the University of Delaware are on the fast track for a Speech Language Pathologist (SLP) program. You never gave up! You saw a need and pushed for this program even though we were not given very much hope in the beginning. Disability History and Awareness Month has been a huge success for three years now. This year we will be going to the preschool level because we all know the sooner children are exposed to differences, the more comfortable they are.

The State Transition Task Force for Emerging Adults with Disabilities and Special Health Care Needs brought over 100 stakeholders to the table, all with the same goal: To make sure that students leaving school have the experience and skills necessary to live a productive life in the community, having the education and careers to be as independent as possible. One of the priorities of the Task Force was to create a Delaware State Transition Website. We are happy to report that goal is very close to being met. The GACEC was given \$15,000 in startup funds from the General Assembly for the website. Members of the Task Force have stated that they would like to stay together to assist in the implementation of the recommended action steps and timeline. We also want to make sure that this knowledgeable group has input on recommendations for bridging the gaps in services. The group is dedicated to assuring families and professionals that the information on the website is accurate and up to date.

You will see many other bills listed in this report that have passed through the General Assembly because of your dedication and advocacy. We have been very fortunate to have a Governor, Lieutenant Governor, Cabinet Secretaries and Legislators who value all people in their state, especially those whose disabilities affect their lives.

We cannot slow down the momentum now. With all of us together as a Council under the leadership of Wendy and with the strong support of Kathie, Kristin and Sybil we can continue to move mountains. I thank each and every one of you for what you bring to the table each month. I cannot wait to see what this year will bring!

Respectfully,  
*Terri Hancharick*  
Chairperson



GACEC Chairperson Terri Hancharick (right) poses with GACEC Executive Director Wendy Strauss (left) and Wendy's grandson J.J. at the Legislative Thank You Dance in June, 2013.



# IN MEMORIAM

*"To know even one life has breathed easier because you have lived. This is to have succeeded."*

*- Ralph Waldo Emerson*

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## **William J. "Bill" Adami**

Bill Adami passed away on January 28, 2013 after a courageous battle with cancer. Bill served with Easter Seals of Delaware and Maryland's Eastern Shore, Inc. for more than 20 years in a variety of leadership roles. In March 2008, Bill became the President/CEO of Easter Seals Delaware and Maryland's Eastern Shore, Inc. His 30+ year career in disability services was driven by his passion that people with disabilities should have opportunities to be engaged in their community.

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## **Charles D. "Donny" Moore**

Donny Moore passed away suddenly on March 21, 2013. Donny served as the Director of the Client Assistance Program for United Cerebral Palsy of Delaware, Inc. Donny was also the Chairman of the State Independent Living Council, Vice-Chair of the State Council for Persons with Disabilities and a board member of Independent Resources. Donny had a great sense of humor and he made friends easily. His caring attitude impacted the lives of the many people he came into contact with, both personally and professionally.



## **Griff Campbell**

Griff Campbell passed away peacefully, surrounded by his family, on August 10, 2013 after a brave fight with cancer. Griff graduated from Brewster Academy in Wolfeboro, NH and received degrees from Widener and West Chester Universities. After graduating, Griff worked for Master Care Medical, North Penn Medical and Goodwill, and later became owner of his own business, Accessibilities Unlimited. Most recently, Griff worked for the Delaware Department of Labor, Division of Vocational Rehabilitation.



## **2012-2013 Highlights**

The GACEC held its Annual Fall Planning Retreat on September 7 and 8, 2012 at the Virden Center in Lewes, Delaware. The Retreat was a part of Council's planning activities for Fiscal Year (FY) 2013. Retreat participants included GACEC members, staff and representatives from the Department of Education (DOE). Council was also fortunate to welcome another very special guest-Lieutenant Governor Matt Denn. Lt. Governor Denn presented on recent legislation, including legislation which impacts infant screening, Free and Appropriate Public Education (FAPE), reimbursements for parents for subject matter experts at Individualized Education Plan (IEP) due process hearings, the autism insurance bill, the pilot program beginning at Richardson Park Elementary which will provide mental health services, medications and centralized case management services, the pilot of the Listening and Spoken Language classroom and gifted and talented students. Lt. Governor Denn also discussed the international Baccalaureate program at Dickinson High School, improvements and funding changes for in pre-kindergarten services and the effort to replicate the best performing Title I schools in Delaware.

As is the tradition at the Retreat, Council worked on goals and objectives for the full Council as well as for each issues committee. In addition, MaryAnn Mieczkowski, Director of DOE's Exceptional Children Resources Group, gave a presentation and update on Indicator 3 and assessment, participation, and performance on the Delaware Comprehensive Assessment Standards (DCAS) Alternative 1. MaryAnn also provided an update on charter school regulations in Delaware, Delaware Autism Program (DAP) group homes and on the Autism Work Group.

In 2013, Council was honored for their 40 years of service in the State of Delaware. This honorary process was begun when Council member Robert Overmiller approached Senator Bethany Hall-Long and requested a Senate Concurrent Resolution (SCR) acknowledging Council's service to the State of Delaware. Council members and staff were honored at Legislative Hall to be acknowledged and presented with a copy of SCR 7.



The GACEC was honored in 2013 for their 40 years of service in the State of Delaware. Pictured after receiving SCR 7 are (left to right): Kristin Cosden, Wendy Strauss, Howard Shiber, Senator Bethany Hall-Long and Kathie Cherry.



## **GACEC COUNCIL GOALS FOR 2012-2013**

*“High achievement always takes place in the framework of high expectation.”*

*-Charles Kettering*

**GOAL 1: Outcomes for students with exceptionalities will be improved by monitoring and supporting the implementation of the Annual Performance Report (APR), State Professional Development Grant (SPDG), Elementary and Secondary Education Act of 1965 (ESEA), 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 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 and specialists in the area of students with exceptionalities.
4. Advocate for service personnel at the appropriate levels with the appropriate qualifications.

**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 systems for processing requests for all individuals with special needs. Comments will be sent to the Division of Medicaid and Medical Assistance (DMMA) and Medicaid representatives.
2. Review and comment on proposed DOE regulatory changes. Comments will be sent to DOE, the State Board of Education (SBE) and the Professional Standards Board (PSB) for discussion at the State Board of Education meetings.
3. Advocate in order to ensure that educational services and materials, particularly accessible instructional materials (AIM), will be available in all settings.
4. Foster collaboration among agencies that address special education in the State of Delaware.
5. Review and comment on proposed charter school regulations and the development of the charter school framework.
6. Review educational programs in intermediate care facilities (ICFs) for compliance with Free and Appropriate Public Education (FAPE).



7. Review educational programs in the Department of Services for Children, Youth and their Families (DSCYF) for compliance with FAPE.
8. Research and advocate for appropriate physical education services for all students.
9. Continue working toward the development and implementation of legislation of the use of restraints and seclusion.
10. Provide commentary on school discipline regulations and collaborate with DOE on improving APR indicators relating to discipline.

**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. Advocate for the removal of barriers to access in public areas, as needed. Advocate for increased signage describing available services in public areas.
3. Advocate for increased and appropriate transition services statewide in accordance with the Task Force established 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.
6. Review and comment on the prison education system and adult educational services.

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

**Activities for this year could include:**

1. Continue current modes of communication (letters, outside committee involvement, etc.).
2. Provide training for GACEC members on how to discuss issues with state legislators and on the GACEC Code of Ethics.
3. Increase partnerships with other agencies and councils that are involved in promoting rights and quality of life for individuals with disabilities.
4. Encourage diversity of participants in GACEC meetings, membership and activities.
5. Encourage collaborative efforts between committees, particularly in working with the Policy and Law Committee on issues of particular interest to individual committees.
6. Encourage each Council member to contact their legislator each year to introduce themselves and the GACEC and report back to the Council.

**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 the statewide accountability system as it relates to children with exceptionalities.
2. Participate on DOE committees and work groups in order to provide input on issues impacting students with exceptionalities.



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

- The GACEC **wrote more than 1,800 letters** to the Governor, Legislators, the Department of Education and other agencies advocating on behalf of individuals with disabilities and their families.
- **State Transition Task Force for Emerging Adults with Disabilities and Special Health Care Needs-** The Delaware Legislature passed Senate Concurrent Resolution (SCR) No. 34 on June 27, 2012, establishing the State Transition Task Force for Emerging Adults with Disabilities and Special Health Care Needs and its related work groups. The GACEC took the lead in chairing this Task Force. The Task Force work groups were Education, Employment, Health and Housing/Transportation. At the request of the full Task Force, a separate Transition IEP committee was also created to take a closer look at the particular challenges which may arise during the transition IEP process.

The Task Force and its work groups studied the transitional needs of youth and young adults with disabilities and special health care needs, with the goal of submitting a final report of their suggested priorities and action items to the Governor and Legislature in the summer of 2013.

Organizational partners who joined the GACEC included A.I. DuPont/ Nemours Hospital for Children, The Catalyst Center of Boston University, Christiana Care, Delaware's Centers for Independent Living (CIL), the Delaware Developmental Disabilities Council (DDC), the Delaware House of Representatives, Delaware Department of Education (DOE), Delaware Family Voices (DFV), Delaware Department of Health and Social Services (DHSS), Delaware Department of Labor (DOL), Delaware Department of Public Health (DPH), the Delaware Senate, the Disabilities Law Program (DLP), the Division of Services for Children, Youth and Their Families (DSCYF), the Governor's Commission on Building Access to Community Based Services, the Office of the Insurance Commissioner of Delaware, the Parent Information Center of Delaware (PIC) and the State Council for Persons with Disabilities (SCPD).

In June of 2013, Task Force Co-Chair Wendy Strauss learned that the Delaware Joint Finance Committee (JFC) graciously awarded the GACEC \$15,000, which is earmarked to develop a State Transition Website. The website will serve as a central resource for young adults with disabilities and their families/caregivers as they go through the transition process. Plans are currently under way to convene a State Transition Website Design Team.

The State Transition Task Force for Emerging Adults with Disabilities and Special Health Care Needs looks forward to working with the Governor, Delaware Legislature, Secretary of Health and Social Services Rita Landgraf and the Governor's Commission on Building Access to Community-Based Services on addressing the items which were identified as priorities in the Task Force's final report.

- **Access to General Education Curriculum (AGEC) Work Group-** This group focuses on assessment issues for students in special education. GACEC staff attends these meetings to provide input from her perspective as a parent, as well as a representative of the Council.



- **Adapted Physical Education Ad-Hoc Committee (APE)** - Convened in 2011, the APE Committee is an initiative of the GACEC. It was established to identify gaps in physical education accessibility for students with disabilities and to consider possible solutions to help bridge these gaps. Joining the GACEC at the table are parent advocates, representatives from the University of Delaware (UD), the UD Center for Disabilities Studies (CDS), the Delaware Department of Education (DOE), Special Olympics Delaware, Rec 4 All and Autism Delaware.
- **Age of Majority Committee** - The Age of Majority committee reviewed legal considerations as well as parent involvement. The committee also discussed professional development (PD) training and technical assistance options, as well as training modules and materials that the committee felt must be provided to school districts. Another topic of discussion was changing the policies and procedures around the Individualized Education Plan (IEP) meeting and accompanying forms. DOE's legal staff is working with the DOE Exceptional Children Resource Group to explore the options the committee proposed.
- **Autism Work Group**- On June 7, 2012, a group of stakeholders led by the collaborative efforts of CDS, DOE and Autism Delaware met to begin the process of identifying and addressing the needs of all Delawareans with Autism Spectrum Disorders (ASD). The final report, "Blueprint for Collective Action: Delaware Strategic Plan to Improve Services and Supports for Individuals with ASD", was released in the spring of 2013. The report highlights seven improvement areas, outcomes and actions steps to reach the goal of ensuring that all Delawareans with ASD have the opportunity to live independent and interdependent lives within the community.
- **CDS Community Advisory Council (CAC)** - CDS 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.
- **Charter School Ad-Hoc Committee**- Following concerns that there is an inadequate representation of students with IEPs in Delaware's Charter Schools, the GACEC Charter School Ad-Hoc Committee was formed in May of 2012. Areas of concern include improving access to and support for children with disabilities in charter schools, removing discrimination from Regulation 275 and discriminatory language from existing statute. GACEC members have contributed by attending the Charter School Framework development meetings. Council is also represented on the Admission Preference Task Force and the Charter School Review Committee.
- **Disability Awareness Legislative Event** –On January 16, 2013, participants spent the afternoon at Legislative Hall speaking with their legislators on policy issues, such as ensuring that school districts throughout Delaware have qualified Speech Language Pathologists (SLPs)



and other educational professionals. Over **250** individuals received information on disability related issues at Legislative Hall after the informative training session.

- **Dover Air Force Base Exceptional Families Resources Program**-GACEC staff have attended two information fairs held on Dover Air Force Base by their Exceptional Families Resources Program. Information about the GACEC and our mission was shared, as well as information on the GACEC Kids on the Block Program.
- **Delaware Education Support System (DESS) Advisory Council**- The DESS Advisory Council serves as the core stakeholder group charged with guiding the enhancement and implementation of the Delaware Education Support System, including improvements to the Education Success Planning and Evaluation System. The council also provides guidance on Title I implementation by State Education Agency (SEA). The DESS Advisory Council includes representatives from GACEC, the Governor's office, Delaware school districts, DOE and parents.
- **Delaware Child Protection Accountability Commission (CPAC)** - The commission focuses on the rights of foster children. CPAC also seeks to ensure that Delaware schools fulfill their responsibilities regarding the education of foster children. This includes children who need special education and the Educational Surrogate Parent (ESP) Program.
- **Delaware Coalition for the Americans with Disabilities Act (DCADA)**-GACEC Secretary/Treasurer Carma Carpenter serves as the Chairperson for DCADA. The coalition strives to ensure that all areas of the Americans with Disabilities Act are being properly addressed. GACEC staff attends these meetings. The DCADA conference was held in April, 2013 and was attended by 30+ individuals.



Lieutenant Governor Matt Denn stops for a photo with two of the 2012 Disability History and Awareness Month Poster Contest Awards Luncheon.

**Disability History and Awareness Month Activities**- 2012 marked the third year for the GACEC's Disability History and Awareness Month efforts and activities.

**Background:** In 2009, GACEC Executive Director Wendy Strauss approached Senator Bethany Hall-Long and Representative Quinton Johnson about recognizing the month of October as Disability History and Awareness Month in Delaware. The result was House Concurrent Resolution (HCR) 19. In 2010, Wendy again approached Sen. Hall-Long and Rep. Johnson about the possibility

of upgrading the legislation to a bill. The result was House Bill (HB) 123, which Governor Markell signed into law on August 17, 2011.



The GACEC is committed to promoting Disability History and Awareness Month in Delaware through the following activities:

**Disability History and Awareness Month Resource Manuals:** Resource manuals are provided each year by the GACEC for all public and charter schools in the state. The manuals are distributed in a number of ways, including email, online, personal delivery and via traditional mail. 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 includes 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. A PDF file of the resource manual is available on the GACEC website: <http://gacec.delaware.gov/>

**Disability History and Awareness Month Poster Contest-** The GACEC was pleased to coordinate their fourth 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 5, 2012, 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 George V. Massey Station. The winning students were joined by their families, teachers and administrators as well as Lieutenant Governor Matt Denn, Senator Bethany Hall-Long and Director of Resources for Exceptional Children Mary Ann Mieczkowski. The students were treated to lunch with the Honorable guests, and were each given an award certificate and a donated monetary prize.

- **Disability History and Awareness Month in Early Childhood Settings (HCR 33)-** GACEC staff approached Representative Quinn Johnson and Senator Bethany Hall-Long about extending Disability History and Awareness Month in Delaware (established by HB 123 in 2011) to encompass early childhood settings. This includes all Delaware center and family-based preschools and child care programs. HCR 33 is the result of these discussions.
- **Employment First Oversight Commission-**GACEC staff and GACEC Chairperson Terri Hancharick joined the DDC and others to design an Employment First Action Plan for Delaware. This action plan holds many goals and activities, and resulted in the Employment First legislation, House Bill (HB) 319, which was passed in June of 2012.
- **Family Leadership Advisory Council (FLAC) -** FLAC was established by Delaware Family Voices (DFV) to address the unmet service needs of persons with disabilities, and to provide guidance and resources to their families or caregivers. GACEC staff and Council members attend FLAC meetings to gain information and provide input.



- GACEC Kids on the Block Puppet Program and Disability Education & Awareness Program (DEAP)** - The Governor's Advisory Council for Exceptional Citizens (GACEC) Kids on the Block Program was wildly successful this past year. Shows were performed in more than a dozen schools state-wide, reaching an estimated 1,200 students and educators, as well as at the Delaware State Fair's healthy kid's day where between our performance on the big stage and our presence at the display area we were able to reach well over 1,000 children and their families. The "Kids" have also made appearances at community events including the Exceptional Family Member Open House on Dover Air Force Base and shows at numerous public libraries. Estimated numbers for all community outreach is at 2,200 children, families, educators and community members. While the "Kids" have continued to travel the state spreading the message of inclusion, understanding, and acceptance to students in grades 1-5; many other projects have been in the works.



*Left to right above :Mark and Melody (volunteers Jonathan White and Tassina Ashrag) discuss new friendships, the audience, with some encouragement from DEAP Coordinator Sybil White, asks some amazing questions of Mark, and finally Brenda and Jennifer (Tassina Ashraf and Sarah White) take on the topic of bullying during Healthy Kid's Day at the Delaware State Fair.*

Over the past twelve months our Program Coordinator Sybil White has worked diligently to begin implementing new and exciting programs to promote disability awareness.

The new **Disability Education & Awareness Program (DEAP)** includes our famous Kids on the Block but also incorporates new characters using a book that was written with the help of community members, educators, administrators, and Executive Director Wendy Strauss. The book will be used in the program geared toward early childhood audiences, and is titled All My Different Friends at School. The book is currently in production with help from a student at Polytech High School who has illustrated the book and with some assistance from the students at DelCastle High School who will be printing copies of the book for us. The early childhood program has been a labor of love, and we are proud to say it is well on its way to being implemented in classrooms for the 2013-2014 school year.

Another wonderful program is the High School Program that we hope to pilot this fall at Dover High School. The pilot will involve students from the High School learning about a specific disability, and using that information as they perform skits for the elementary aged students in their district. The goal of this program is to give the students ownership, allowing them to truly embrace disability awareness in a way that they may have never done in the past. We hope to begin the pilot launch in early October and have the students performing at elementary schools or in the community before winter break. If the program proves successful, the idea would be to launch the program statewide, offering one High School in each district the opportunity beginning in the 2014-2015 school year.



We once again produced a weekly newsletter during Disability History and Awareness Month (October), and updated our curriculum support resources for teachers using the online Disability History and Awareness Month (DHAM) Resource Guide available on the GACEC webpage. The Disability History and Awareness Month Poster Contest was a HUGE success! Lt. Governor Matt Denn as well as Senator Bethany Hall-Long, Maryanne Mieczkowski, Director, Exceptional Children Resources, attended a luncheon at Massey Station on December 5, 2012 to honor winning participants. We plan to further engage Delaware student artists with the addition of a digital artwork category for the 2013-2014 contest.



*(Left Photo) Pictured left to right, MaryAnn Mieczkowski enjoying lunch with contest winners, their families and school administrator at the 2012 Disability History and Awareness Month Luncheon. (Right Photo ) Executive Director Wendy Strauss discusses the upcoming award presentation with Lt. Governor Matt Denn.*

With so many new projects and the success of our current projects we are grateful that we continue to receive support from a small group of **wonderful, dedicated volunteers**. Made possible by startup funds from the DDC, it should also be noted that the program cannot exist without the continued funding we receive from the Delaware Department of Education (DOE), Delaware Foundation Reaching Citizens with intellectual disabilities (DFRC), and DOE 619. Thank you for your continued support!

- **Inter-Agency Coordinating Council (ICC)**-The ICC focuses on early childhood issues. GACEC staff 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.
- **LIFE Conference Design Team**- The annual LIFE Conference seeks to ensure that persons with disabilities in Delaware have full access to supportive **L**egislation, **I**ndependence, **F**amily support services and **E**ducation. The team is also comprised of representatives from DDC, SCPD, the Seer Group, 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 annual **LIFE Conference** held on January 17, 2013 was attended by over **500** people. **LIFE** stands for **L**egislation, **I**ndependence, **F**amily and **E**ducation. This is the largest conference focusing on disabilities in Delaware.
- **Restraints and Seclusion Legislation (SB 100)**- SB 100 is a product of research and deliberations of an interagency committee formed by the GACEC to identify best practices and develop standards for Delaware public schools. The bill was based on national reports



documenting the misuse of seclusion and restraint within public schools. Many states are adopting remedial statutory standards. In 2012, the U.S. Department of Education issued authoritative guidance encouraging states to adopt written standards deterring the use of seclusion and restraint in public schools. The GACEC wrote a letter of support for this important piece of legislation. The Council will be working with the Delaware Department of Education on the regulations in the next year, which will go into effect on June 26, 2014. **This bill was signed by Governor Markell on June 26, 2013.**

- **Sleeping Bag Campaign-** According to Delaware Department of Education statistics, nearly 5,000 Delaware children are homeless – including those who are living in shelters, with a relative, or in transition in the state’s foster care system. Sadly, most lack a sense of permanency and safety as their future is so uncertain. While the needs of these children are intensive and multi-layered, the simplicity of the Sleeping Bag Campaign addresses a physical need while allowing these children to have something of their own.

The Sleeping Bag Campaign launched its third year of operation in January of 2013 as a joint effort of state agencies, elected officials, businesses and organizations. Joining the GACEC for their 2013 Campaign were the Newark High School Jefferson Awards’ Students in Action team and students from Bancroft Elementary School. The 2013 event culminated in a Reception for Giving and press conference January 23, 2013 at George V. Massey Station. District homeless liaisons, social workers and agency representatives were in attendance, as was Lieutenant Governor Matt Denn. Hundreds of sleeping bags and other warm items were received by the liaisons and social workers at the Reception for Giving. In the following weeks, donations continued to pour in.

Previous campaigns have generated thousands of sleeping bags for kids thanks to a coordinated effort of businesses and individuals who offer drop-off points for the sleeping bags, raise funds, garner support from others and collect and distribute the bags throughout the state. Each year the effort has expanded to include new businesses and organizations interested in doing their part.

- **Speech Language Pathologist Assistant (SLPA) Guidelines Meetings-** Council staff attended several meetings of the Speech Language Pathologist Licensing Board during their discussions on the Speech Language Pathologist Assistant (SLPA) certification. Pre-publication draft regulations were shared with Council during the summer of 2013. Council provided comments on these draft regulations.
- **State Board of Education-**GACEC staff regularly attends the monthly State Board of Education meetings to monitor the progress of Race to the Top, DCAS, Needs Based Funding, and other important regulatory initiatives which affect the lives of children with disabilities in Delaware.
- **State Council for Persons with Disabilities (SCPD) Policy and Law Committee.** This committee reviewed and/or provided comment on **more than 100** proposed or final regulations, state bills, federal bills and many other policies which impact persons with disabilities.



- **State Council for Persons with Disabilities (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.
- **State Task Force for Centralizing Internet Resources for Children with Disabilities and Special Health Care Needs from Birth to Age 13 (HCR 31)** - House Concurrent Resolution (HCR) 31 creates a State Task Force for Centralizing Internet Resources for Children with Disabilities and Special Health Care Needs from Birth to Age 13. The Task Force will convene in the fall of 2013 and recommend resources for a single master website to be utilized by families/caregivers of children with disabilities and/or special health care needs and other interested parties.
- **Stockley Initiative Advisory Group with Division of Health and Social Services (DHSS) Secretary Rita Landgraf**- After the opening of the Mary Ann Coverdale (MAC) Center in May 2009, a group of state and advocacy program agencies in Delaware began meeting to consider options for expanding the Stockley Center's effective use. In 2011, a group which included personnel from DHSS' Division of Developmental Disabilities Services (DDDS), the University of Delaware (UD) Center for Disabilities Studies (CDS), SCPD, DDC, GACEC, representatives from other disability-related organizations and the community was established to develop a plan for the use of the MAC at Stockley.

At the same time, DHSS Secretary Rita Landgraf was developing a vision of an inclusive, eco-friendly community to support health and wellness in Sussex County. This group and Secretary Landgraf joined forces to plan and implement these exciting opportunities. The Advisory Group provided guidance for the initial part of the plan's development. At the request of Secretary Landgraf, John Hollis of the Nemours Foundation worked with the DHSS staff to identify individuals in Sussex County to serve as an Advisory Group.

The Advisory Group determined the need to involve Sussex County residents as well as the key agencies and individuals currently associated with the Stockley Center. The Advisory Group identified individuals who would provide varied feedback that reflects what *needs* to or *should* happen. The Advisory Group also provided input on how to involve the local community and organizations of interest to ensure that groups and agencies within Sussex County were asked to contribute. Later this year, the full report with suggested timelines will be rolled out. The GACEC is pleased to be a part of such important and groundbreaking work for our state.

- **Transition and Post-Secondary Programs for Students with Intellectual Disabilities (TPSID)** – CDS received 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 Post-secondary Programs for Students with Intellectual Disabilities (TPSID) demonstration grant provides funding over five years (2010-2015).

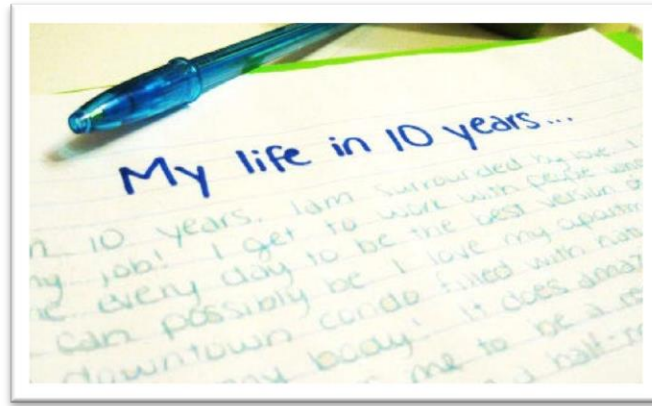


The grant addresses the statewide need for post-secondary educational options for individuals with developmental and intellectual disabilities. Programs will serve those who desire more than a high school certificate or diploma and require additional services and supports to succeed in furthering their education.





### GACEC Adult Transition Services Committee 2012-2013



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

- Monitoring Medicaid, the Division of Services for Children, Youth and their Families (DSCYF), Free and Appropriate Public Education (FAPE) compliance, adult education in the prisons and transportation issues, as well as preparedness for students who are leaving school and restraints and seclusion.
- Prioritizing the speakers the committee wanted to invite to present during the year, beginning with representatives from Paratransit and DART. The committee invited Lauren Skiver, the new Executive Director of the Delaware Transit Corporation (DTC). The committee also invited Maureen Whalen of the Department of Education (DOE) to discuss Adult Education in Delaware prisons, Katie Howe from the Division of Developmental Disabilities Services (DDDS), and Sandy Miller from the Division of Vocational Rehabilitation (DVR) to discuss Early Start to Supported Employment (ESSE).
- Meeting with GACEC Executive Director Wendy Strauss, Jane Gallivan of DDDS, Jeanne Zimmerman, a teacher at the Wesley Transition Project and GACEC Adult Transition Committee Chair Cathy Cowin to discuss the issue of safe and affordable housing and DDDS programs. This meeting included discussion around the question of how opportunities may be provided for continued independent living skills once students age out of their educational programs.
- Attending presentations by relevant speakers, such as Barbara Riley of DVR. Barbara presented updated information on Project Search, an international program, which is in its second year of implementation in Delaware. Project Search is a joint effort through the Red Clay Consolidated School District, the Division of DVR, DDDS, Christiana Care Hospital and



Goodwill. Students who have disabilities and are in their last year of school attend a work training program at Christiana Care Hospital to learn competitive employment skills. From 9 – 12 students attend a class facilitated by a Red Clay Consolidated School District educator to learn employable soft skills. The students also participate in 3 rotations in different departments of the hospital, experiencing the world of work. The goal of the program is to help students increase job related skills and become better acclimated to the work environment, thus increasing their opportunities for employment once exiting the program. Goodwill staff served as job coaches. The hope is that this program will grow and move downstate in the next year.

- Continuing to focus on transportation needs for individuals with disabilities. Bonnie Hitch from DART provided an update about Paratransit and upcoming improvements. There are no proposed budget cuts in the DART budget this year. Lauren Skiver is researching how to develop alternatives to the Paratransit system which will provide more independence for persons with disabilities. DTC hopes to pilot a shuttle program in Sussex County communities, which would take some of the pressure off of the Paratransit buses in communities such as Laurel. The buses would only provide transportation to locations in Laurel. DTC is also in the process of re-vamping the travel training curriculum. Another item that DART will be piloting this summer is real time location on their buses. This should be very helpful when the buses are delayed and may alleviate some of the scheduling issues. Bonnie Hitch of DART stated that if anyone is on the bus for longer than 90 minutes he/she should contact DART with the time of pick up and arrival to destination. Consumers need to report this type of situation. The committee is hopeful that these new initiatives will help the Paratransit system to run more efficiently. Comments were made that DART customer service needs to improve. A question was asked on additional information on accessible taxicabs. The committee did not discuss accessible taxicabs but Bonnie Hitch did mention that accessible taxicabs would provide more spontaneity. Robert Overmiller stated that Senator Bethany Hall-Long is still working on this issue and a meeting with Senator Hall-Long's staff has been arranged to continue work on legislation for Americans with Disabilities Act (ADA) accessible taxi cabs.

- Meeting with Katie Howe of DDDS and Sandra Miller of DVR to hear information on the Early Start to Supported Employment (ESSE) Program. The program has been changed to begin in a student's junior year to allow for more training and assessment of abilities. This is a joint program between DOE, DDDS and DVR. Brochures outlining the program were distributed to GACEC members. Delaware is the only state that has the Department of Labor (DOL), DOE and DHSS working together on employment for students with disabilities. One drawback is the need to prepare reports on paper because the technology programs do not communicate with each other from the different departments.

- Reviewing the annual report on the status of special education in the prison system by Maureen Whelan of DOE. DOE is adding another full time Trade and Industry position to the James T. Vaughn Correctional Center. They have also filled the teacher supervisor position at the women's facility. This position was open for over a year. Ms. Whelan then explained the changes to the General Educational Development (GED) test and the need for Request for Proposals (RFPs) for high school equivalence vendors, because GED is no longer the only testing agency.

- Meeting with Lauren Skiver, director of the DTC. Ms. Skiver spoke to our committee about incentives to get Delaware taxi companies to utilize accessible cabs. She commented that



Maryland developed a program that had to be revamped after it was initially introduced. Ms. Skiver would like to have a consultant come to Delaware to share information. She mentioned that the current regulations need to be firmed up before anything can be moved forward. Ms. Skiver mentioned that the Paratransit system is on overload and not sustainable due to operating outside the ADA corridor. Other alternatives such as taxis, shuttles and volunteer drivers need to be reviewed for feasibility so that individuals who need Paratransit are able to access it. It was also made very clear that this is not about taking away current services. Discussion ensued on the fact that the Paratransit system is not working efficiently and is a major expense for the State. Ms. Skiver is new to Delaware and brings a new perspective to the issue.



Alyssa Cowin (left), daughter of Adult Transition Services Chairperson Cathy Cowin (right,) speaks at the 2012 GACEC Fall Planning Retreat.



### **GACEC Infant and Early Childhood (IEC) Committee 2012-2013**

The Infant and Early Childhood Committee set the following goals for 2012-2013:

1. To ensure compliance with IDEA and Race to the Top (RTTT) by monitoring and reporting on results of:
  - Annual Performance Report for Part C-Early Intervention and Part B-619; and
  - Early Learning Challenge grant.
2. To advocate for professional development for teachers, paraprofessionals, and specialists in the area of children with disabilities.
3. To foster collaboration among agencies which provide special education in the state of Delaware.
4. To identify, review and provide comments on memoranda of understanding, interagency agreements, legislation and regulations, sending copies to the lead agency in the memorandum with copies to the other agencies involved.
5. To foster partnerships with other agencies and councils to promote rights and quality of life for individuals with exceptionalities.



In order to meet its goals, the committee met with representatives from the Department of Education Special Education 619 program and the Birth to Three Early Intervention Program. The committee met with the Director of the Office of Early Learning, which has been charged with the implementation of the Early Learning Challenge grant. The committee also met with the Assistant Director of Delaware Stars to discuss how the quality rating and improvement system supports inclusion of children with disabilities within child care settings.

The committee met with Verna Thompson, 619 Coordinator for DOE in January and reviewed elements from the Annual Performance Report (APR), including Least Restrictive Environment (LRE), Child Outcomes and Transition. The committee discussed the tracking

form for LRE that will provide data on placement of children served in 619 and location of their special education services. Child outcomes data was reviewed and discussed, with continuing training and development occurring. The data supporting transition of children at age three with services initiated by children's third birthday revealed that this element continued to be substantially met.

In February, the committee met with Lisa Crim, Birth to Three Early Intervention Coordinator, to review the APR for Part C. The committee discussed services in natural environments, focusing on the small percentage of services still provided outside of families' homes and child care providers. Issues related to child outcome data were discussed. The early intervention system continues to work to



strengthen the validity and reliability of the data reported. Transition elements have been substantially met and strategies to accomplish this were discussed.

In March, committee members met with Harriet Dichter, Director of the Office of Early Learning. She reviewed the four goals of the Early Learning Challenge grant and discussed the various strategies being implemented to accomplish the four goals. An overview of the Goals and Strategies of the Early Learning Challenge grant was shared with members of GACEC.

Both Ann Phillips from Family Voices and Verna Thompson of DOE-619, presented to the committee in April. Verna shared the crosswalk that has been developed, looking at the Part B 619 requirements in contrast with the indicators from Delaware Stars. Ann discussed a new program being started by her team. They are training parents of children with special health care needs to support other parents experiencing similar issues in a statewide Parent to Parent program. Information on this program was shared with GACEC members.



Infant and Early Childhood Chairperson Janet Cornwell works on the committee's annual goals with Jen Pulcinella at the GACEC 2012 Fall Planning Retreat.

The committee met with Mary Sonnenberg, Assistant Director of Delaware Stars, in May. They discussed how the quality rating and improvement system would support inclusion of children with disabilities. The group discussed how a child care program could achieve the highest rating on Stars without serving any children with disabilities, even though Stars states that inclusion is one of its guiding principles.

The committee also continued to discuss and have a presence in work going on throughout the state in terms of the needs of children with disabilities as supported by Delaware's Subsidized Child Care System. Committee members participated in a planning meeting and followed up with Wendy Strauss, Executive Director of the GACEC, to explore the respite care needs of families who have young children with disabilities. This work is ongoing with periodic feedback to the Department of Health and Social Services (DHSS), which is the agency charged with designing and implementing the Purchase of Care (POC) program.

At each meeting of the Infant and Early Childhood Committee, topics were discussed based on activities throughout the state during the preceding month. Committee members were active in a variety of related functions and brought information and concerns to the committee for discussion. The committee also worked to stay informed on the progress in implementation of the Early Learning Challenge grant and how to advocate for inclusion as an ongoing value of all the new and enhanced work initiated as part of it.

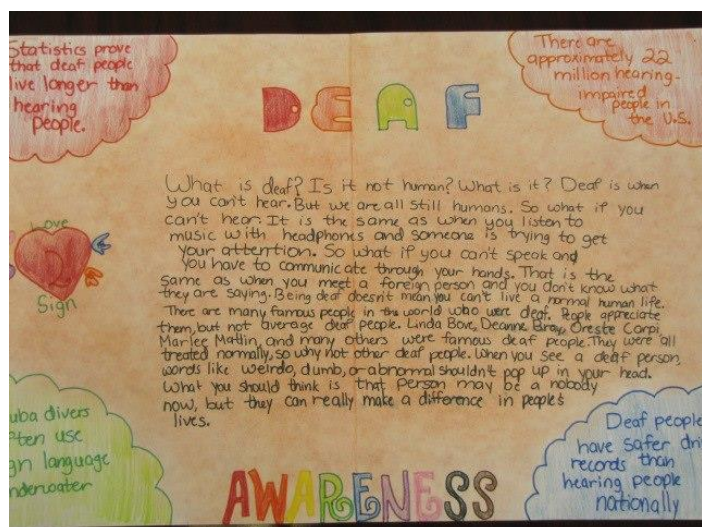
Overall, the Infant and Early Childhood committee did much to meet its goals and to provide support for programs and services for Delaware's youngest children with disabilities and their families.



## Children and Youth (CY) Committee 2012-2013

The Children and Youth Committee identified the following areas of yearlong focus in support of the Council goals:

- *Professional development needs of paraprofessionals and teacher/specialists related to the inclusion of children with disabilities in the general curriculum.*
- *Continuing shortage of Speech-Language Pathologists (SLPs) and speech-language related service.*
- *Physical Education and Adaptive Physical Education (APE) needs of students with disabilities.*
- *Suspension and expulsion rates for students with disabilities.*
- *Continue to advocate for changes to how the state handles restraints and seclusions in our schools*
- *Continue to bring awareness to the state by bringing disability history and awareness into the classroom. Continue to promote Disability History and Awareness Month in Delaware.*



The Children and Youth Committee is made up of dedicated and determined individuals who come from many facets of the educational system and the disability advocacy community. Many of our members are also members of other councils and continue to volunteer their time and expertise to our committee. Without the knowledge and expertise of all of these individuals working together, we would not be where we are today with helping individuals with exceptionalities in Delaware. This past year has been a year of many accomplishments and legislative achievements in the State of Delaware. Below is a snapshot of those accomplishments and achievements.

**Senate Bill (SB) 100 (Restraints and Seclusion)**- The first success this year was working in conjunction with Wendy Strauss, Executive Director of the GACEC, Autism Delaware, Council member Brian Hartman, Esq. of the Disabilities Law Program (DLP), the Developmental Disabilities Council (DDC), and the State Council for Persons with Disabilities (SCPD) on getting SB 100, Restraints and Seclusion legislation, passed. SB 100 will increase protection measures for our students in the State of Delaware. The use of restraints and seclusion has negatively impacted students with disabilities and behavioral challenges. There are now standards on using restraints and seclusion. The Children and Youth Committee will continue to look at the professional development of teachers, related services staff members, and other individuals who work with children with disabilities to see what improvements can be made in this area to better support these individuals when working with children with disabilities. <http://delautism.org/Advocacy/IssuesPositions/SeclusionandRestraint.aspx>



**Speech Language Pathology (SLP) in Delaware-** This past year was an important year for raising awareness of our lack of SLPs in our schools and not having a program in our higher learning institutions in Delaware for Speech Language Pathology. Students continue to be impacted by this shortage. There was a concern that many students were not receiving their appropriate speech-language related services due to the shortage. SLP services are required by the Individuals with Disabilities Education Act (IDEA). It is critical that we continue to make progress on the SLP shortage issue this year, and that the continued monitoring of this issue is one of our annual goals. There have been many discussions within the Children and Youth Committee on bringing awareness to the SLP issues our state is currently facing. After a lot of work, discussions, and perseverance the SLP program is now being developed at the University of Delaware. GACEC staff worked with our administration and legislators to support state funding of the SLP Program at the University of Delaware (UD). GACEC Member Beth Mineo of UD has been instrumental in making this future program become a reality. We are excited to know in the near future we will have a program in the State of Delaware.

**Adapted Physical Education (APE) Committee-** Children and Youth Committee Members Al Cavalier, Howard Shiber, and Daphne Carnwright served on the APE Committee. They continue to investigate statewide concerns regarding adapted physical education for our students with disabilities. There continue to be no highly qualified physical education teachers in the state for APE instruction. This is an area we will continue to focus on to ensure our schools in Delaware are including all students and adapting the curriculum to meet the needs of all of our students. We currently have professional development training in the State of Delaware available to instruct physical education teachers in APE, however there needs to be more emphasis on ensuring instructors are receiving training and having an adapted gym curriculum to ensure the inclusion of all students.

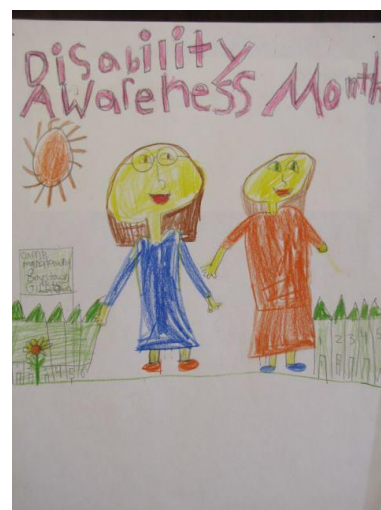
**Gifted and Talented Task Force-** Ron Russo is our committee advocate on gifted and talented programs throughout the state. Ron reports that the state's legislative task force is reviewing what is being done for gifted and talented children in Delaware. He explains, "A piece of legislation did get through but the task force was approved to continue its work, so new efforts can be expected for next year." As concerns arise, Ron will bring them to the committee for review and discussion.

**Charter School Task Force-** This year the committee has had great success involving our charter schools in Delaware. The School Choice legislation has passed. There will be a new Charter School Task Force created for the 2013-2014 school year in the State of Delaware. Committee member Ron Russo will be representing the GACEC on this new task force.

**Alternative Programs-** This year the Children and Youth Committee began discussing alternative programs in the state for students who are not attending a public or private school.

### **Disability History and Awareness Month**

Disability History and Awareness Month was a great success this year. We will be going into our 5th year of promoting this program in all of our school districts in Delaware. Members of the Council were encouraged to show their support and integrate the accomplishments of individuals with disabilities and disability history into their curriculum. The 2012 Disability History and Awareness Poster Contest was a huge success. Students with winning entries were invited to a





luncheon with the Honorable Lieutenant Governor Matt Denn. Parents were also encouraged to participate and schools were asked to place information in school newsletters, school websites, and even school Facebook pages to help spread awareness. We are very moved by all of the educators and school employees who are promoting Disability History and Awareness Month in Delaware schools, and taking the time out to educate our youth. Below you will find a link showing photo examples of posters submitted in previous years. The GACEC also provided schools with a Disability History and Awareness resource manual.

Photos from the 2012 Awards Banquet- Congrats to all of the participants and winners! There were over 90 submissions last year:

<https://picasaweb.google.com/100269262739487060336/2ndDisabilityHistoryAndAwarenessMonthAwardsLuncheon?authkey=Gv1sRgCLjcxvOnxraqRQ#>

See the link below for photo examples to inspire students to participate. One way teachers may incorporate this into the curriculum is by giving students a writing prompt based on one of the images below. There are many ways to incorporate disability awareness in the classroom: <https://picasaweb.google.com/100269262739487060336/2010DisabilityHistoryAndAwarenessMonthPosters?authkey=Gv1sRgCNfExtmo7pGXugE#>

### **Sleeping Bag Campaign**

This year students from Newark High School teamed up with students from Bancroft Elementary School and with the GACEC for the Annual Sleeping Bag Campaign. This year's campaign reached thousands of children who are homeless or in foster care in Delaware. The campaign, started by our fearless Executive Director Wendy Strauss, is in its 3<sup>rd</sup> year.



### **Professional Development**

The Children and Youth Committee began researching Autism certification programs provided by our institutions of higher learning in Delaware. The Professional Standards Board (PSB) now requires teachers to be certified if they are educating students with Autism. Currently, the University of Delaware and Wilmington University offer a certification program. Wilmington University courses for this program were approved for autism and severe disabilities. The changes to Title 14 in Delaware Code state that the professional development must be rigorous.



Children and Youth Committee Members Ron Russo (left) and Howard Shiber (right) flank Committee Vice-Chair Jane Donovan during a work session at the GACEC's 2012 Fall Planning Retreat.



Delaware Autism and Severe Disabilities Certification Programs Available at our Delaware Institutions of Higher Learning	
University of Delaware	Wilmington University
Program Requirements	
<ul style="list-style-type: none"> <li>▪ EDUC 624: Introduction to Autism and Severe Disabilities</li> <li>▪ EDUC 625: Methods and Curriculum for Individuals with Autism and Severe Disabilities</li> <li>▪ EDUC 626: Functional Communication for Individuals with Autism and Severe Disabilities</li> <li>▪ EDUC 681: Techniques for Behavior Change</li> </ul> <p><b>Required Elective (3 credits)</b></p> <p>Students must elect one of the following 3-credit courses.</p> <ul style="list-style-type: none"> <li>▪ EDUC 646: Assistive Technology for Secondary Schools and Work</li> <li>▪ EDUC 652: Introduction to Technology in Special Education and Rehabilitation</li> <li>▪ EDUC 654: Augmentative and Alternative Communication</li> <li>▪ EDUC 655: Assistive Technology</li> <li>▪ EDUC 673: Transitions from Secondary Special Education</li> <li>▪ EDUC 684: Vocational Training and Assessment of Students with Severe Disabilities</li> </ul>	<p>See Article: <a href="http://magazine.wilmu.edu/2011-fall-winter/colleges/education/delaware-autism-and-severe-disabilities-certification/">http://magazine.wilmu.edu/2011-fall-winter/colleges/education/delaware-autism-and-severe-disabilities-certification/</a></p> <p>Courses Necessary for Delaware Autism and Severe Disabilities Certification:</p> <ul style="list-style-type: none"> <li>▪ MSE 7402 Applied Behavior Analysis (Required in MSE Program)</li> <li>▪ MSE 7404 Assistive Technology (Elective in MSE Program)</li> <li>▪ MSE 7501 Introduction to Autism (Elective in MSE Program)</li> <li>▪ MSE 7506 Functional Communication (Elective in MSE Program)</li> <li>▪ MSE 8101 Severe Disabilities (Elective in MSE Program)</li> </ul>

The Children and Youth Committee began researching what programs are currently offered to educators. Our committee will also continue to make sure these programs are meeting the needs of the children of Delaware. Wilmington University and the University of Delaware currently offer graduate-level courses for Autism and Severe Disabilities Certification. The programs are designed to satisfy academic requirements for this certification. However, the committee will look at these programs in conjunction with the state requirements to ensure the professional development required by our educators and individuals who work with students is rigorous and satisfies professional development requirements. We want to ensure all of our educators, paraprofessionals, related service workers, and all individuals working with students with disabilities have the appropriate professional development available to them for successful and positive outcomes for all students both academically and behaviorally.



**In Conclusion:**

Next year The Children and Youth Committee will continue to provide leadership through advice and advocacy. Our committee will continue working on our current annual goals, adding additional goals at our Annual GACEC Retreat in the Fall of 2013. Our committee will also review the reports mentioned below. In collaboration with the Council, we will continue to advise the State Board of Education, Delaware Department of Education and other state agencies on the unmet needs of exceptional citizens. As Chair of the Committee, I would like to thank all of our members on the Children and Youth Committee for their outstanding advocacy and the endless hours they volunteer to ensure the unmet needs of our exceptional citizens, our school-aged children, are being met.

- ✓ *Charter School Report*
- ✓ *Interagency Collaborative Team Report*
- ✓ *Interagency Resource Management Committee (IRMC)*
- ✓ *SPARC Special Education Mediation Program End of the Year Report*
- ✓ *Career-Technical Education Special Education Participation Report*
- ✓ *Educational Program Enrollments by Age and Ethnic Categories*
- ✓ *September 30th Student Enrollment & Unit Allotment Report*
- ✓ *DDOE LEA Annual Report on Progress Toward Targets in the SPP for Students with Disabilities (APR)*
- ✓ *State Professional Development Grant (SPDG)*



GACEC Children and Youth Committee Chairperson Karen Eller catches up with Lt. Governor Matt Denn at the GACEC 2012 Fall Planning Retreat.



**2013 Title 14 changes to what a teacher must have to get the autism certification. 1573 Teacher of Students with Autism or Students with Severe Intellectual Disabilities** 1.1 This regulation shall apply to the issuance of a Standard Certificate, pursuant to 14 Del.C. § 1220(a), for a Teacher of Students with Autism or Students with Severe Intellectual Disabilities. Eighteen (18) months from the effective date of this regulation, this certification shall be required for all educators within the Delaware public school system whose primary assignment is teaching children with autism or children with severe intellectual disabilities and for educators teaching in an Approved Program. 1.2 Except as otherwise provided, the requirements set forth in 14 DE Admin. Code 1505 Standard Certificate, including any subsequent amendment or revision thereto, are incorporated herein by reference. 16 DE Reg. 767 (01/01/13)

## **2.0 Definitions**

2.1 The definitions set forth in 14 DE Admin. Code 1505 Standard Certificate, including any subsequent amendment or revision thereto, are incorporated herein by reference.

2.2 The following words and terms, when used in this regulation, shall have the following meaning unless the context clearly indicates otherwise:

"Approved Program" means a program encompassing or within a public school designated by the Department and the State Board as a component of the Delaware Autism Program.

"Autism" shall have the same meaning as provided in 14 DE Admin Code 922, §3.0 and 14 DE Admin Code 925, §6.6.

"Intellectual Disability" shall have the same meaning as provided in 14 DE Admin Code 922, §3.0 and 14 DE Admin Code 925, §6.12.

"Severe Intellectual Disability" shall have the same meaning as provided in 14 DE Admin Code 922, §3.0 and 14 DE Admin Code 925, §6.12.

16 DE Reg. 767 (01/01/13)

## **3.0 Standard Certificate**

3.1 In accordance with 14 Del.C. § 1220(a), the Department shall issue a Standard Certificate as a Teacher of Students with Autism or Students with Severe Intellectual Disabilities to an educator who has met the following:

3.1.1 Holds a valid Delaware Initial, Continuing, or Advanced License; or a Standard or Professional Status Certificate issued by the Department prior to August 31, 2003; and,

3.1.2 Has met the requirements as set forth in 14 DE Admin. Code 1505 Standard Certificate, including any subsequent amendment or revision thereto; and,

3.1.3 Has satisfied the additional requirements in this regulation.

16 DE Reg. 767 (01/01/13)

## **4.0 Additional Requirements**

4.1 An educator shall also have satisfied at least one (1) of the following additional education requirements:

4.1.1 Graduating with a bachelor's or a master's degree, with a major in special education and with a concentration in autism and severe intellectual disabilities, from an NCATE specialty organization recognized educator preparation program or from a state approved educator preparation program, offered by a regionally accredited college or university. The state approval body shall employ the appropriate NASDTEC or NCATE specialty organization standard; or

4.1.2 Graduating with a bachelor's or master's degree from a regionally accredited college or university with a major in special education; and

4.1.2.1 Completion of a minimum of fifteen (15) credits from a regionally accredited college or university or their equivalent in professional development as approved by the Department, with a focus in autism and severe intellectual disabilities in the following content areas:

4.1.2.1.1 Introduction to Autism and Severe Intellectual Disabilities (three credits);

4.1.2.1.2 Methods of Instruction in Academic Standards and Functional Skills (three credits);

4.1.2.1.3 Functional Communication Training (three credits);

4.1.2.1.4 Applied Behavior Analysis for Educators (three credits); and

4.1.2.1.5 Competency-Based Practicum in Behaviorally Based Teaching Techniques (three credits)

16 DE Reg. 767 (01/01/13) **5.0 Past Certification Recognized** 5.1 The Department shall recognize a Standard Teacher of the Autistic Child or Professional Status Certificate issued by the Department between January 1, 1982 and August 31, 2005, if otherwise valid. A teacher holding a Standard Teacher of the Autistic Child or a Professional Status Certificate issued between January 1, 1982 and August 31, 2005 shall be considered certified to teach classes for children with autism or severe intellectual disabilities. 5.2 The Department shall recognize a Standard Certificate Teacher of Students with Autism or Severe Disabilities issued by the Department between September 1, 2005 and the effective date of this regulation. A teacher holding a Standard Certificate Teacher of Students with Autism or Severe Disabilities issued between October 1, 2005 and the effective date of this regulation shall be considered certified to teach classes for children with autism or severe intellectual disabilities. 550 (10/1/05)



## GACEC Policy and Law (P&L) Committee 2012-2013



This year the Policy and Law Committee reviewed 20 pieces of proposed legislation and 50 proposed regulations, along with several policy change drafts. Please see the attached appendices for a full listing of the responses and outcomes of regulations and legislation commented on by the GACEC after careful review by the Policy and Law Committee and full Council (Pages 40-71). Many key pieces of legislation are listed below.

**SB 100-** This bill is a product of research and deliberations of an interagency committee formed by the GACEC to identify best practices and develop standards for Delaware public schools. The bill was based on national reports documenting the misuse of seclusion and restraint within public schools. Many states are adopting remedial statutory standards. In 2012, the U.S. Department of Education issued authoritative guidance encouraging states to adopt written standards deterring the use of seclusion and restraint in public schools. In addition to the work of the interagency collaboration, the GACEC wrote a letter of support for this important piece of legislation. The Council will be working with the Delaware Department of Education on the regulations in the next year, which will go into effect on June 26, 2014. **This bill was signed by Governor Markell on June 26, 2013.**



Governor Jack Markell signs SB 100 into law on June 26, 2013.

**HB 23** - This bill requires that all public meetings of the boards of education of traditional public school districts, vo-tech school districts and public meetings of charter schools' boards of directors be digitally recorded and made available to the public on the districts' and charter schools' websites within seven business days. The recordings will not be considered the official board minutes. GACEC recommended an amendment



which also requires that a written transcript of all digitally recorded meetings be provided upon request by a person with hearing loss. An amendment consistent with the recommendation was placed with the bill.

**HB 10** – Council wrote a letter endorsing this proposed legislation. This Act is the second leg of a Constitutional Amendment which eliminates the existing five-year waiting period before eligible felons who have fully discharged their sentences may have their voting rights restored. **This bill was enacted without signature by the Governor on May 28, 2013.**

**HB 9** – Council wrote a letter endorsing the proposed legislation in January 2013 and again in February 2013. This bill clarifies the law on immunity regarding the process to detain or not detain a person for an involuntary mental health evaluation. Medical negligence claims are rising after mental health assessments and the resulting clinical decision to detain, and claims unrelated to mental health, are not intended to be included in the immunity protection. This resulted from the work of the HJR17 Study Group and is a consensus recommendation from the diverse stakeholders. GACEC had previous concerns which were addressed by HB 9. **This bill was signed by the Governor on March 28, 2013.**

**HB 24** – Council endorsed this bill which implements recommendations from the Truancy Task Force by changing provisions of the Delaware Code regarding compulsory attendance and when a truancy case must be brought to the Truancy Court. Specifically, school attendance requirements shall apply to enrolled students through grade 12 and the school shall refer a case for prosecution after the earlier intervention by the Court as well as providing a mechanism to address the needs of truant students past grade 5. **Governor Markell signed this bill on May 28, 2013.**

**HB 42** - Council wrote a letter to the legislators sharing our concerns and observations. This bill, with an amendment, adds adult aunts, uncles and close personal friends to the list of relatives who may act as a surrogate to make health care decisions for an adult patient if the patient lacks capacity and there is no agent or guardian, no prior designated surrogate, the prior designated surrogate is unavailable, or the health-care directive does not address the specific issue. GACEC recommended that more comprehensive legislation be prepared to create a uniform standard given conflict with overlapping statutes. **This bill was signed by Governor Markell on May 28, 2013.**

**S.B. No. 27-** Council wrote a letter sharing observations. This bill would authorize the Department of Education, pending available funding to offer competitive two year start up grants to assist in the development of new programs for students performing accelerated academic work. **This bill was signed by the Governor on June 30, 2013.**



**SS1 to SB 35** - This bill imposes dollar limits on the health plan practice of prescription drug cost-sharing known as specialty tiers, in order to protect patients from unaffordable co-insurance or co-payment amounts. Patients' co-insurance or co-payment fees for specialty tier drugs will be limited to \$150 per month for up to a 30-day supply of any single specialty tier drug. Patients will also be able to request an exception to obtain a specialty drug that would not otherwise be available on a health plan formulary. This bill was passed by House on June 26, 2013, and is awaiting the Governor's signature.

Many of the GACEC comments were taken into consideration and changes were made to proposed bills and regulations.



Self and parent advocates, agency representatives, friends, family and even interested passers-by joined a thank you dance in front of Legislative Hall in June, 2013. The "Flash Mob" members held signs aloft thanking the legislators for the many pieces of legislation which passed this session and will positively impact the lives of persons with disabilities in the State of Delaware.



## **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 (ages birth through 26).



## GACEC MEMBERSHIP LIST 2012-2013

Marie-Anne Aghazadian Nina Bunting Jean Butler Dafne Carnright Carma Carpenter Al Cavalier Nancy Cordrey Janet Cornwell Cathy Cowin Helene Diskau A. Jane Donovan Bill Doolittle Annalisa Ekbladh Karen Eller Lisa Gonzon Bernhard Greenfield Terri A. Hancharick Brian J. Hartman, Esq. Dave Hosier Julie Johnson Danna Levy	Christopher McIntyre Carrie Melchisky Janet Milnamow Beth Mineo Janella Newman William P. O'Neill Robert Overmiller Jennifer Pulcinella Barbara Riley Blake Roberts JoAnn Rogers Dennis Rubino Ronald Russo John Ryan Howard Shiber Lavina Smith Marshall Stevenson Ray Verlinghier Mila Wells Vanessa Withers-Little
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Thank you GACEC members!





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.

- **Alliance for Full Participation Committee**
- **American Counseling Association**
- **ARC of Delaware**
- **Association for Supervision & Curriculum Development**
- **Autism Delaware (AD, formerly known as ASD)**
- **Autism Work Group**
- **Camden-Wyoming Challenger Little League**
- **Children & Adults w/Attention Deficit Disorder (CHADD)**
- **Collaborative Efforts to Reinforce Transition Success (CERTS)**
- **Coordinating Council for Children with Disabilities (CCCD)**
- **Correctional Education Association**
- **CPAC- Child Protection Accountability Commission**
- **DDC Data Analysis Ad-Hoc Committee**
- **DE & Natl. Council for Exceptional Children (CEC)**
- **DE Coalition for Americans w/Disabilities Act**
- **Delaware Association of School Administrators**
- **Delaware Counseling Association**
- **Delaware Education Support System (DESS) Advisory Council**
- **Delaware Families for Hands and Voices**
- **Delaware Family Support Coordinating Council**
- **Department of Education, Special Education Group**
- **Dept. of Labor Vocational Rehabilitation Advisory Committee**
- **Developmental Disabilities Council (DDC)**
- **DOE IEP Work Group**
- **DOE Teacher Retention and Recruitment Committee**
- **DOE Transition Council**
- **Dover Air Force Base Exceptional Families Resources Program**
- **Down Syndrome Association**
- **Employment First Initiative Oversight Commission**
- **Family SHADE**
- **Governor's Commission on Building Access to Community-Based Services (GCBACS)**
- **Governor's Commission on Employment of People w/Disabilities**
- **Healthy Delawareans with Disabilities**
- **Hearing Loss Association of DE**
- **Interagency Coordinating Council (ICC) for Part C of IDEA**



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.

- **Kent Inter-Agency Council**
- **LIFE Conference Design Team**
- **National and DE Chapter of Hands and Voices**
- **Natl. Assoc. 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)**
- **SCPD Brain Injury Committee (BIC)**
- **SCPD Policy and Law Committee**
- **SCPD Traumatic Brain Injury (TBI) Committee**
- **Speech/Language Pathologist Task Force**
- **State Transition Task Force for Emerging Adults with Disabilities and Special Health Care Needs and associated Work and Discussion Groups (see bullets, below)**
  - **Education Work Group**
  - **Employment Work Group**
  - **Health Work Group**
  - **Housing/Transportation Work Group**
  - **Transition IEP Discussion Group**
- **Sussex Inter-Agency Council**
- **Universal Design Coalition**
- **University of Delaware Center for Disabilities Studies (CDS) Community Advisory Council (CAC)**
- **Workforce Investment Act Advisory Board**



### **Thank you to our 2012-2013 Presenters and Speakers**

**Sarah Celestin** of the Delaware Department of Education (DOE), re: disproportionality, Annual Performance Report (APR) monitoring and general supervision, and DOE initiatives and assessments.

**Kevin Charles** of the Delaware Department of Education (DOE) Delaware Interscholastic Athletic Association (DIAA) re: inclusion of Students with disabilities in sports at the district level.

**Lisa Crim** of the Division of Management Services at the Department of Health and Social Services (DHSS), re: birth to three initiatives, and the DOE APR as it relates to Part C.

**Harriet Dichter** of the Office of Early Learning to the Infant and Early Childhood Committee re: the Delaware STARS Program and the Early Childhood Race to the Top Grant.

**Bonnie Hitch** of the Delaware Transit Corporation presenting to the Adult/Transition Services Committee re: various DART programs, including the shuttle program.

**Katie Howe** of the Division of Developmental Disability Services (DDDS) presenting to the Adult Transition Services Committee re: Early Start to Supported Employment (ESSE) Initiative.

**Evelyn Keating** of the Office of Early Learning, presenting to the Infant and Early Childhood Committee re: Delaware STARS Program and the Early Childhood Race to the Top Grant.

**Jennifer Kline** of the Delaware Department of Education (DOE) re: DOE Annual Performance Report (APR) monitoring and general supervision.

**Dale Matusevich** of the Delaware Department of Education (DOE) Transition Services re: DOE Indicators 13 & 14 (Transition Compliance).

**Barbara Mazza** of the Delaware Department of Education (DOE) re: DOE initiatives and assessments.

**Sandra Miller** of the Department of Labor (DOL) Division of Vocational Rehabilitation (DVR) to the Adult Transition Services Committee re: Early Start to Supported Employment (ESSE) Initiative.

**Ann Phillips**, Executive Director of Delaware Family Voices (DFV), presenting to the Infant/Early Childhood Committee re: the development of the DFV Parent to Parent Network.

**Barbara Riley** of the Department of Labor (DOL) Division of Vocational Rehabilitation (DVR), presenting to the Adult Transition Services Committee re: Early Start to Supported Employment initiative.



### **Thank you to our 2012-2013 Presenters and Speakers**

**Mary Sonnenberg** of the University of Delaware Institute for Excellence in Early Childhood and the Delaware Stars Program, presenting to the Infant/Early Childhood Committee re: the three components of the Delaware Stars Program with a focus of the discussion on inclusion

**Lauren Skiver** of the Delaware Transit Corporation, re: the possibility of accessible taxi service in Delaware.

**Meredith Sullivan**, Licensed Speech Pathologist and President of the Delaware Board of Speech Pathologists, Audiologists and Hearing Aid Dispensers, re: Speech Language Pathologist Assistants (SLPA)

**Verna Thompson** of the Delaware Department of Education (DOE), re: the DOE's Annual Performance Report (APR) for Part C.

**Brian Touchette** of the Delaware Department of Education (DOE), re: assessments and accountability.

**Maureen Whelan** of the Delaware Department of Education (DOE), re: the Adult and Prison Education Program update.

### **Thank you to the following members of the public for addressing Council during our five-minute Public Comment Period**

**Phillip Adams and Wayne Thompson** re: the newly-developed website icantgetin.com, promoting accessibility for all through an interactive, user-generated rating system.

**Sherlynn Aurelio**, Delaware Readiness Teams Project Manager re: school readiness and community involvement.

**Oradelle 'Dee' Sewell**, Parent Community Center Coordinator at Dover High School re: Parent Community Center Services.

**Della Thomas**, Executive Director of Delaware Statewide Programs for the Deaf, Hard of Hearing and Deaf-Blind, re: the 2012 DSD Annual Report.



**GACEC STAFF**

*Wendy S. Strauss*

Executive Director

*Kathie P. Cherry*

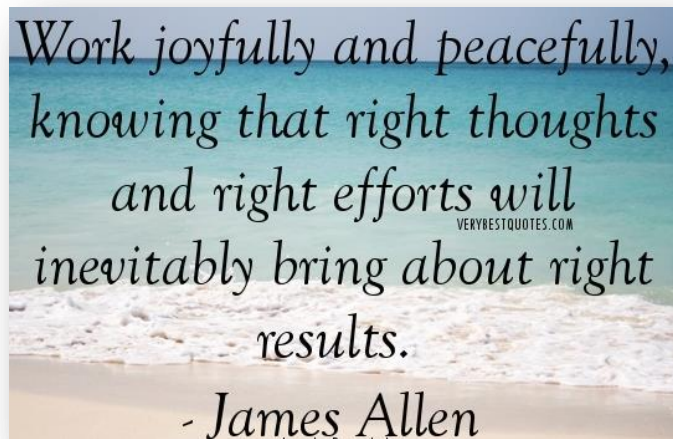
Office Manager

*Kristin E. Cosden*

Administrative Coordinator

*Sybil White*

GACEC Kids on the Block Program / Disability Education and Awareness Program Coordinator







# Appendix I:

## Governor's Advisory Council for Exceptional Citizens (GACEC)

Legislative Commentary  
Activity- Fiscal Year 2013



**Governor's Advisory Council for Exceptional Citizens (GACEC)**  
**Legislative Commentary Activity- Fiscal Year 2013**

Bill Number	Summary & Council Action	Letter Sent	Current Status
<b>H.B. No. 23</b>  <b>(Digital Record of School Board Meetings)</b>	<p><b>Synopsis:</b> H.B. No. 23 is generally patterned on the original version of H.B. 26. It would require boards of education of districts and charter schools to digitally record all of their public meetings and make the recordings available on their websites within seven business days.</p> <p><b>Council Action:</b> Council wrote a letter to the 147<sup>th</sup> Delaware General Assembly <b>sharing observations and recommendations.</b></p>	<b>February 27, 2013</b>	<p><b>Jun 11, 2013 - Amendment HA 2 - Introduced and Placed With Bill</b></p> <p>Jun 04, 2013 - Assigned to Appropriations Committee in House</p> <p>Mar 27, 2013 - Amendment HA 1 - Introduced and Placed With Bill</p>
<b>H.B. No. 10</b>  <b>(Felon Voting Restriction)</b>	<p><b>Synopsis:</b> As background, the legislation is the second leg of a Constitutional Amendment which eliminates the existing 5-year waiting period before eligible felons who have fully discharged their sentences may have their voting rights restored. The SCPD endorsed the predecessor legislation (H.B. No. 9) which passed the House and Senate in 2012</p> <p><b>Council Action:</b> Council sent a letter to the 147<sup>th</sup> Delaware General Assembly <b>endorsing the proposed legislation.</b></p>	<b>February 27, 2013</b>	<p><b>May 28, 2013 – Enacted without signature by the Governor</b></p> <p>Apr 16, 2013 - Passed by Senate.</p> <p>Mar 15, 2013 - Assigned to Executive Committee in Senate</p> <p>Mar 12, 2013 - Passed by House of Representatives.</p>



Bill Number	Summary & Council Action	Letter Sent	Current Status
<b>H.B. No. 20</b>  <b>(Absentee Voting)</b>	<p><b>Synopsis:</b> This is the first leg of a constitutional amendment that would eliminate from the Delaware Constitution the requirements as to when a person may vote by absentee ballot. This amendment to the Delaware Constitution provides that the General Assembly shall enact general laws providing the circumstances, rules and procedures for absentee voting.</p> <p><b>Council Action:</b> Council wrote a letter to the 147<sup>th</sup> Delaware General Assembly <b>endorsing the proposed legislation.</b></p>	<b>February 27, 2013</b>	<p><b>Apr 16, 2013 - Defeated by House of Representatives.</b>  Mar 13, 2013 - Reported Out of Committee (HOUSE ADMINISTRATION) in House with 3 On Its Merits</p>
<b>H.B. No. 9</b>  <b>(Immunity in Commitment Process)</b>	<p><b>Synopsis:</b> This legislation represents the work of the HJR 17 Study Group created to review Delaware's civil mental health laws. This bill clarifies the law on immunity as regards the process to detain or not detain a person for an involuntary mental health evaluation. Medical negligence claims arising after the mental health assessment and resulting clinical decision to detain and claims unrelated to mental health are not intended to be included in the immunity protection.</p> <p><b>Council Action:</b> Council wrote a letter to the 147<sup>th</sup> Delaware General Assembly <b>endorsing the proposed legislation in January, and again in February reiterating the earlier endorsement.</b></p>	<b>January 16, 2013</b>	<p><b>Mar 28, 2013 - Signed by Governor</b>  Mar 19, 2013 - Passed by Senate.  Mar 13, 2013 - Reported Out of Committee (HEALTH &amp; SOCIAL SERVICES) in Senate with 7 On Its Merits  Jan 22, 2013 - Assigned to Health &amp; Social Services Committee in Senate  Jan 17, 2013 - Passed by House of Representatives.  Jan 16, 2013 - Reported Out of Committee (HEALTH &amp; HUMAN DEVELOPMENT) in House with 12 Favorable</p>



Bill Number	Summary & Council Action	Letter Sent	Current Status
<b>H.B. No. 24</b>  <b>(School Attendance)</b>	<p><b>Synopsis:</b> This Bill implements recommendations from the Truancy Task Force by changing provisions of the Delaware Code regarding compulsory attendance and when a truancy case must be brought to the Truancy Court. Specifically, school attendance requirements shall apply to enrolled students through grade 12 and the school shall refer a case for prosecution after the 20th day of unexcused absence by a student. The amendments will provide for earlier intervention by the Court as well as providing a mechanism to address the needs of truant students past grade 5.</p> <p><b>Council Action:</b> Council wrote a letter to the 147<sup>th</sup> Delaware General Assembly <b>sharing observations and recommendations.</b></p>	<b>February 27, 2013</b>	<p><b>May 28, 2013 - Signed by Governor</b>  Apr 16, 2013 - Passed by Senate. Mar 15, 2013 - Assigned to Education Committee in Senate  Mar 14, 2013 - Passed by House of Representatives. Jan 24, 2013 - Introduced and Assigned to Education Committee in House</p>
<b>S.B. No. 13 with S.A. 2</b>  <b>(Long Term Care Ombudsman)</b>	<p><b>Synopsis:</b> In January 2011, the Office of the Long Term Care Ombudsman transferred from the Division of Services for Aging and Adults with Physical Disabilities (DSAAPD) to the Delaware Health and Social Services Office of the Secretary. These amendments reflect the change by substituting Delaware Health and Social Services for DSAAPD as the agency designating the ombudsman to witness advance health care directives executed by residents of long term care facilities.</p> <p><b>Council Action:</b> Council wrote a letter to the Honorable Sens. Hall-Long, Ennis, Henry, Sokola, and Venables and Reps. Barbieri, Carson, Heffernan, Hudson, Jaques, Q. Johnson &amp; Keeley <b>sharing observations and recommendations.</b></p>	<b>April 25, 2013</b>	<p><b>May 15, 2013 - SS 1 for SB 13 - Reported Out of Committee (Health and Human Development) in House with 10 On Its Merits</b>  Apr 23, 2013 - SS 1 for SB 13 - Passed by Senate.  Apr 23, 2013 - Substituted in Senate by SS 1 for SB 13  Mar 27, 2013 - Amendment SA 2 - Introduced and Placed With the Bill in Senate  Mar 27, 2013 - Reported Out of Committee (HEALTH &amp; SOCIAL SERVICES) in Senate with 5 On Its Merits  Mar 14, 2013 - Amendment SA 1 - Introduced and Placed With the Bill in Senate  Mar 12, 2013 - Assigned to Health &amp; Social Services Committee in Senate</p>



Bill Number	Summary & Council Action	Letter Sent	Current Status
<b>H.B. No. 42</b> <b>(Surrogate for Health Care Decisions)</b>	<p><b>Synopsis:</b> This bill adds adult aunts and uncles to the list of relatives who may act as a surrogate to make health care decisions for an adult patient if the patient lacks capacity and there is no agent or guardian, no prior designated surrogate, the prior designated surrogate is unavailable, or the health-care directive does not address the specific issue.</p> <p><b>Council Action:</b> Council wrote a letter to the 147<sup>th</sup> Delaware General Assembly <b>sharing observations and recommendations.</b></p>	<b>April 25, 2013</b>	<p><b>May 28, 2013 - Signed by Governor</b>  May 15, 2013 - Passed by Senate.  Apr 30, 2013 - Passed by House of Representatives. Apr 30, 2013 - Amendment HA 2 - Passed in House by Voice Vote  Apr 30, 2013 - Amendment HA 1 - Stricken  Apr 24, 2013 - Amendment HA 2 - Introduced and Placed With Bill  Apr 18, 2013 - Amendment HA 1 - Introduced and Placed With Bill  Mar 13, 2013 - Introduced and Assigned to Health &amp; Human Development Committee in House</p>
<b>H.B. No. 18</b> <b>(Election: Board of Canvass)</b>	<p><b>Synopsis:</b> This bill brings the designation of judges who act as the boards of canvass into compliance with § 6 of Article V of the Delaware State Constitution.</p> <p><b>Council Action:</b> Council wrote a letter to the 147<sup>th</sup> Delaware General Assembly <b>endorsing the proposed legislation.</b></p>	<b>April 25, 2013</b>	<p><b>May 28, 2013 - Signed by Governor</b>  May 09, 2013 - Passed by Senate.  Mar 20, 2013 - Assigned to Administrative Services/Elections Committee in Senate  Mar 19, 2013 - Passed by House of Representatives. Jan 16, 2013 - Introduced and Assigned to House Administration Committee in House</p>
<b>S.B. No. 20</b> <b>(Department of Correction Education Program)</b>	<p><b>Synopsis:</b> This bill was introduced on March 20, 2013. As of April 8, it remained in the Senate Adult &amp; Juvenile Corrections Committee. The Councils issued a critique of that legislation in May, 2012. Some of the same concerns identified in connections with the prior bill also apply to S.B. No. 20</p> <p><b>Council Action:</b> Council wrote a letter to the 147<sup>th</sup> Delaware General Assembly <b>sharing observations about the proposed legislation.</b></p>	<b>April 25, 2013</b>	<p><b>Jun 30, 2013 - Introduced and Assigned to Education Committee in House</b>  Jun 27, 2013 - Passed by Senate  Jun 27, 2013 - Amendment SA 1 - Passed by Senate. Jun 27, 2013 - Amendment SA 1 - Introduced in Senate  Mar 20, 2013 - Assigned to Adult &amp; Juvenile Corrections Committee in Senate</p>



Bill Number	Summary & Council Action	Letter Sent	Current Status
<b>S.B. No. 27</b>  <b>(Gifted and Talented Start-Up Grants)</b>	<p><b>Synopsis:</b> This Act would authorize the Department of Education, pending available funds, to offer competitive two year start-up grants to public schools for the purpose of developing new programs for students capable of performing accelerated academic work.</p> <p><b>Council Action:</b> Council wrote a letter to the 147<sup>th</sup> Delaware General Assembly <b>sharing observations about the proposed legislation.</b></p>	<b>April 25, 2013</b>	<p><b>Jun 30, 2013 - Signed by Governor</b>  Jun 27, 2013 - Passed by Senate.  Jun 27, 2013 - Passed by House of Representatives.  Jun 27, 2013 - Amendment HA 3 - Defeated by House of Representatives.  Jun 27, 2013 - Amendment HA 3 defeated  Jun 27, 2013 - Amendment HA 3 - Introduced in House  Jun 27, 2013 - Amendment HA 2 - Passed in House by Voice Vote  Jun 27, 2013 - Amendment HA 1 - Stricken  Jun 05, 2013 - Amendment HA 2 - Introduced and Placed With Bill  May 15, 2013 - Amendment HA 1 - Introduced and Placed With Bill  Apr 17, 2013 - Introduced and Assigned to Education Committee in House  Apr 16, 2013 - Passed by Senate.  Apr 16, 2013 - Amendment SA 1 - Passed by Senate. Apr 16, 2013 - Amendment SA 1 - Introduced in Senate  Mar 22, 2013 - Assigned to Education Committee in Senate</p>
<b>H.S. 1 for H.B. 46</b>  <b>(Gifted and Talented Start-Up Grants)</b>	<p><b>Synopsis:</b> This Act would authorize the Department of Education, pending available funds, to offer competitive two year start-up grants to public schools for the purpose of developing new gifted and talented programs</p> <p><b>Council Action:</b> Council wrote a letter to the 147<sup>th</sup> Delaware General Assembly <b>endorsing the substitute bill subject to one amendment.</b></p>	<b>April 25, 2013</b>	<p><b>Mar 20, 2013 - HS 1 for HB 46 – Assigned to Education</b>  Mar 20, 2013 - Substituted by HS 1 for HB 46  Mar 14, 2013 - Introduced and Assigned to Education Committee in House</p>



Bill Number	Summary & Council Action	Letter Sent	Current Status
<b>S.B. No. 100</b>  <b>(Seclusion and Restraint in Public Schools)</b>	<p><b>Synopsis:</b> Based on national reports documenting misuse of seclusion and restraint within public schools, many states are adopting remedial statutory or regulatory standards. In 2012, the U.S. Department of Education issued authoritative guidance encouraging states to adopt written standards deterring use of seclusion and restraint in public schools. This bill is the product of research and deliberations of an interagency committee formed by the Governor's Advisory Council for Exceptional Citizens (GACEC) to identify best practices and develop standards for Delaware public school</p> <p><b>Council Action:</b> Council wrote a letter to the 147<sup>th</sup> Delaware General Assembly <b>asking for support of the proposed legislation, offering factual data in support of the legislation and endorsing the proposed legislation as written.</b></p>	<b>June 11, 2013</b>	<p><b>Jun 26, 2013 - Signed by Governor</b>  Jun 19, 2013 - Passed by House of Representatives. Jun 04, 2013 - Introduced in House and assigned to Health &amp; Human Development Committee  Jun 11, 2013 - Passed by Senate  Jun 05, 2013 - Reported Out of Committee (EDUCATION) in Senate with 3 Favorable, 2 On Its Merits  Jun 04, 2013 - Assigned to Education Committee in Senate</p>
<b>H.B. No. 125</b>  <b>(Reinstatement of Parental Rights)</b>	<p><b>Synopsis:</b> This bill allows for the reinstatement of parental rights where a child remains in the custody of the Department of Services for Children, Youth, and Their Families, despite reasonable efforts to secure a permanent plan of adoption. Where it is in the best interests of the child, this bill allows for the legal relationship between the child and his or her biological family to be reinstated.</p> <p><b>Council Action:</b> Council wrote a letter to the 147<sup>th</sup> Delaware General Assembly <b>endorsing the proposed legislation and sharing additional comments.</b></p>	<b>June 11, 2013</b>	<p><b>Jun 30, 2013 - Passed by Senate</b>  Jun 26, 2013 - Passed by House of Representatives. Jun 26, 2013 - Amendment HA 1 - Passed in House by Voice Vote  Jun 25, 2013 - Amendment HA 1 - Introduced and Placed With Bill  May 08, 2013 - Introduced and Assigned to Health &amp; Human Development Committee in House</p>



Bill Number	Summary & Council Action	Letter Sent	Current Status
<b>H.B. No. 163</b>  <b>(Transitional Foster Care Supports)</b>	<p><b>Synopsis:</b> This bill requires the Department of Services for Children, Youth and Their Families to create and maintain a developmentally appropriate, comprehensive program that fully integrates independent living services from ages 14 to 21 and which will assist youth with their successful transition into adulthood. This bill reflects the work of youth and professionals on House Joint Resolution 18 from the 146th General Assembly</p> <p><b>Council Action:</b> Council wrote a letter to the 147<sup>th</sup> Delaware General Assembly <b>strongly endorsing the proposed legislation.</b></p>	<b>June 11, 2013</b>	<p><b>Jun 27, 2013 - Passed by Senate</b>  Jun 25, 2013 - Assigned to Children; Youth &amp; Families Committee in Senate  Jun 20, 2013 - Passed by House of Representatives  May 30, 2013 - Introduced and Assigned to Health &amp; Human Development Committee in House</p>
<b>H.B. No. 164</b>  <b>(Mental Health Parity)</b>	<p><b>Synopsis:</b> Section 1 of this bill requires compliance with the federal mental health parity laws. Section 2 of this bill requires health insurers issuing large group policies to provide a minimum of 30 consecutive days of inpatient care for serious mental illnesses and drug and alcohol dependencies in order to increase the likelihood of long-term success. Carriers only provide for a limited amount of consecutive days in an inpatient facility (many times, five consecutive days) before requiring an insured to seek outpatient therapy. Oftentimes, five days is not a sufficient amount of time to diagnosis and treat a serious mental illness or to detoxify from an alcohol or drug addiction.</p> <p><b>Council Action:</b> Council wrote a letter to the 147<sup>th</sup> Delaware General Assembly <b>strongly endorsing the proposed legislation.</b></p>	<b>June 11, 2013</b>	<p><b>Jun 18, 2013 - Amendment HA 1 - Introduced and Placed With Bill</b>  May 30, 2013 - Introduced and Assigned to Economic Development/Banking/Insurance /Commerce Committee in House</p>

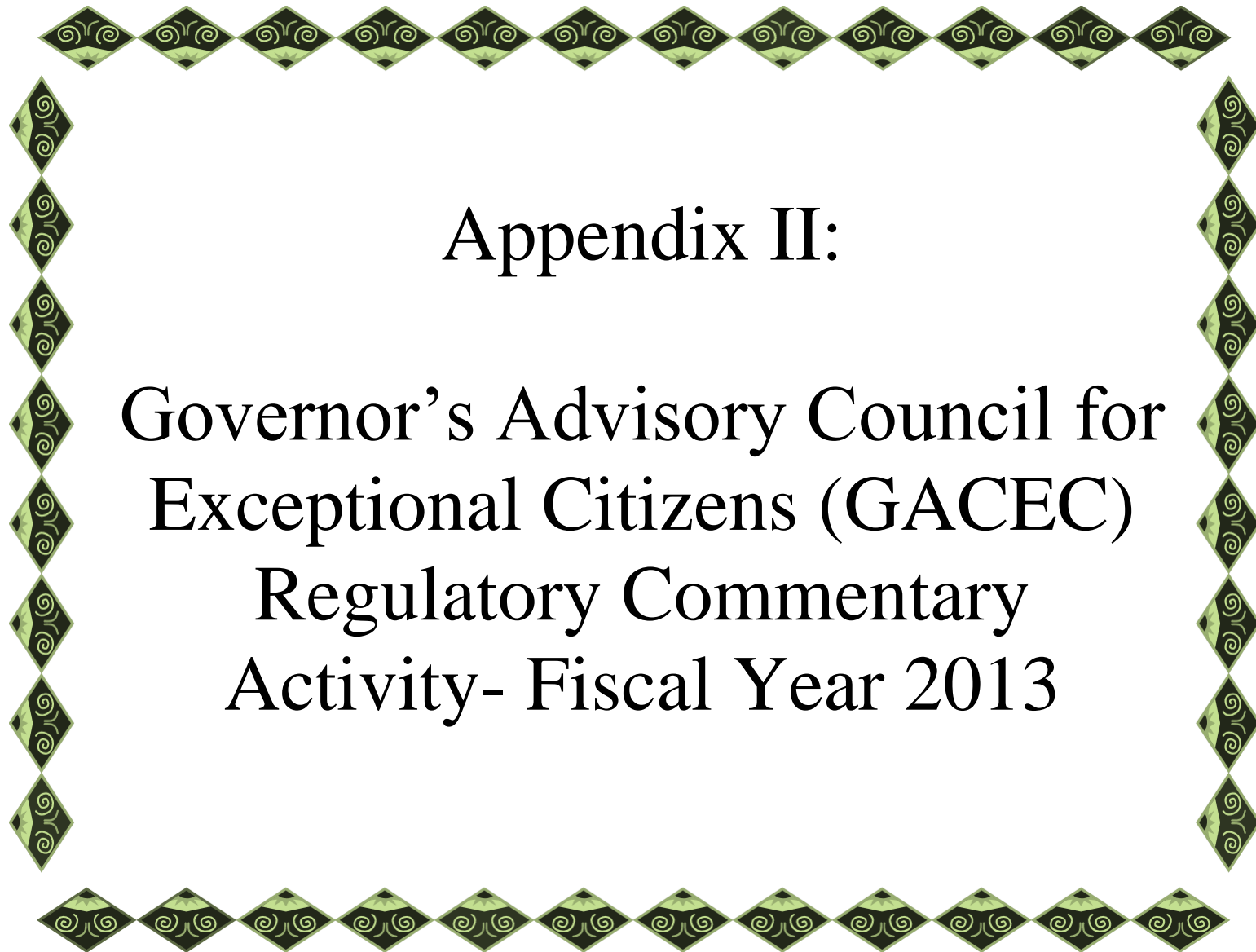


Bill Number	Summary & Council Action	Letter Sent	Current Status
<b>H.B. No. 155</b>  <b>(Distracted Driving: Wearable Computer with Head mounted Display)</b>	<p><b>Synopsis:</b> This bill prohibits the use of a wearable computer with a head-mounted display while driving.</p> <p><b>Council Action:</b> Council wrote a letter to the 147th Delaware General Assembly <b>sharing observations and concerns.</b></p>	<b>June 11, 2013</b>	<p><b>Jun 12, 2013 - Reported Out of Committee (Public Safety and Homeland Security) in House with 2 Favorable, 7 On Its Merits</b></p> <p>May 30, 2013 - Introduced and Assigned to Public Safety &amp; Homeland Security Committee in House</p>
<b>S.B. No. 99</b>  <b>(Dependent Children)</b>	<p><b>Synopsis:</b> This Bill re-organizes Section 351 to be more reader friendly as to the requirements and exceptions for DSCYF to evaluate homes where children are placed with non-relatives. It also changes the current statute which required DSCYF consent before a child could be placed with a non-relative. This bill would now make the DSCYF position on the placement merely an assessment for consideration by the Family Court. Section (d) makes it clear that the Family Court has the final authority to determine whether or not the placement is appropriate. Finally, this bill modifies the definition of "dependency or dependent child" in §901(8) and §1009(3) in accordance with the proposed changes to Section 351.</p> <p><b>Council Action:</b> Council wrote a letter to the 147<sup>th</sup> Delaware General Assembly <b>sharing observations regarding the proposed legislation.</b></p>	<b>June 11, 2013</b>	<p><b>May 30, 2013 - Assigned to Children; Youth &amp; Families Committee in Senate</b></p>



Bill Number	Summary & Council Action	Letter Sent	Current Status
<b>SCR No. 20 (Election Law Task Force)</b>	<p><b>Synopsis:</b> This concurrent resolution establishes an Election Law Task Force to comprehensively review Title 15 and make recommendations on how to improve this Title.</p> <p><b>Council Action:</b> Council wrote a letter to the 147<sup>th</sup> Delaware General Assembly <b>endorsing the proposed resolution.</b></p>	<b>June 11, 2013</b>	<p><b>Jun 18, 2013 - Passed in House by Voice Vote</b>  May 15, 2013 - Introduced in House  May 15, 2013 - Passed by Senate.  May 15, 2013 - Introduced in Senate</p>
<b>HCR 31</b>	<p><b>Synopsis:</b> This Resolution creates a State Task Force for Centralizing Internet Resource for Children with Disabilities and Special Health Care Needs from Diagnosis through Age 13. The Task Force shall study the needs children with disabilities and special health care needs from diagnosis through age 13 and recommend resources for a single master website for use by families and other interested parties.</p> <p><b>Council Action:</b> <b>Worked closely with the legislature to ensure the passage of the resolution.</b></p>	<b>June 20, 2013</b>	<p><b>June 25, 2013 – Passed by the Senate</b>  June 20, 2013 – Passed by the House</p>
<b>HCR 33</b>	<p><b>Synopsis:</b> 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.</p> <p><b>Council Action:</b> <b>Worked closely with the legislature to ensure the passage of the resolution.</b></p>	<b>June 27, 2013</b>	<b>Jun 27, 2013 - Passed in House by Voice Vote</b>





## Appendix II:

# Governor's Advisory Council for Exceptional Citizens (GACEC) Regulatory Commentary Activity- Fiscal Year 2013



**Governor's Advisory Council for Exceptional Citizens (GACEC)  
Regulatory Comments Activity- Fiscal Year 2013**

Regulation	Summary/Action	Letter Sent or Action Taken	Response/Update
<p><b>16 DE Reg. 20</b></p> <p><b>DOE Proposed Health Exams and Screening Reg.</b></p>	<p><b>Synopsis:</b> The DOE adopted a final regulation which incorporated a suggested change. <u>See</u> 15 DE Reg. 432 (October 1, 2011) (proposed); 15 DE Reg. 838 (December 1, 2011) (final). The DOE is now delaying mandatory implementation of the regulation by one (1) school year, i.e., the regulation would be effective with the 2013-2014 school year rather than the 2012-2013 school year. The regulation would "strongly recommend" a second health exam but not "require" it for the 2012-2013 school year. At p. 21.</p> <p><b>Council Action:</b> Council wrote a letter to Susan Haberstroh, Regulation Review at DOE, stating that Council would have preferred full implementation with the 2012-2013 school year, but understands DOE's rationale.</p>	<p><b>July 19, 2012</b></p>	<p>No response received.</p>



Regulation	Summary/Action	Letter Sent or Action Taken	Response/Update
<p><b>16 DE Reg. 6 and 30</b></p> <p><b>DSS Proposed Expedited Fair Hearing Reg.</b></p>	<p><b>Synopsis:</b> The Division of Medicaid &amp; Medical Assistance (DMMA) published both an emergency and proposed regulation amending its fair hearing process to specifically address expedited fair hearings available to Medicaid and Delaware Healthy Children Program (DHCP) participants. DHSS noted the omission during the CMS review of the DSHP Plus review process.</p> <p><b>Council Action:</b> Council wrote a letter to Sharon L. Summers in the Planning, Policy and Development Unit at DMMA <b>sharing concerns and proposed revisions.</b></p>	<p><b>July 19, 2012</b></p>	<p><b>September 20, 2012-</b> Council received a letter from Sharon Summers thanking Council for their comments and noting that <b>two of Council's suggested changes were affected to this regulation as a result of their letter.</b></p>
<p><b>16 DE Reg. 44</b></p> <p><b>DMMA Proposed Medicaid Telemedicine Reg.</b></p>	<p><b>Synopsis:</b> The Division of Medicaid and Medical Assistance proposed to adopt a regulation allowing use of a telemedicine delivery system for providers enrolled under the Delaware Medicaid program.</p> <p><b>Council Action:</b> Council wrote a letter to Sharon L. Summers in the Planning, Policy and Development Unit at DMMA <b>sharing observations.</b></p>	<p><b>July 19, 2012</b></p>	<p><b>August 20, 2012-</b> Council received a letter from Sharon Summers at DMMA stating that Council's comments had been considered, and that <b>Council's suggested changes had been made in the regulation.</b></p>



Regulation	Summary/Action	Letter Sent or Action Taken	Response/Update
<b>16 DE Reg. 1405</b>  <b>DLTCRP Proposed LTC Discharge and Impartial Hearing Reg.</b>	<p><b>Synopsis:</b> The Division of Long Term Care Residents Protection (DLTCRP) issued an earlier version of this regulation in April, 2012. <u>See</u> 14 DE Reg. 1405 (April 1, 2012). The GACEC and SCPD submitted an extensive critique of that initiative which identified many concerns. The Division has now issued a completely revised proposed regulation. Unfortunately, the Division's proposed standards remain problematic.</p> <p><b>Council Action:</b> Council wrote a letter to DLTCRP Director Susan Del Pesco <b>sharing a number of concerns</b> with the proposed regulation.</p>	<b>July 27, 2012</b>	No response received.
<b>16 DE Reg. 42</b>  <b>DMMA Proposed LTC Ombudsman Program Reg.</b>	<p><b>Synopsis:</b> The Division of Medicaid &amp; Medical Assistance proposed to adopt an amendment to the Medicaid State Plan.</p> <p><b>Council Action:</b> Council wrote a letter to Sharon L. Summers in the Planning, Policy and Development Unit at DMMA <b>sharing observations</b>.</p>	<b>July 27, 2012</b>	<b>August 20, 2012-</b> Council received a letter from Sharon L. Summers thanking Council for their comments, but <b>noting that no changes were made to this proposed regulation.</b>
<b>16 DE Reg. 38</b>  <b>DMMA Proposed Nursing Facility Quality Assessment Reg.</b>	<p><b>Synopsis:</b> The Division of Medicaid and Medical Assistance proposed to adopt a Medicaid State Plan amendment to implement S.B. No. 227 which was signed by the Governor on June 28, 2012.</p> <p><b>Council Action:</b> Council wrote a letter to Sharon L. Summers in the Planning, Policy and Development Unit at DMMA <b>sharing one technical observation</b>.</p>	<b>July 27, 2012</b>	<b>August 20, 2012-</b> Council received a letter from Sharon L. Summers thanking Council for their comments, but <b>noting that no changes were made to this proposed regulation.</b>



Regulation	Summary/Action	Letter Sent or Action Taken	Response/Update
<b>16 DE Reg. 160</b>  <b>DOE Proposed Supported Instruction (Homebound) Reg.</b>	<p><b>Synopsis:</b> The Department of Education is proposing some discrete amendments to its supportive instruction (homebound) regulation.</p> <p><b>Council Action:</b> Council wrote a letter to Susan Haberstroh, Education Associate in Regulation and Review for DOE, <b>sharing observations</b>.</p>	<b>August 15, 2012</b>	No response received.
<b>16 DE Reg. 157</b>  <b>DOE Proposed Immunization Reg.</b>	<p><b>Synopsis:</b> In 2008, the Legislature enacted H.B. No. 297 which approved Delaware's participation in the Interstate Compact on Education for Children of Military Families. DOE proposed to amend its immunization regulations in order to align with the interstate compact.</p> <p><b>Council Action:</b> Council wrote a letter to Susan Haberstroh, Education Associate in Regulation and Review at DOE <b>endorsing</b> the proposed regulation.</p>	<b>August 15, 2012</b>	No response received.



Regulation	Summary/Action	Letter Sent or Action Taken	Response/Update
<p><b>16 DE Reg. 166</b></p> <p><b>DMMA Proposed Estate Recovery and Civil Unions Reg.</b></p>	<p><b>Synopsis:</b> In May, 2011, the Governor signed H.B. No. 30 which authorized civil unions between same-sex partners. In June of 2011, CMS issued guidance to states entitled "Same Sex Partners and Medicaid Liens, Transfers of Assets, and Estate Recovery". Based on the CMS guidance, the Division of Medicaid &amp; Medical Assistance proposed regulations primarily incorporating references to "civil union partners" in the context of estate recovery and liens.</p> <p><b>Council Action:</b> Council wrote a letter to Sharon Summers at DMMA <b>endorsing</b> the regulation.</p>	<p><b>August 15, 2012</b></p>	<p>No response received.</p>
<p><b>16 DE Reg. 270</b></p> <p><b>DeIDOT External Equal Employment Opportunity Complaint Reg.</b></p>	<p><b>Synopsis:</b> DeIDOT proposed to amend its external equal employment opportunity complaint procedures.</p> <p><b>Council Action:</b> Council wrote a letter to Marti Dobson, Director of Technology and Support Services for DeIDOT <b>sharing observations</b>.</p>	<p><b>September 25, 2012</b></p>	<p>No response received.</p>



Regulation	Summary/Action	Letter Sent or Action Taken	Response/Update
<p><b>16 DE Reg. 351</b></p> <p><b>DOE Proposed Cyber bullying Reg.</b></p> <p>(Note: final is <b>16 DE Reg. 955</b>)</p>	<p><b>Synopsis:</b> On July 27, 2012, the Governor signed S.B. No. 193 which required the Department of Education to promulgate a uniform cyber bullying policy based on a model developed by the Department of Justice. Students with disabilities are disproportionately victims of bullying. Some students with disabilities may be more subject to discipline for cyber bullying based on the lack of deliberative functioning.</p> <p><b>Council Action:</b> Council wrote a letter to Education Associate Susan Haberstroh, Regulation Review at DOE, <b>sharing observations</b> on the proposed regulation.</p>	<b>October 17, 2012</b>	No response received.
<p><b>16 DE Reg. 371</b></p> <p><b>DLTCRP Proposed Nurse Assistant/Certified Nursing Assistant Training Reg.</b></p>	<p><b>Synopsis:</b> The DLTCRP proposed to adopt some discrete amendments to its regulation covering training and qualifications of nursing assistants and certified nursing assistants.</p> <p><b>Council Action:</b> Council wrote a letter to Deborah Gottschalk, Chief Policy Advisor to the Secretary of Health and Social Services <b>sharing observations</b>.</p>	<b>October 31, 2012</b>	No response received.
<p><b>16 DE Reg. 376</b></p> <p><b>DLTCRP Proposed Rest (Residential) Home Reg.</b></p>	<p><b>Synopsis:</b> The Division of Long Term Care Residents (DLTCRP) Protection proposed to adopt wholesale revision of its rest (residential) home standards.</p> <p><b>Council Action:</b> Council wrote a letter to Deborah Gottschalk, Chief Policy Advisor to the Secretary of Health and Social Services <b>sharing observations</b> and recommendations.</p>	<b>October 31, 2012</b>	No response received.



Regulation	Summary/Action	Letter Sent or Action Taken	Response/Update
<p><b>16 DE Reg. 377</b></p> <p><b>DMMA Proposed Medicaid Long Term Care Home Equity Cap Reg.</b></p>	<p><b>Synopsis:</b> The Division of Medicaid &amp; Medical Assistance (DMMA) proposed to amend its financial eligibility standards for qualification for long-term care Medicaid. Federal law established a presumptive cap on Medicaid LTC eligibility of \$500,000 subject to annual increases based on the Consumer Price Index (CPI). DMMA updated its standards to reflect the increases in the cap, i.e. to \$525,000 effective January 1, 2012.</p> <p><b>Council Action:</b> Council wrote a letter to Sharon L. Summers of the Policy, Program and Development Unit at DMMA <b>sharing one concern</b> with the proposed regulation.</p>	<p><b>October 31, 2012</b></p>	<p>No response received.</p>
<p><b>16 DE Reg. 379</b></p> <p><b>DSS Proposed TANF/Transitional Work Program Reg.</b></p>	<p><b>Synopsis:</b> The Division of Social Services (DSS) proposed to revise its standards covering sanctions for non-compliance with the Temporary Aid for Needy Families (TANF) or Transitional Work Program (TWP). The current regulation imposed restrictions on access to child care services for individuals working to cure a second or subsequent sanction. The Division proposed to repeal the specific restrictions which DSS acknowledges “have not been implemented operationally”. At 380.</p> <p><b>Council Action:</b> Council wrote a letter to Sharon L. Summers of the Policy, Program and Development Unit at DMMA <b>endorsing</b> the proposed regulation.</p>	<p><b>October 31, 2012</b></p>	<p>No response received.</p>



Regulation	Summary/Action	Letter Sent or Action Taken	Response/Update
<b>16 DE Reg. 378</b>  <b>DSS Proposed General Assistance Time Limit Reg.</b>	<p><b>Synopsis:</b> DHSS proposed to repeal an earlier proposal regarding the elimination of the General Assistance (GA) program. The program, which pays qualified individuals \$95 per month and provides automatic Medicaid coverage [16 DE Admin Code 16120], covers many unemployable adults with disabilities who do not qualify for other programs (e.g. SSI).</p> <p><b>Council Action:</b> Council wrote a letter to Sharon L. Summers of the Policy, Program and Development Unit at DMMA <b>strongly endorsing</b> the proposed regulation.</p>	<b>October 31, 2012</b>	No response received.
<b>16 DE Reg. 419</b>  <b>DMMA Final Expedited Fair Hearing Reg.</b>	<p><b>Synopsis:</b> The GACEC and SCPD commented on the proposed version of this regulation in July, 2012. The Division of Medicaid &amp; Medical Assistance has now adopted a final regulation incorporating amendments prompted by the commentary.</p> <p><b>Council Action:</b> Council wrote a letter to Sharon L. Summers of the Policy, Program and Development Unit at DMMA <b>thanking the DMMA for incorporating their suggested revisions to the final regulation.</b></p>	<b>October 31, 2012</b>	No response received.



Regulation	Summary/Action	Letter Sent or Action Taken	Response/Update
<p><b>16 DE Reg. 488</b></p> <p><b>Proposed Early Childhood Teacher Reg.</b></p>	<p><b>Synopsis:</b> The Professional Standards Board and DOE proposed to adopt one change to the “Exceptional Children Special Education Teacher” regulation, 14 DE Admin. Code 1571.</p> <p>The current regulation (§1.1) recited that the “Special Education Teacher” certification is required to teach grades K-12. The amendment clarifies the existence of an exception, i.e., an individual with an “Early Childhood Exceptional Children Special Education” certification (14 DE Admin Code 1570) may qualify as a special education teacher in grades K-2. An educator with the “Exceptional Children Special Education Teacher” certification can teach in grades K-12 so there is “overlap” with the “Early Childhood Exceptional Children Special Education” certification which covers grades K-2.</p> <p><b>Council Action:</b> Council wrote a letter to Education Associate Susan Haberstroh, Regulation Review at DOE, <b>endorsing</b> the proposed regulation.</p>	<p><b>November 14, 2012</b></p>	<p>No response received.</p>
<p><b>16 DE Reg. 489</b></p> <p><b>DOE Proposed Teacher of Students with Autism/Severe Disabilities Reg.</b></p> <p>(Note: final is 16 DE Reg. 767)</p>	<p><b>Synopsis:</b> The Professional Standards Board (PSB) and DOE proposed to adopt a wholly revised certification regulation entitled “Teacher of Students with Autism or Severe Disabilities” codified at 14 DE Admin Code 1573.</p> <p><b>Council Action:</b> Council wrote a letter <b>sharing recommendations</b> to the Professional Standards Board, DOE, the State Board of Education and Autism Delaware.</p>	<p><b>November 14, 2012</b></p>	<p><b>December 21, 2012</b></p> <p>Response received from the PSB indicating that <b>amendments were made based on Council’s suggestions and thanking Council for their comments.</b></p>



Regulation	Summary/Action	Letter Sent or Action Taken	Response/Update
<p><b>16 DE Reg. 506</b></p> <p><b>DOE Proposed Special Education Director Certification Reg.</b></p>	<p><b>Synopsis:</b> The Professional Standards Board (PSB) and Department of Education (DOE) proposed to revise the qualifications for the Special Education Director certification.</p> <p><b>Council Action:</b> Council wrote a letter to Education Associate Susan Haberstroh, Regulation Review at DOE, <b>issuing confirmation</b> that the Councils reviewed the regulation and have no comments apart from <b>recommending that future proposed regulations include more specifics on the rationale for changes.</b></p>	<p><b>November 14, 2012</b></p>	<p><b>March 22, 2013</b> Response received from the PSB indicating that Council's <b>concern is noted for future actions.</b></p>
<p><b>16 DE Reg. 517</b></p> <p><b>DMMA Proposed Reimbursement Methodology for Intermediate Care Facilities for Individuals with Mental Retardation [sic] (ICF/MR) Facilities Reg.</b></p>	<p><b>Synopsis:</b> The Division of Medicaid and Medical Assistance (DMMA) submitted a State Plan Amendment (SPA) to the Centers for Medicare and Medicaid Services (CMS) to eliminate the rate freeze for Intermediate Care Facilities for Individuals with Mental Retardation (sic) (ICF/MR) facilities that had been in effect since 2009.</p> <p><b>Council Action:</b> Council wrote a letter to Sharon Summers, Social Service Administrator, DMMA <b>sharing observations and recommendations.</b></p>	<p><b>November 14, 2012</b></p>	<p><b>December 17, 2012</b> Response received from Sharon Summers <b>thanking Council</b> for its endorsement.</p>
<p><b>16 DE Reg. 582</b></p> <p><b>DOE Proposed Teacher of Students Who Are Deaf or Hard of Hearing Certification Reg.</b></p>	<p><b>Synopsis:</b> The Professional Standards Board (PSB) previously shared the pre-publication draft of this proposed regulation with the GACEC.</p> <p><b>Council Action:</b> Council wrote a letter to Charles Michels, Executive Director of the PSB, <b>identifying concerns</b> that the regulation had no "grandfather" provision and required educators to complete the required credits within only 18 months. Also, a requirement of only three (3) credit hours in American Sign Language (ASL) seemed too low to achieve proficiency.</p>	<p><b>December 20, 2012</b></p>	<p><b>March 08, 2013-</b> Response received from the PSB responding to each of Council's four concerns. PSB noted that <b>changes were made to grammatical edits in section 5.0. as addressed in Council's letter.</b></p>



Regulation	Summary/Action	Letter Sent or Action Taken	Response/Update
<p><b>16 DE Reg. 587</b></p> <p><b>DOE Proposed Teacher of Students with Visual Impairments Cert. Reg.</b></p> <p>(Note: final reg. is <b>16 DE Reg.856</b>)</p>	<p><b>Synopsis:</b> The Professional Standards Board (PSB) proposed to revise its certification standards for teacher of students with visual impairments. In general, the template for the regulation matched that of recent regulations proposed by the PSB and DOE.</p> <p><b>Council Action:</b> Council wrote a letter to Charles Michels, Executive Director of the PSB, <b>sharing Council's observations.</b></p>	<p><b>December 20, 2012</b></p>	<p><b>March 11, 2013 -</b> Response received from the PSB <b>responding to each of Council's three concerns.</b></p>
<p><b>16 DE Reg. 595</b></p> <p><b>DLTCRP Proposed Assisted Living Facility Emergency Prep. Reg</b></p> <p>(Note- final is <b>16 DE Reg. 965</b> )</p>	<p><b>Synopsis:</b> The Division of Long Term Care Residents Protection (DLTCRP) proposed revisions to its assisted living regulation to address emergency preparedness</p> <p><b>Council Action:</b> Council wrote a letter to Thomas Murray, Deputy Director of the DLTCRP, <b>endorsing the proposed regulation subject to two amendments to verbiage.</b></p>	<p><b>December 28, 2012</b></p>	<p>No response received.</p>
<p><b>16 DE Reg. 593</b></p> <p><b>DLTCRP Proposed Nursing Facility Emergency Preparedness Regulation</b></p>	<p><b>Synopsis:</b> The Division of Long Term Care Residents Protection proposed revisions to its assisted living regulation o address emergency preparedness</p> <p><b>Council Action:</b> Council wrote a letter to Thomas Murray, Deputy Director, DLTCRP, <b>endorsing the proposed regulation subject to three amendments to verbiage.</b></p>	<p><b>December 28, 2012</b></p>	<p>No response received.</p>



Regulation	Summary/Action	Letter Sent or Action Taken	Response/Update
<b>16 DE Reg. 597</b>  <b>DMMA Proposed Psychiatric Hospital Reimbursement Regulation</b>	<p><b>Synopsis:</b> The Division of Medicaid &amp; Medical Assistance proposed to revise the Medicaid State Plan to describe reimbursement methodologies for inpatient psychiatric hospital services and outpatient hospital services.</p> <p><b>Council Action:</b> Council wrote a letter to Sharon L. Summers <b>endorsing the proposed regulation subject to one minor grammatical edit.</b></p>	<b>December 28, 2012</b>	No response received.
<b>16 DE Reg. 600</b>  <b>DPH Proposed School-Based Health Centers Regulation</b>  (Note: final is <b>16 DE Reg. 982</b> )	<p><b>Synopsis:</b> The Division of Public Health (DPH) proposed to adopt a regulation establishing standards for school-based health centers.</p> <p><b>Council Action:</b> Council wrote a letter to Deborah Harvey, DPH, <b>sharing Council's observations.</b></p>	<b>December 28, 2012</b>	No response received.
<b>16 DE Reg. 611</b>  <b>DSAMH Proposed Mental Health (MH) Screener and Voluntary Admission Payment Reg.</b>  (Note: final is <b>16 DE Reg. 992</b> )	<p><b>Synopsis:</b> The Division of Substance Abuse and Mental Health (DSAMH) proposed to adopt standards in two contexts: 1) credentialing of mental health screeners; and 2) provider payment for voluntarily admitted patients.</p> <p><b>Council Action:</b> Council wrote a letter to Susan C. Sargent, USDOJ Settlement Project Director, DSAMH, <b>sharing Council's observations.</b></p>	<b>December 28, 2012</b>	No response received.



Regulation	Summary/Action	Letter Sent or Action Taken	Response/Update
<p><b>16 DE Reg. 607</b></p> <p><b>DSS Proposed Food Supplement Program Identification Card Reg.</b></p>	<p><b>Synopsis:</b> The Division of Social Services (DSS) proposed to amend its Food Supplement Program regulation. As background, the regulation required DSS to “issue a serially numbered photo-ID card to each certified Food Stamp household”. With implementation of the Electronic Benefit Transfer (EBT) Card, DSS notes that it is no longer necessary for program participants to be issued a DSS identification card.</p> <p><b>Council Action:</b> Council wrote a letter to Sharon L. Summers of the Policy, Program and Development Unit at DSS <b>sharing Council’s reservations regarding removing the issuance of the ID card since this may be the only form of Identification some individuals may have.</b></p>	<p><b>December 28, 2012</b></p>	<p>No response received.</p>
<p><b>16 DE Reg. 609</b></p> <p><b>DSS Proposed Child Care Subsidy, Income Eligibility and Provider Reimbursement Reg.</b></p> <p>(Note: final is <b>16 DE Reg. 876</b>)</p>	<p><b>Synopsis:</b> The Division of Social Services (DSS) proposed to revise its regulation covering financial eligibility of families participating in the childcare subsidy program and provider reimbursement rates.</p> <p><b>Council Action:</b> Council wrote a letter to Sharon L. Summers of the Policy, Program and Development Unit at DSS <b>endorsing the proposed regulation subject to one observation regarding the posting of provider rate charts on the website.</b></p>	<p><b>December 28, 2012</b></p>	<p>No response received.</p>



Regulation	Summary/Action	Letter Sent or Action Taken	Response/Update
<p><b>16 DE Reg. 603</b></p> <p><b>DSS Proposed Child Care Subsidy Purchase of Care Plus Phase Out Reg.</b></p>	<p><b>Synopsis:</b> The Division of Social Services (DSS) proposed to initiate a phase out of its Purchase of Care (POC) Plus Program which would commence January 1, 2013.</p> <p><b>Council Action:</b> Council wrote a letter to Sharon L. Summers of the Policy, Program and Development Unit At DSS <b>sharing observations on its inability to fully endorse the proposed phase out of the program.</b></p>	<b>December 28, 2012</b>	No response received.
<p><b>16 DE Reg. 605</b></p> <p><b>DSS Proposed Interpreter and Translation Services Reg.</b></p>	<p><b>Synopsis:</b> The Division of Social Services (DSS) proposed to revise its regulations covering interpreter services for non- English speaking clients and clients with hearing loss. The rationale for the change was as follows: The language in DSSM §§1009 and 1010 is changed to People First and the titles are changed to more accurately reflect the activity performed.</p> <p><b>Council Action:</b> Council wrote a letter to Cynthia Manlove, Chief of Policy at DSS <b>sharing observations and suggestions.</b></p>	<b>December 28, 2012</b>	<b>January 17, 2013</b> Response received from DSS <b>indicating changes were made, including section title changes and policy amendments.</b>
<p><b>16 DE Reg. 691</b></p> <p><b>DOE Proposed Driver Education Reg.</b></p>	<p><b>Synopsis:</b> The DOE proposed to revise its driver education regulation to conform to the recently-passed H.B. No. 264, enacted April, 2012. The legislation was designed to provide flexibility for IDEA-classified students in enrollment in driver education courses.</p> <p><b>Council Action:</b> Council wrote a letter to Susan Haberstroh, Regulation Review at the DOE <b>sharing Council's concerns.</b></p>	<b>January 16, 2013</b>	No response received.



Regulation	Summary/Action	Letter Sent or Action Taken	Response/Update
<b>16 DE Reg. 694</b> <b>DOE Proposed Cyber bullying Reg.</b>	<p><b>Synopsis:</b> DOE published a proposed Cyber bullying regulation in implementation of enactment of S. B. No. 193 in 2012. Rather than adopt a final regulation, the DOE published a revised proposed regulation.</p> <p><b>Council Action:</b> Council wrote a letter to Susan Haberstroh, Regulation Review at the DOE, <b>sharing Council's comments and concerns.</b></p>	<b>January 16, 2013</b>	No response received.
<b>16 DE Reg. 696</b> <b>DOE Proposed Administration of Medications and Treatments Reg.</b>	<p><b>Synopsis:</b> The DOE proposed to adopt a revised regulation covering medication and treatments. The amendments included the addition of definitions, clarification of the process for the administration of medication and treatments, and also changes that reflect recent amendments to 24 Del. C. Section 192 (a) (7) relating to who may assist students with medication and when they may do so.</p> <p><b>Council Action:</b> Council wrote a letter to Susan Haberstroh, Regulation Review at the DOE, <b>sharing Council's observations.</b></p>	<b>January 16, 2013</b>	No response received.
<b>16 DE Reg. 710</b> <b>DLTCRP Proposed Long Term Care (LTC) Transfer, Discharge &amp; Readmission Reg.</b>	<p><b>Synopsis:</b> The Division of Long Term Care Residents Protection (DLTCRP) proposed to adopt some revisions to its standards covering transfers and discharges from long-term care facilities. Parenthetically, the Division shared a pre-publication draft with the Disabilities Law Program (DLP) resulting in some minor corrections in numbering and additions of §3.5.4.5.</p> <p><b>Council Action:</b> Council wrote a letter to Tom Murray, Deputy Director of the DLTCRP, <b>endorsing</b> the proposed regulation and <b>sharing Council's observations</b></p>	<b>January 30, 2013</b>	No response received.



Regulation	Summary/Action	Letter Sent or Action Taken	Response/Update
<p><b>16 DE Reg. 717</b></p> <p><b>DSS Proposed Child Care Subsidy Program: Food Benefit Volunteer Child Care Reg.</b></p> <p>(Note: final is <b>16 DE Reg. 990</b> )</p>	<p><b>Synopsis:</b> The Division of Social Services (DSS) proposed to adopt some discrete amendments to its Child Care Subsidy Program standards. As Background, eligible parents/caretakers participating in the Food Supplement Program can participate in activities promoting employment, i.e., Food Benefit Employment and Training.</p> <p><b>Council Action:</b> Council wrote a letter to Sharon L. Summers of the Policy, Program and Development Unit at DSS <b>sharing Council's observations</b></p>	<p><b>January 30, 2013</b></p>	<p><b>February 1, 2013</b> Response received from Barbara McCaffery advising that <b>DSS will propose that the policy be stricken and pertinent criteria added to another section based on Council's observations.</b></p>
<p><b>16 DE Reg. 825</b></p> <p><b>DMMA Proposed Long Term Care (LTC) Medicaid Resource Reg.</b></p>	<p><b>Synopsis:</b> The Division of Medicaid &amp; Medical Assistance (DMA) proposed to amend its Long Term Care (LTC) Medicaid resource regulations.</p> <p><b>Council Action:</b> Council wrote a letter to Sharon L. Summers of the Policy, Program and Development Unit at DSS <b>affirming its position</b> that no technical problems were identified with the regulation.</p>	<p><b>February 27, 2013</b></p>	<p><b>March 27, 2013</b> Response received from DMMA <b>thanking Council for its affirmation.</b></p>
<p><b>16 DE Reg. 827</b></p> <p><b>DPH Proposed Newborn Screening Reg.</b></p> <p>(Note: final is <b>16 DE Reg. 1182</b>)</p>	<p><b>Synopsis:</b> The Division of Public Health (DPH) proposed to adopt extensive revision to its regulation covering screening of newborn infants for metabolic, hematologic, endocrinologic and certain structural disorders.</p> <p><b>Council Action:</b> Council wrote a letter to Deborah Harvey, DPH, <b>sharing observations and recommendations</b> regarding grammatical and typographical inconsistencies.</p>	<p><b>February 27, 2013</b></p>	<p>No response received.</p>



Regulation	Summary/Action	Letter Sent or Action Taken	Response/Update
<p><b>16 DE Reg. 696</b>  <b>DOE Proposed Administration of Medications and Treatments Reg.</b></p> <p>(Note final is <b>16 DE Reg. 957</b>)</p>	<p><b>Synopsis:</b> DOE proposed the addition of definitions and clarification of the process for the administration of medications and treatments, and also changes to reflect recent amendments to 24 Del. C., Section 1921(a) (7) relating to who may assist a student with medications and when they may do so.</p> <p><b>Council Action:</b> Council wrote a letter to Susan Haberstroh, Regulation Review at the DOE, <b>sharing observations</b> on the proposed regulation.</p>	<p><b>January 16, 2013</b></p>	<p>No response received.</p>
<p><b>16 DE Reg. 921</b>  <b>DMMA Proposed Increased Medicaid Primary Care Service Payment Reg.</b></p> <p>(Note: final is <b>16 DE Reg. 1176</b>)</p>	<p><b>Synopsis:</b> The Division of Medicaid and Medical Assistance (DMMA) proposed to amend the Medicaid State Plan to conform to changes prompted by the federal Affordable Care Act.</p> <p><b>Council Action:</b> Council wrote a letter to Sharon L. Summers of the Policy, Program and Development Unit at DSS <b>endorsing the changes which are required to conform to federal law and Centers for Medicaid and Medicare Services (CMS) guidance.</b></p>	<p><b>March 27, 2013</b></p>	<p>No response received.</p>
<p><b>16 DE Reg. 927</b>  <b>DSS Proposed Case Administration Reg.</b></p> <p>(Note: final is <b>16 DE Reg. 1191</b>)</p>	<p><b>Synopsis:</b> The Division of Social Services (DSS) proposed to revise a variety of sections in its DSS Manual in the context of Case Administration. The 15-page set of changes covered many forms of public assistance and amends sections dealing with discrimination, access to records, and complaints.</p> <p><b>Council Action:</b> Council wrote a letter to Sharon L. Summers Policy of the Policy, Program and Development Unit at DSS <b>sharing observations.</b></p>	<p><b>March 27, 2013</b></p>	<p>No response received.</p>



Regulation	Summary/Action	Letter Sent or Action Taken	Response/Update
<p><b>16 DE Reg. 918</b></p> <p><b>DDDS Proposed Autism Services Providers Regulation</b></p> <p>(Note: final is <b>16 DE Reg. 1170</b>)</p>	<p><b>Synopsis:</b> Senate Bill No. 22, enacted in 2012, requires the Department of Health &amp; Social Services (DHSS) to promulgate regulations establishing standards for certifying qualified autism service providers.</p> <p><b>Council Action:</b> Council wrote a letter to Kai-Stefan Fountain, Division of Developmental Disabilities, Community Service, <b>sharing observations.</b></p>	<p><b>March 27, 2013</b></p>	<p>No response received.</p>
<p><b>16 DE Reg. 1043</b></p> <p><b>DSS Proposed Child Care Subsidy Program Definitions Regulations</b></p> <p>(Note: final is <b>16 DE Reg. 1276</b>)</p>	<p><b>Synopsis:</b> DSS proposed to amend a single definition in its Child Care Subsidy Program Regulation. The rationale for the change includes the desire to conform to Office of Child Care Licensing (OCCL) standards.</p> <p><b>Council Action:</b> Council wrote a letter to Sharon L. Summers Policy of the Policy, Program and Development Unit at DSS <b>sharing observations.</b></p>	<p><b>March 27, 2013</b></p>	<p>No response received.</p>



Regulation	Summary/Action	Letter Sent or Action Taken	Response/Update
<p><b>16 DE Reg. 1028</b></p> <p><b>DMMA Proposed Medicaid Prescription Drug Regulation</b></p> <p>(Note: final is <b>16 DE Reg. 1270</b>)</p>	<p><b>Synopsis:</b> The Division of Medicaid and Medical Assistance (DMMA) proposed to adopt some discrete amendments to its drug coverage standards.</p> <p><b>Council Action:</b> Council wrote a letter to Sharon L. Summers, of the Policy, Program and Development Unit at DSS <b>endorsing</b> the change in benzodiazepines and barbiturates coverage for dual eligible since required by federal law. Council also <b>requested clarification of the following: 1) the rationale for reduction of the limits on opioid analgesics by 70%: and 2) the availability of an “override” based on compelling circumstances.</b></p>	<p><b>March 27, 2013</b></p>	<p><b>May 21, 2013</b></p> <p>DMMA responded that while it is sensitive to the differentiation of need between patients regarding opioid administration and will continue to cover additional quantities with prior approval from the treating physician, <b>no change to the regulation was made as a result of Council’s comments.</b></p>
<p><b>16 DE Reg. 1159</b></p> <p><b>DFS Proposed Child/Health Care Setting Child Abuse Registry Reg.</b></p>	<p><b>Synopsis:</b> The Division of Family Services (DFS) Office of Child Care Licensing (OCCL) proposed to adopt revision to its standard covering criminal background checks for individuals involved in child care, health care, and education settings.</p> <p><b>Council Action:</b> Council wrote a letter to Elizabeth Timm of the Office of Childcare Licensing <b>sharing observations.</b></p>	<p><b>May 28, 2013</b></p>	<p>No response received.</p>



Regulation	Summary/Action	Letter Sent or Action Taken	Response/Update
<p><b>16 DE Reg. 1143</b></p> <p><b>DSS Proposed Food Supplement Program Time Limit Reg.</b></p>	<p><b>Synopsis:</b> The Division of Social Services (DSS) proposed to revise its Food Supplement Program standards in the context of time limits for “able-bodied” adults without dependents. The rationale was to: make the rules easier to understand and follow”, to add a federal citation, and to change the name of the section to more accurately reflect the content of the policy.</p> <p><b>Council Action:</b> Council wrote a letter to Sharon L. Summers at DSS <b>endorsing</b> the regulation <b>subject to consideration of minor revisions to section 4, as follows: “Good cause includes circumstances beyond the individual’s control, such as, but not limited to:...”</b></p>	<p><b>May 28, 2013</b></p>	<p>No response received.</p>
<p><b>16 DE Reg. 1148</b></p> <p><b>DSAMH Proposed Mental Health Screener Reg.</b></p>	<p><b>Synopsis:</b> The Division of Substance Abuse and Mental Health (DSAMH) proposed to adopt discrete revisions to its mental health commitment screening standards. The rationale is that effective July 1, only credentialed mental health screeners can authorize a mental health commitment-related detention. However, the current mental health screener training curriculum does not address children. Therefore, on an interim basis, DSAMH and the Division of Prevention and Behavioral health Services (DPBHS) would like to authorize psychiatrist and credentialed physicians (but not non-physician screeners) to authorize commitment-related detention of children.</p> <p><b>Council Action:</b> Council wrote a letter to Dara Schumaier of DSAMH copied to Susan A. Cycyk, M.Ed. of DPBHS and Deborah Gottschalk of DHSS <b>sharing Council’s observations.</b></p>	<p><b>May 28, 2013</b></p>	<p>No response received.</p>



Regulation	Summary/Action	Letter Sent or Action Taken	Response/Update
<p><b>16 DE Reg. 1130</b></p> <p><b>DLTCRP Proposed Long Term Care Transfer, Discharge and Readmission Reg.</b></p>	<p><b>Synopsis:</b> The Division of Long-term Care Residents Protections (DLTCRP) proposed to adopt a “complete revision” of its standards covering transfers and discharges from long-term care facilities.</p> <p><b>Council Action:</b> Council sent a letter to Mary Peterson, Director of the DLTCRP, <b>sharing Council’s observations.</b></p>	<p><b>May 28, 2013</b></p>	<p>No response received.</p>
<p><b>16 DE Reg. 1140</b></p> <p><b>DMMA Proposed Diamond State Health Plan Renewal Notice</b></p>	<p><b>Synopsis:</b> The Division of Medicaid and Medical Assistance (DMMA) issued a notice soliciting comments on it proposed renewal of the Diamond State Health Plan (DSHP) waiver. The notice included links to a 61-page document containing the proposed waiver application and several appendices. The DSHP is the Medicaid managed care program first adopted in 1996. The extension request indicated that comments and the DMMA responses will be shared with the Centers for Medicare and Medicaid Services.</p> <p><b>Council Action:</b> Council sent a letter to Sharon L. Summers of DSS, <b>sharing Council’s observations.</b></p>	<p><b>May 28, 2013</b></p>	<p>No response received.</p>



Regulation	Summary/Action	Letter Sent or Action Taken	Response/Update
<p><b>16 DE Reg. 1253</b></p> <p><b>DOE Proposed Administrator Appraisal Process Repeal Reg.</b></p>	<p><b>Synopsis:</b> DOE regulations include two (2) sets of appraisal standards covering administrators, Part 108 and Part 108A. Since the Part 108 standards have been superseded, proposed to repeal them in their entirety.</p> <p><b>Council Action:</b> Council wrote a letter to Susan Haberstroh, Regulation Review at the DOE, <b>endorsing</b> the proposed regulation.</p>	<p><b>June 19 , 2013</b></p>	<p>No response received.</p>
<p><b>16 DE Reg. 1234</b></p> <p><b>DOE Proposed Teacher Appraisal Process Repeal Reg.</b></p>	<p><b>Synopsis:</b> DOE regulations include two (2) sets of appraisal standards covering teachers, Part 106 and Part 106A. Since the <u>Part 106</u> standards have been superseded, the DOE proposed to repeal them in their entirety.</p> <p><b>Council Action:</b> Council wrote a letter to Susan Haberstroh, Regulation Review at the DOE, <b>endorsing</b> the proposed regulation.</p>	<p><b>June 19, 2013</b></p>	<p>No response received.</p>



Regulation	Summary/Action	Letter Sent or Action Taken	Response/Update
<p><b>16 DE Reg. 1235</b></p> <p><b>DOE Proposed Teacher Appraisal Process Revision Reg.</b></p>	<p><b>Synopsis:</b> The DOE proposed to revise its teacher appraisal standards effective with the 2013-14 school year.</p> <p><b>Council Action:</b> Council sent a letter <b>sharing concerns and recommendations</b> to Susan Haberstroh, Regulation Review at the DOE, Lt. Governor Matt Denn and members of the Delaware Legislature.</p>	<p><b>June 19, 2013</b></p>	<p>No response received.</p>
<p><b>16 DE Reg. 1244</b></p> <p><b>DOE Proposed Specialist Appraisal Process Repeal Reg.</b></p>	<p><b>Synopsis:</b> DOE regulations include two (2) sets of appraisal standards covering teachers, Part 107 and Part 107A. The latter (Part 107A) version took effect with the 2011-2012 school year.</p> <p><b>Council Action:</b> Council wrote a letter to Susan Haberstroh, Regulation Review at the DOE, <b>endorsing</b> the proposed regulation.</p>	<p><b>June 19, 2013</b></p>	<p>No response received.</p>
<p><b>16 DE Reg. 1245</b></p> <p><b>DOE Proposed Specialist Appraisal Process Revision Reg.</b></p>	<p><b>Synopsis:</b> The DOE proposed to revise its specialist appraisal standards effective with the 2013-14 school year.</p> <p><b>Council Action:</b> Council wrote a letter to Susan Haberstroh, Regulation Review at the DOE, endorsing the proposed regulation.</p>	<p><b>June 19, 2013</b></p>	<p>No response received.</p>



Regulation	Summary/Action	Letter Sent or Action Taken	Response/Update
<b>16 DE Reg. 1255</b>  <b>Department of Public Health (DPH) Proposed Communicable and Other Disease Conditions Reg.</b>	<p><b>Synopsis:</b> Legislation (H.B. No. 403) was enacted in 2012 to expand the role of DPH in disease control and reporting to specifically include long-term care facilities, freestanding surgical centers, dialysis centers, and psychiatric facilities. DPH issued revised regulations to address changes prompted by the legislation.</p> <p><b>Council Action:</b> Council sent a letter to Sharon L. Summers of DHSS, <b>sharing observations.</b></p>	<b>June 19, 2013</b>	No response received.
<b>16 DE Reg. 1257</b>  <b>Division of Family Services (DFS) Proposed Residential Child Care Facility &amp; Day Treatment Programs Reg.</b>	<p><b>Synopsis:</b> The Governor issued Executive Order No. 36 on January 4, 2012 establishing a schedule for agencies to solicit input from the public on regulations in effect for more than three years. The Division of Family Services (DFS) noted that it received few comments on its “Delacare” standards covering residential child care facilities and day treatment programs. DFS stated that they intend to initiate a comprehensive review of its standards in the Fall of 2013. In the meantime, DFS proposed to adopt a few “housekeeping” revisions to the existing 37-page set of standards which are summarized at 16 DE Reg. 1258.</p> <p><b>Council Action:</b> Council sent a letter to DFS <b>sharing observations.</b></p>	<b>June 19, 2013</b>	No response received.



