



Governor's Advisory Council For Exceptional Citizens (GACEC)

Annual Report-2010-2011

Submitted by Terri A. Hancharick, Chairperson
and Wendy S. Strauss, Executive Administrator

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MISSION STATEMENT

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

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

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

Statutory Responsibilities

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

1. Delaware Code: Title 14, Chapter 31, Sub. Sec. 3111
2. Federal Statute: Individuals with Disabilities Education Act (IDEA) and its amendments

The State Advisory Panel will:

- (1) "...advise(s) the state educational agency of unmet needs within the state in the education of children with disabilities;
- (2) comment(s) publicly on any rules or regulations proposed for issuance by the state regarding the education of children with disabilities and the procedures for distribution of funds under this part; and
- (3) assist(s) the state in developing and reporting such data and evaluations as may assist the Secretary under Section 618..."

Historical Background and Performance Measures

The GACEC initially served as the Individuals with Disabilities Education Act (IDEA) advisory panel, monitoring services and making recommendations on behalf of students to the Governor, General Assembly, Secretary of Education, and the State Board of Education. However, the State of Delaware increased the role of the Council in the State to include advising and advocating on the unmet service needs of all citizens with exceptionalities in Delaware from birth to death.

The Council provides no direct services to clients, so we track the number of advisory communications and recommendations through letters and personal contacts as one of our Performance Measures, along with the outcome of our correspondence. Council sent out over 2,400 letters to the Delaware General Assembly, Department of Education (DOE), Department of Health and Social Services (DHSS), and other agencies in the past year, and assisted these agencies with their understanding of the implications of regulator and legislative changes impacting the lives of persons with disabilities. Two years ago it was suggested that a summary be sent to legislators with our letters to make our comments and requests more clear and concise. We implemented that suggestion and hope that it has been helpful to the legislators. We have also begun to submit our letters via e-mail to cut costs. We feel that we are still in a transitional period and have yet to determine if this new procedure is working. We hope that our e-mailed messages will be opened and read just as if they were hard copy letters.

Another one of the Performance Measures shows that Council members and staff participate on over sixty councils, boards or committees, such as the Department of Education's Innovative Action Team,

Developmental Disabilities Council, State Council for Persons with Disabilities (SCPD), and the Delaware Coalition for Americans with Disabilities, to name a few. Involvement on the various committees or task forces and collaborations with other councils assists the GACEC in its ability to advise and advocate for systemic changes. Since its inception, Council realized that it cannot operate effectively in a silo. Council prides itself on its advocacy and ability to collaborate. This year, as in past years, Council has worked with individuals in the private sector to assist us with some projects. Also, Council is able to assist in the design of programs, community services and supports for persons with exceptionalities through participation with other groups.

Council educates the general public and disability community regarding disability issues and services related to children, youth and adults. Increased education on disability related issues will lead to improvements in inclusion, productivity and equality for persons with disabilities. People cannot care about what they do not know about or do not understand. Council advises on and provides recommendations for systemic change activities that allow individuals with disabilities and their families to have input into the design of and provision of needed community services. This may include individualized supports and other forms of assistance that promote self-determination, independence and productivity through culturally competent programs.

Our third Performance Measure tracks persons contacted via outreach and awareness activities. Council reached over 13,000 persons at conferences, workshops and electronically. The information that was provided included details about the GACEC and disability issues. The GACEC website continues to provide information on Council activities and other items of importance to the disability community.

During these times of economic hardship, the GACEC strives to continue our advocacy more than ever to enhance the lives of persons with disabilities. To assist with that effort, Council will continue to provide advice, monitor programs and comment on regulation and legislation to ensure that special education plans are being implemented successfully and the needs of children with exceptionalities in Delaware are being met. The GACEC will continue to provide recommendations to agencies that work with children transitioning into adult services to ensure that they are given the opportunity to become successful and productive members of society.



A Helping Hand
Can Change the World

Message from the Chair

I have enjoyed my first year as chair of the Governor's Advisory Council for Exceptional Citizens (GACEC). I am amazed at the dedication and passion from our members. I want to thank every one of you for the time and commitment that you have given to the issues that affect people with disabilities in the state of Delaware, especially in the educational setting. I would like to welcome new members and thank members who are no longer serving on the Council. We were sorry to say goodbye to Joanna Francis and Brandy Smith, and we also marked the unfortunate passing of Chris Laniyan. Council was happy to welcome JoAnn Rogers, Howard Shiber, Annalisa Ekbladh, Ray Verlinghieri, Marshall Stevenson and Carrie Melchisky to our ranks. Another big change the GACEC saw this past year was the retirement after many years of service of Martha Toomey, Director of Exceptional Children Resources at the Department of Education (DOE). Council would like to thank Martha for all of her many contributions to Council and children with special needs in the State of Delaware. We are happy to extend a welcome to Martha's successor, MaryAnn Mieczkowski.

We have had many successes this year. I am proud to say that the Governor signed House Bill 123 on August 17 at the Can Do Playground in Wilmington. House Bill 123 designates October as Disability History and Awareness Month in Delaware. This legislation was the brain child of our director Wendy Strauss. Because of Wendy's efforts, schools will now have a month to generate and promote lesson plans around disabilities. Wendy was able to secure a grant from the Developmental Disabilities Council (DDC) and is working with the "Kids on the Block" puppet program in schools and at community events to educate students regarding disability awareness.

House Concurrent Resolution 19, which officially recognized the month of October as Disability History and Awareness Month prior to HB 123 being enacted, was celebrated in style by the GACEC this past year. GACEC staff prepared resource manuals, newsletters, and spread the word about our Disability History and Awareness Month Poster Contest to schools statewide. The response was overwhelmingly positive. Entries for the GACEC's first Disability History and Awareness Month Poster Contest poured in, and competition was fierce. You can see some of the winning posters, which grace the front cover of this year's report. Three students from each age group were chosen as the top prize winners, and were given award certificates as well as cash awards provided by the Council for Exceptional Children (CEC). In addition, the winning students, their parents and teachers were honored at an awards luncheon held on November 8, 2010 at George V. Massey Station. Joining the students were many dignified guests, including Lieutenant Governor Matthew Denn, Secretary of Education Dr. Lillian Lowery, Senator Bethany Hall-Long and Representative Quinton S. Johnson.

Two other bills that were signed at the same time on August 17, promote dignity and inclusion for people with disabilities. HB 91 requires that we ensure that all new state laws, regulations and publications show respectful language for "people with disabilities." HB 214 requires us to look through the language in our current state code and do the same. The GACEC, along with the DDC and State Council for Persons with Disabilities (SCPD) were instrumental in ensuring the passage of these bills.

The GACEC has worked tirelessly this year on needs based funding. The Delaware Department of Education (DOE) is working on how this information will be reported at the time of the unit count. Once that is completed a bill will be drafted to make expense accounting for needs based funding mandatory by Delaware Code. The Auditor's Office will enforce compliance. We will continue to work with the DOE to assist with monitoring.

The Council also added an Ad-Hoc Committee this year, which is the GACEC Advisory Committee on Education of Individuals with Hearing Loss. The GACEC formed this new committee to address the needs of students who are deaf, hard of hearing and/or deaf blind. We worked closely with Della Thomas of Statewide Programs for the Deaf, Hard of Hearing and Deaf-Blind, her staff and stakeholders throughout Delaware to

work on a Statewide Plan and to address concerns in this area. The committee will be the advisory council for Statewide Programs for the Deaf, Hard of Hearing and Deaf Blind, and will address such topics as:

- Early Identification and Intervention
- Communication, Language and Literacy
- Collaborative Partnerships
- Accountability
- High Stakes Testing and Standards-Based Environments
- Placements and Programs
- Technology
- Professional Standards
- Personnel Preparation

The committee will be looking at research-based best practices and other materials to help its efforts. The Advisory Committee on the Education of Individuals with Hearing Loss reports to the GACEC, which in turn will report to the Governor. There are 16 individuals on the Advisory Committee on Education of Individuals with Hearing Loss.

I hope you will take the time to read through the rest of the Annual Report. All of the committees have worked very hard this year. We should all be very proud of the work we have done! I am looking forward to another year of hard work with a little fun and humor added.

Respectfully,

Terri A. Hancharick

Chairperson



Organizational Structure

The GACEC is an all-volunteer Council with a membership composition representing a broad cross-section of Delaware's statewide community. The GACEC holds regularly scheduled monthly meetings at the George V. Massey Station in Dover, unless otherwise noted. These meetings are open to the public with meeting notifications published in several newspapers and on the State of Delaware calendar of events. Officers are elected annually, with the elected chairperson responsible for providing the Council its primary leadership. The Chairperson also oversees the GACEC support staff. The Board of Directors consists of the Chairperson of the Council, Vice-Chairperson of the Council, Chairperson-Elect, Past Chairperson, Secretary/Treasurer and Committee Chairpersons. The Council developed and is guided by its By-Laws and a Code of Ethics to effectively discharge its diverse responsibilities. The GACEC is comprised of two administrative committees: Membership and Personnel. The GACEC also has four issues committees: Infant/Early Childhood, Children and Youth, Adult/Transition Services and Policy and Law.

The four standing issues committees do most of the actual work of the Council. The Infant and Early Childhood Committee are concerned with issues surrounding the identification and initial services for children from birth through age five. The Children and Youth Committee looks into specific issues related to the school age children of our community. The Adult Transition Services Committee monitors and works on issues such as housing and vocational opportunities for individuals who are moving into adulthood. The Policy and Law Committee reviews proposed regulations and legislation in order to comment on how persons with exceptionalities in our state will be affected. The two administrative committees handle personnel issues, membership monitoring and recruitment for the Council. Ad-hoc committees are created as needed. This framework has served the GACEC well.

2010-2011 Highlights

The GACEC held its Annual Fall Retreat on September at the Virden Center in Lewes, Delaware, as part of the Council's planning activities for FY 2011. Retreat participants included GACEC members and staff, a representative from the Department of Education, a Speech Language Pathologist Panel comprised of Chic Kelly, parent; Pam Reuther of Easter Seals; Tracy Bombara, a Speech Language Pathologist; Jacqueline Truluck, a Speech Language Pathologist; Melissa Tice-Martin of Autism Delaware and Katie Sanger a Speech Language Pathologist.

Linda Lewis of Transformity Consulting. Linda assisted Council with its mission statement and the development of Council goals for FY 2010. Linda began her discussion with a review of the agenda for the day from her PowerPoint presentation. She discussed the charter of the GACEC which is the State mandate. The charter states that the Council is responsible for advising on the unmet human service needs of exceptional citizens of all ages and to also act as the IDEA advisory panel for the State of Delaware.

Linda facilitated Council discussion on setting measurable, attainable goals and prioritizing activities.

COUNCIL GOALS 2010-2011

1. Outcomes for students with exceptionalities will be improved by monitoring and supporting the implementation Annual Performance Report (APR), State Professional Development Grant (SPDG), No Child Left Behind (NCLB) as the NCLB pertains to students with exceptionalities and review of the Department of Education (DOE) Special Education Regulations (formerly known as the Administrative Manual for Special Education Services (AMSES).
2. The delivery of special education and related services in the least restrictive and natural environments will be improved by removing funding barriers.
3. Programs and services for citizens with exceptionalities will be improved by reviewing and advocating for funding, policies, procedures and best practices that positively impact and empower citizens with exceptionalities.
4. The GACEC will impact legislators, agencies, councils and other entities through more effective communication strategies.
5. Delaware Department of Education standards-based reform and accountability efforts will be supported through review and advocacy for the inclusion of students with exceptionalities in all provisions and programs.



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

- The GACEC **wrote more than 95 letters** to the Governor, Legislators, the Department of Education and other agencies advocating on behalf of individuals with disabilities and their families.
- **LIFE Conference Design Team-** The annual LIFE Conference seeks to assure that persons with disabilities in Delaware have full access to supportive Legislation, Independence, Family support services and Education. GACEC Executive Administrator Wendy Strauss is a member of the LIFE Conference Design Team. 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** was attended by over **400** people. **LIFE** stands for **L**egislation, **I**ndependence, **F**amily and **E**ducation. This is the largest conference focusing on disabilities in Delaware.
- **Disability Awareness Legislative Event** –On April 6, 2011, 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 and language pathologists and other educational professionals. Over **200** individuals received information on disability related issues at Legislative Hall after the informative training session
- The GACEC is a member of the **Universal Design Coalition**, created by the Developmental Disabilities Council (DDC). The Universal Design Coalition encourages the State of Delaware and builders to incorporate “universal design” standards. Universal design standards attempt to incorporate home designs that will facilitate allowing individuals to age in their own homes, and also be accessible for persons with disabilities. The idea is to make more housing available to more people at little or no extra cost. The GACEC endorsed **HB 426**, which requires that all newly constructed dwelling units using public financial assistance be built using universal design standards. The bill did not pass; but the Universal Design Coalition is forming a “working group” to determine what language would be more effective to help the bill to pass.
- GACEC Executive Director Wendy Strauss is a member of the **SCPD Policy and Law Committee**. This committee reviewed and/or provided comment on **more than 130** proposed or final regulations, State bills, Federal bills and many other policies which impact persons with disabilities
- The GACEC became a stakeholder in the **Building Partnerships Initiative (BPI)**. This is a two year project funded by the Office for Victims of Crime (OVC) of the U.S. Department of Justice and administered by Delaware’s Criminal Justice Council (CJC). The purpose of the project was to replicate the Massachusetts BPI project which links law enforcement, adult protection and human services creating a multi-disciplinary approach to violence committed against persons with disabilities. One of the goals of the initiative was to implement procedures to track crimes.
- **FY 2011 Educational Block Grant Funding-** The GACEC took the lead on an initiative regarding concerns with a flex-spending plan for five districts approved by the Joint Finance Committee (JFC) and included in the Grant-in-Aid Budget Bill. This was undertaken in collaboration with the SCPD, Disabilities Law Program (DLP), and the Developmental Disabilities Council (DDC). The five districts would have received "grant" funding, allowing them to spend the money where they see fit instead of utilizing the funding specified by line items in the budget. This could have diluted programs designated for students with disabilities. The GACEC, with formal support from the DDC and SCPD, sent a letter in opposition to the proposal to the JFC. The SCPD and DDC shared information and concerns with legislators who refused to support the bill unless "special needs programs" were ensured funding instead of

having to compete with other programs. As a result, the flex-spending plan was stricken from the budget so there would be no reduction in services for students with disabilities.

- **Interpreter Regulations** – GACEC staff were members of the SCPD Council on Deaf and Hard of Hearing Equality (CODHHE) Ad Hoc Committee, established in August 2009 to review and amend the current "Interpreter/Tutor" regulations. School districts are hiring people who are not qualified under the current requirements of the Interpreter/ Tutor regulations (14 Admin. Code, Section 764) and placing them in an Interpreter role. In addition, school districts are hiring individuals to act as Interpreter/Tutors who are actually paraprofessionals or teachers' aides who lack the sign language skills, experience and qualifications to interpret in an educational setting. The paraprofessional or aide is trying to do the job of an Interpreter without the experience, skill or pay of an Interpreter. Another concern mentioned by the ad hoc committee is in Section 3.2 of the aforementioned regulations regarding the statement that an Interpreter/Tutor may be a person who "maintains a current and valid license and is certified as a Teacher of the Hearing Impaired." Being a licensed and certified Teacher of the Deaf is not a guarantee that the individual has sign language skills sufficient to interpret in an educational setting. Proposed amendments are to be provided to the Department of Education (DOE) in early FY 11.
- **SCPD Brain Injury Committee** - GACEC Executive Administrator Wendy Strauss is a member of the SCPD Brain Injury Committee (BIC). BIC's mission is to improve the lives of Delawareans with brain injury by providing the following: 1) a forum for the sharing and analysis of information; 2) a network to identify and facilitate acquisition of enhanced resources; 3) a technical assistance provider to educate public and private policymakers; and 4) an advocacy agency to promote a consumer oriented, effective injury and prevention service delivery system.
- **GACEC Advisory Committee for the Education of Individuals with Hearing Loss**- This committee is new to the GACEC this year, and serves as the advisory panel for Statewide Programs for the Deaf, Hard of Hearing and Deaf-Blind. The GACEC formed this new committee to address the needs of students who are deaf, hard of hearing and/or deaf blind. GACEC Executive Administrator Wendy Strauss serves as the Chairperson of this committee. In addition to the GACEC and Statewide Programs for the Deaf, Hard of Hearing and Deaf-Blind, the committee also includes representatives from the Choices Group, DOE, Child Development Watch, SCPD, Delaware Hands and Voices, the Center for Deaf and Hard of Hearing Equality (CODHHE) A.I. DuPont/Nemours and SCPD. The committee is rounded out by parent representatives, the Vice-Superintendent of the Christina School District (which houses the Delaware School for the Deaf) and an itinerant teacher of the Deaf.
- **GACEC Listening and Spoken Language (LSL) Sub-Committee**-This is a sub-committee of the GACEC Advisory Committee for the Education of Individuals with Hearing Loss. The sub-committee was tasked with drafting a list of recommendations for Statewide Programs for the Deaf, Hard of Hearing and Deaf Blind's new LSL Preschool Pilot Program. Wendy Strauss served as Chairperson for the sub-committee, which included representatives from the Choices Group, A.I. DuPont/Nemours, DOE, SCPD, Delaware Hands and Voices and Statewide Programs for the Deaf, Hard of Hearing and Deaf-Blind. A list of recommendations was prepared by the sub-committee and presented to the GACEC Advisory Committee for the Education of Individuals with Hearing Loss, which was in turn presented to and approved by Council.
- **Joint Strategic Planning Retreat**-The GACEC, DDC, and SCPD held their Joint Strategic Planning Retreat in April of 2011. Linda Lewis facilitated the day-long retreat, which was held at the Duncan Center in Dover. During the retreat, goals for how to best serve persons with

disabilities in Delaware were discussed and voted upon. Legislative actions were suggested including a terrific suggestion from Council member Jennifer Pulcinella regarding a proposed change to birth certificates which would impact vital statistics data, and allow better tracking of people with disabilities. These suggestions are being reviewed by Council.

- **Transition Brochure Design Ad Hoc Committee**-Formed in response to the need for accessible information for persons with disabilities who are transitioning into adult life, this committee is made up of a collaboration of representatives from the GACEC Adult/Transition Services Committee, the Department of Education (DOE), the Division of Vocational Rehabilitation (DVR) and the Center for Disabilities Studies (CDS). The ad hoc committee continues their work on perfecting this brochure. Once it is completed, the brochure will direct readers to a website which is currently being developed by DOE, to assist with transition issues.
- **Statewide Transition Plan Team**-GACEC Executive Director Wendy Strauss took the lead on forming this team following a request from Council's Adult/Transition Services Committee. Initial planning meetings included Wendy Strauss of the GACEC, Terri Hancharick of CDS, Dale Matusевич of DOE, Barbara Riley of DVR, Meg Comeau, Director of The Catalyst Center, Health and Disability Working Group, Boston University School of Public Health and Cathy Cowin, Transition Specialist for Christina School District. Following the initial meeting, others were invited to join the group, including representatives from DOE, DVR and CDS. Ilka Riddle of CDS is also involved with this initiative. The Statewide Transition Plan Team, formed by the GACEC, will work on pressing issues for persons with disabilities who are transitioning into adult life...issues such as secondary education, employment, access to adult services, health care, insurance, recreation and independent living. The team also plans to address these issues for children with mental health and developmental disabilities, as well as those who are in foster care.
- **Needs Based Funding Ad Hoc Committee**- This committee was formed by the GACEC to assist with writing regulations to implement Needs Based Funding in all Delaware schools. The committee's intent was to ensure fair distribution of funding for children with disabilities in Delaware. Joining the GACEC at the table were representatives from DOE, Autism Delaware, Statewide Programs for the Deaf, Hard of Hearing and Deaf-Blind/Delaware School for the Deaf (DSD), Delaware Autism Program (DAP), Parent Information Center (PIC), Disabilities Law Program (DLP), Special Education Leadership, DDC, SCPD and many community members. The committee submitted their final comments and recommendations on January 4, 2011. The resulting legislation was the first bill of the January-June Legislative Session...House Bill 1. Governor Jack Markell signed HB 1 on February 17, 2011.
- **House Bill 123**-This bill followed on the heels of House Concurrent Resolution (HCR) 19, which recognizes the month of October as Disability History and Awareness Month in Delaware. GACEC Executive Administrator Wendy Strauss approached Representative Quinton Johnson and Senator Bethany Hall-Long about converting the HCR to a Bill. The signing of House Bill 123 into law on August 17, 2011 was a proud day for the GACEC.
- **GACEC Kids on the Block Program**-The Kids on the Block is an international organization that seeks to promote disability awareness and inclusion through the use of interactive puppetry presentations. GACEC Executive Administrator Wendy Strauss approached the international Kids on the Block Organization, trained puppeteer and troupe leader Janet Cornwell, and trained puppeteer Mindy Beck of the Charlton School regarding what would be necessary to allow the GACEC to have their own Kids on the Block Program. Following much discussion and research, a decision was made to move forward. Thanks to a grant from the DDC, and assistance from the Boardwalk Buddy Walk Organization, the GACEC secured a program

coordinator, supplies for the puppets, a stage and drape, microphones, and other necessities. The program coordinator has secured a core group of dedicated volunteer puppeteers, who have been practicing during the summer of 2011. The troupe will perform their first shows in the fall of 2011.

- **Delaware Foundation Reaching Citizens with DisABILITIES (DFRC)**-Wendy Strauss reached out to Tony Glenn of the DFRC regarding a possible grant opportunity for our Kids on the Block Program. Tony also put Wendy in touch with Coleen Popp, who oversees the DFRC Disability Awareness Program in Delaware schools. This unique program uses a variety of interactive, age-appropriate activities to enhance understanding and promote inclusion of kids with disabilities. The GACEC Kids on the Block Program will be partnering with the DFRC's Disability Awareness Program, presenting puppet shows in schools that are interested in hosting a program. We look forward to continuing to work with the DFRC in the future.
- **Boardwalk Buddy Walk Association**-Wendy Strauss reached out to Dennis Diehl, Director of the Boardwalk Buddy Walk Association, regarding the GACEC's Kids on the Block Program. The GACEC Kids on the Block and GACEC staff will be participating in the 2011 Boardwalk Buddy Walk in Rehoboth Beach. The GACEC is grateful to the support that the Boardwalk Buddy Walk Association has provided our Kids on the Block Program, and we look forward to our continued partnership.
- **DOE Special Education Leadership Work Group**-GACEC staff attend these statewide meetings to monitor what is happening with special education in Delaware, as well as to provide input.
- **Transition to Adult Life Fair**-GACEC staff attended the Transition to Adult Life Fair held by Christina School District on April 12, 2011. Staff provided information on the GACEC and how Council seeks to provide advice and advocacy for persons with disabilities from birth to death in Delaware. Brochures and other information from the Delaware Coalition for Americans with Disabilities Act (DCADA) and Camp Lenape were shared. Information on the GACEC Kids on the Block Program was also distributed at the fair.
- **Coordinating Council for Children with Disabilities (CCCD)**-GACEC staff are members of the CCCD, and attend meetings to keep abreast of issues facing children with disabilities and to provide input. Other members of the CCCD include representatives from the DDC, Delaware Aspergers, A.I. DuPont/Nemours, Bayada Nurses, PIC and Easter Seals.
- **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.
- **Electro Convulsive Shock Therapy (ECT) Review Group**-Pat Maichle of the DDC pointed out that currently, there are no regulations regarding the use of electro convulsive shock therapy in Delaware. Wendy Strauss joined representatives from the Disabilities Law Program (DLP), DDC and SCPD to explore possible regulatory initiatives regarding the use of this therapy. The group continues to meet to discuss these issues.
- **Restraints and Seclusion Ad-Hoc Committee**-This committee was formed by GACEC Executive Administrator Wendy Strauss in response to federal legislation. The Restraints and Seclusion Ad Hoc Committee includes representatives from DOE, DDC, SCPD, DLP, Delaware Autism Program, DCADA, Practice Without Pressure and the Division of Services for Children, Youth and Their Families (DSCYF). The goal of the committee is to develop regulatory guidelines regarding the use of restraints and seclusion in Delaware schools, so that state guidelines align with federal guidelines. The committee will continue to meet, and are currently awaiting the development of draft legislation.

- **DOE Race to the Top (RTT) Education Initiative-**As the IDEA Advisory Panel for the State of Delaware, staff and Council members are understandably interested in the progress of the Race to the Top Education Initiative. To that end, GACEC Executive Administrator Wendy Strauss has attended numerous meetings with Secretary of Education Dr. Lillian Lowery, Lieutenant Governor Matt Denn, and representatives from DOE regarding the best path forward for Delaware. GACEC staff also attends monthly State Board of Education meetings to monitor the progress of RTT, and to obtain information regarding regulatory issues concerning special education.
- **University of Delaware Center for Disabilities Studies' Healthy Delawareans with Disabilities Program: Bridging the Gap-** The Healthy Delawareans with Disabilities Program's mission is to improve the health status of people with disabilities in Delaware. The project is a five-year (2007-2012) cooperative agreement between the National Center on Birth Defects and Developmental Disabilities (NCBDDD) of the Centers for Disease Control and Prevention (CDC), and the Center for Disabilities Studies (CDS) at the University of Delaware (UD). GACEC Executive Administrator Wendy Strauss is a member of the work group for the Healthy Delawareans with Disabilities Program. Wendy attends meetings, provides and receives input and ensures that the GACEC works collaboratively with the Healthy Delawareans with Disabilities Program
- **Early Start to Supported Employment (ESSE)-** The Early Start to Supported Employment (ESSE) pilot started in 2005 with the goal of providing a more seamless transition for students who would benefit from supported employment services when leaving school and entering the adult workforce. GACEC Executive Administrator Wendy Strauss attends meetings to provide input and gain insight into issues that are facing. ESSE includes representatives from Delaware Division of Vocational Rehabilitation (DVR), the Delaware Division of Developmental Disabilities Services (DDDS), the Delaware Department of Education (DOE), higher education, participating local school districts, and a parent of a young adult involved in the pilot.
- **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). GACEC Chair Terri Hancharick is a member of the advisory council representing a parent's perspective. GACEC Executive Administrator Wendy Strauss also attends meetings as necessary. The DESS Advisory Council also includes representatives from 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. GACEC Executive Administrator Wendy Strauss is a member of Delaware CPAC, and attends meetings to give input and receive information.
- **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. In April of 2011, Wendy Strauss attended a regional ADA Training at George V. Massey Station. The training was attended by 25 participants.

- **Inter-Agency Coordinating Council (ICC)**-The ICC focuses on early childhood issues. Wendy Strauss and other members of Council are members, and attend meetings to keep up with new information regarding early childhood issues and to provide input.
- **Division of Developmental Disabilities Services (DDDS) Planning Group**- GACEC Executive Administrator Wendy Strauss attends meetings of this group as necessary to provide input and gain new information that will be useful to Council. This planning group provides community-based services including family supports, foster care placements, respite, neighborhood homes, supported living, pre-vocational, vocational and supported employment as well as day habilitation services. The group also handles case management, including nursing, psychology, therapy and other professional supports to ensure that individuals receive the quality and level of supports needed. Early intervention services as part of the DHSS Child Developmental Watch program which works with families in order to prevent or minimize developmental delays in children at risk who are ages 0-3 is also monitored by this group. The DDDS Planning Group also monitors the Stockley Center which is an intermediate care facility providing residential services and day services. This organization also assists with community education and advocacy.
- **Access to General Education Curriculum (AGEC) Work Group**- This group focuses on assessment issues for students in special education. GACEC Administrative Assistant Kathie Cherry attends these meetings to provide input from her perspective as a parent, as well as a representative of Council.
- **State Board of Education**-GACEC staff attend 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.



GACEC Infant and Early Childhood (IEC) Committee 2010-2011

The Infant and Early Childhood Committee's goals for 2010-2011 were as follows:

1. Monitor, review and comment on early childhood Annual Performance Report (APR) elements, including transition, disproportionality and Least Restrictive Environment (LRE).
2. Advocate for direct service personnel and increased related service personnel, including speech language therapists, Master's level mental health providers, and mandatory Master's level social workers.
3. Review Medicaid funding, programs, and system for providing services for all Delawareans with exceptionalities with a focus on early childhood.
4. Increase awareness of effective programs which provide services and information for parents of individuals with special needs.
5. Advocate for adequate professional staff training and development related to the delivery of services in the Least Restrictive Environments (LRE) and Natural Environments.
6. Monitor and advocate for increased and appropriate early transition process in all school systems.
7. Review Infant & Early Childhood programs for inclusion of children with exceptionalities.

In order to meet its goals, the Infant and Early Childhood Committee met with representatives from the Department of Education Special Education 619 program and from the Birth to Three Early Intervention Program. The committee also met with staff from Delaware's BEST. The committee also invited a representative from the Medicaid office to present.

The committee met with Verna Thompson, 619 Coordinator for the Department of Education in January. We reviewed elements from the APR, including LRE, Child Outcomes, and Transition. Verna and the committee discussed the new tracking form for LRE that will provide data in future years on placement of children served in 619 and location of their special education services. Child outcomes data has not fully met projected targets. Issues related to this element were discussed and continue to be followed by the committee. The data support transition of children at age three with services initiated by children's third birthday revealed that this element was substantially met. Strategies that were used to achieve progress in this area were discussed.

In February, the committee met with Rosanne Griff-Cabelli, 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 centers. Issues related to child outcome data were discussed. The early intervention system will be working this year to strengthen the validity and reliability of the data reported. Transition elements have been substantially met and strategies to accomplish this were discussed.

Several persons met with the Infant and Early Childhood committee to discuss Medicaid funding and programs, Ali Knott, RN, and Patricia Watson, RN of Bayada Nurses and Dawn Estep from

the Office of Medicaid. The discussion in these meetings centered on services provided through Medicaid funding and the adequacy of these services. Respite care for families of young children with disabilities was a primary topic of discussion.

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.

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.



“THE EARLY
YEARS LAST
FOREVER”

Children and Youth (CY) Committee 2010-2011

It has been an exciting year for the Governor's Advisory Council for Exceptional Citizens. The Children and Youth Committee has focused on items of interest as a group and some committee members have been working on their own initiatives individually. We were excited this year to have an excellent group of individuals come and speak with our committee. We also had a wonderful year in terms of membership. Our committee has grown tremendously and we have an excellent representation of individuals.

Speech Language Pathologist (SLP) Shortage in Delaware

Our main focus on the Children and Youth Committee for the 2010-2011 year has been on the state of the shortage of SLPs in Delaware. At the Annual GACEC Fall Retreat, held in Lewes Delaware in September 2010, we had the opportunity to hear from a SLP panel. The panel included a representative from the University of Delaware, a representative from the SLP Task Force, and a representative from the Delaware Speech-Language-Hearing Association (DSHA).

After the Retreat, in November of 2010, we asked Martha Toomey, Director of Exceptional Children Resources from the Department of Education (DOE) to do a survey for us. The main objective of the survey was to find out what critical needs in schools were not being met. Martha was able to compile information on "speech only children" as well as complete an informal survey by asking each Delaware school district if they feel the SLP shortage is a significant issue, if they have a SLP shortage, and what measures are being taken to handle this shortage.

The feedback and comments from this survey are as follows:

Do you have Speech Language Pathologist positions that are unfilled?

Yes: 8
No: 11

• Do you have enough Speech Language Pathologists either through contractual arrangements or through staff SLPS to service children with identified needs?

Yes: 14
No: 6

- At times caseloads are very high in districts. How many more SLPs do you believe your district needs to serve children with "appropriately" sized case loads?***

Responses Received: 8

Need between 1 and 2: 6
Need between 2 and 3: 1
Need 3 or more: 1

- ***Is finding Speech Language Therapists your greatest personnel need?***

Yes: 10

No: 9

- ***If no, what is your greatest personnel shortage?***

- Psychologist trained in autism
- Occupational Therapy
- 2nd level reading and school psychologist
- Psychologist
- Highly qualified math special education teachers
- None at this time.
- I have 2-3 kids who could need some intense mental health support.
- Math/Science middle school level
- Finding SLPs and a physical therapist . . . very difficult to find one who has an interest in an educational setting vs. a clinical or medical setting.
- Occupational Therapy

- ***If there is anything else that you would like to share regarding any concerns or issues around speech language therapy?***

- Had a great deal of difficulty finding a speech pathologist, it took over a year of searching.
- I have been short of at least a position or two for the last three/four years. This is our first year where we have filled all positions.
- The issue of SLP-Assistants and how the licensing board should recognize and allow these positions in DE.
- We are currently contracting with a part time speech pathologists that costs the district \$21,000 for one day a week last year.
- We often have issues finding speech language pathologists who can address all of the very diverse needs of students in a “typical” education setting. It seems that the consortium programs have specialists who have a greater range of “expertise” in specific need areas. Also, speech for homebound students is nearly impossible . . . some sort of statewide service for homebound kids would be great. Thanks.
- I would say that finding a Speech Language Pathologist is the greatest difficulty that we have experienced regarding shortages. Since I only need one for 2-3 hours per week, I was able to contract in the afternoon hours and this has worked out fine. I would however, rather deliver services during the school day so that they could be more integrated and consulting. We could not find a speech pathologist to meet your needs during school hours.
- Are schools always considering educational impact?
- Not at this time.
- I would love to see the University of Delaware develop a program for SLP and audiology Certification in Delaware. It would fill a tremendous need.
- My 4 SLPs are regular employees, not contracted services.
- The use of SLPAs would be great! It’s allowed for Parents as Teachers (PAT) and OT. With the oversight of a SLP, I think this could be an effective solution . . . especially for kids with articulated concerns.

As a group we have had many discussions related to the shortage of SLPs in our Delaware schools. With a large case load, we worry many students are lacking services in this area because there are just not enough SLPs available. We also discussed why Delaware does not seem to attract college graduates with a degree in Speech Language Pathology. This led to discussions on why Delaware does not have any programs related to this field in any universities or colleges within the state. The committee also reviewed the original report from the SLP Task Force, which was made up of many individuals including State Representatives. Nina Bunting was a strong advocate in the community for the SLP shortage, and represented the GACEC at legislative events.

By the end of the year the SLP discussion was put on hold as a State Representative will be moving forward now with this initiative and plans to find a solution.

Individualized Education Plan (IEP) PLUS

We also had an opportunity to meet with Brian Touchette and Martha Toomey from the Exceptional Children Resources Branch of DOE. Both presented information and answered questions on the new IEP Plus computer software for the committee. The committee discussed some of the concerns that have been raised. The committee really appreciated Brian Touchette for taking the time to speak with us regarding the new IEP Plus software, and realize that this is a big project. IEP Plus is new to the state and the committee appreciates all the hard work Brian Touchette and his team have put into this project.

Wendy Strauss then introduced a question which had recently come to her attention. She stated that in years past, multiple disabilities could be listed on the IEP form, and asked if this was currently the case in Delaware. A situation was brought to Wendy's attention regarding a child who had two very distinct disabilities. Wendy pointed out that if only one disability is listed on the IEP form, then possible funding for a child's other disability could be lost. Wendy asked Brian Touchette and Martha if there was a way to track multiple disabilities on an IEP form.

Martha commented that students are identified by a primary disability because that is part of the demographic data that must be provided to the federal DOE each year. Each student is identified by one disability. Since Martha has been at DOE, no data has been collected on more than one disability. Brian Hartman mentioned that the old IEP form had space for primary and secondary disabilities. Martha mentioned that this was a very long time ago and the federal requirement is to record only one disability.

Brian Hartman stated that he would encourage DOE to consider listing multiple disabilities. In practice, some IEP teams may stop after identifying one disability and will not continue to look at other disabilities. Even though the programming is not supposed to be tied to the disability, there is some relationship. Martha stated that she often tells parents that the disability opens the door for services and after that, the needs are what should be focused on. Every need must be identified on the IEP so that programming is not based on a disability category but on the actual needs of the student. Brian Hartman then stated the ramifications of listing a student with only one of his/her disabilities on the IEP form. Brian gave as an example a student who is deaf and who also has a physical impairment such as Cerebral Palsy. That student would be eligible for twelve-month programming, which may not be provided if only one disability is noted. Brian Hartman also mentioned that there is a federal classification for multiple disabilities. Martha stated that Delaware is one of the few states that have a category for deaf-blindness. This is a discussion to take place at another time. Due to the Children and Youth Committee's comments, Martha discussed the committee's concerns with special education directors and other staff, since any changes would affect the IEP form and E-School. The Department of Education understands the logic behind listing multiple disabilities on the IEP form, and will be implementing changes.

DAP Residential Homes

Dave Hosier, a member Children and Youth, presented information on the DAP residential homes and the stakeholder meeting mentioned by Martha Toomey. Dave reported that he attended the stakeholder meeting on the future of the DAP residential homes. He would like to keep updated on this situation. He mentioned the newspaper article that was sent out to Council and that he did not sense any intent on the part of DOE to close the homes. The Children and Youth Committee will work to keep abreast of this situation as well as it pertains to students with disabilities.

Physical Education in Schools and Children with Disabilities

This year we have also had discussion of physical education for students with disabilities and adaptive physical education. We have a future invite to John Ray of the Department of Education to discuss the adaptive physical education curriculum along with Eileen Sparling/from Healthy Delawareans With Disabilities.

We also had a parent and representative of Autism Delaware, Heidi Mizell, come and speak with us from a parents' perspective on her child and physical education in schools.

Rec4All

During a visit from Heidi Mizell of Autism Delaware, she discussed the group Rec4All, which is an initiative started by Autism Delaware and other stakeholders to promote accessibility of recreation for persons with disabilities. Heidi told the group about their new Facebook page to keep the community informed. On the Facebook page (<http://www.facebook.com/rec4all>) there are lists of many activities and events for the disability community. Heidi asked for the GACEC's help in her efforts to promote this new site. For example, Autism Delaware will host many of their family-related activities and support group information on this page. Children and Youth will be working to help spread the word about Rec4All's Facebook page this autumn.

Charter Schools

The Children and Youth Committee also discussed charter schools and investigated the possibility of having higher education institutions in charge of charter schools. The group discussed ideas for next year which included inclusion, needs based funding and the delivery of educational services. Ron Russo, member of the Children and Youth Committee, has been working independently on starting a new charter school in Delaware.

Disability History and Awareness Month

The Children and Youth Committee will continue to work on promoting Disability History and Awareness Month in Delaware. Email notifications have went out to some of the districts in Delaware to save the date for this October.



"Children color our world!"



GACEC Adult Transition Services (ATS) Committee 2010-2011

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

- With the advent of a new Chairperson, Cathy Cowin and Vice Chairperson, Barbara Riley, the Adult Transition Services Committee decided to work with facilitator Linda Lewis to review and update the ATS Committee Goals and Action Steps. The committee worked with Linda to lay the groundwork for future work. They spent time reviewing what is working, what is not working and how to support DOE. The decision was made to table the goal on driver's education and to focus on employment opportunities. The main focus of the year was to gather data in order to create a task list of things that need to be addressed in areas of overall transition.
- An area of concern for those transitioning into adult services is that of medical care. In January, 2011, social worker Corey Nourie of the A. I. DuPont Children's Hospital Transition of Care Program spoke with the ATS Committee. At A. I. DuPont Children's Hospital, medical services are offered until the age of 21. This program is unique in the nation. It uses a holistic approach and begins at age 14. Through an interview process with the children and parents, a medical transition plan is developed with Dr. Meek. During the meetings with Dr. Meek and the family, other issues in regard to transitioning to adult life such as employment, transportation, and access to other social services are discussed. In addition resources are provided to the families. Terri Hancharick of the University of Delaware's Center for Disabilities Studies (CDS) also spoke to the committee. Terri shared information on the CDS database on adult medical care. Once the database is up and running, it will provide a resource for parents and young adults to find medical services once they transition out of pediatric services.
- Another goal of the ATS Committee was to continue to advocate for the removal of barriers which may limit accessibility for persons with disabilities in public areas, and advocate for notice of access in public areas (to include recreational areas). Kyle Hodges of the State Council for Persons with Disabilities (SCPD) spoke to the committee about legislation that the SCPD has helped to pass and some positive things that have occurred. Kyle also spoke about ongoing legislation that Council needs to keep in the front of their minds. The ATS Committee will continue the partnership with SCPD, and will support their efforts towards getting legislation passed.
- The goal for an increased and appropriate early transition process in all school systems was addressed in several ways. Dale Matusevich, the State Transition Coordinator with DOE, provided data from the Transition Audit Report. Dale shared information about the nine

different areas which are addressed in the report. Parental consent is a weak area. Inviting students to their IEP meeting is a strong area. Additional work is needed in the area of developing measurable goals. The committee will continue to monitor the school systems' progress in these areas.

- The GACEC Transition Brochure Design Ad-Hoc Committee, which began last year, has continued to work closely with Dale Matusевич. The ad hoc committee has created a draft transition brochure that will go along with the new one-stop transition website that has not been finalized yet. These brochures (which are pending approval) will be given to schools and other venues for students and families transitioning from school to work, recreation, higher education, day programs, adult healthcare, etc...
- In addition the ATS Committee, GACEC and CDS are working closely with Dale Matusевич in forming a task force of stakeholders to address transition at a state level. The task force will consider the possibility of legislation to create consistency across all Delaware school systems, to help better prepare students to transition into adult systems.
- ATS has also reviewed the Transitioning towards Excellence Achievement and Mobility (TEAM) Act legislation: Bills 602, 603 and 604. Dr. Michael Gamel-McCormick, who is involved in Washington, D. C. with this legislation, discussed the bills and the Workforce Investment Act in a phone interview. While Michael stated that the possibility of Bills 602, 603 and 604 passing is miniscule due to needed funding, the legislation may be a framework that can be utilized by the state task force that the ATS Committee, GACEC and DOE are forming. He encouraged the ATS Committee and GACEC to support the Workforce Investment Act because three sections of it address transition. It has a better possibility of being approved. Michael also shared information about a recent study, Family and Individual Needs for Disability Supports (FINDS), 2011. The study indicates that only a small percentage of individuals with intellectual disabilities are working in integrated settings. Most are unemployed. With this data and potential legislation, the ATS Committee will continue to advocate for improvements in regard to employment and opportunities for all individuals with disabilities.
- The ATS Committee has continued its monitoring of the prison education system since there are large numbers of young adults who need special education services in the correctional system. The committee heard information from Maureen Whelan of DOE and Mike DeLoy, Chief of the Bureau of Prisons for the Department of Corrections (DOC). Questions submitted by the committee were answered. The most recent report on the prison education system was discussed and copies of the report were given to committee members as well as an electronic version for other members of the Council. The budget for post secondary programs has been cut. The ATS Committee proposed writing a letter to the Joint Finance Committee (JFC) requesting funding for two additional teachers. This was approved by the Council. The ATS Committee will continue to monitor these changes as they pertain to the best interests of persons with disabilities.

GACEC Policy and Law (P&L) Committee 2010-2011



This year the Policy and Law Committee reviewed thirty-two pieces of proposed legislation and forty-three proposed regulations, along with several policy change drafts and interagency agreements. Please see the appendices for a full listing of responses and outcomes of regulations and legislation commented on by the Council after review by the Policy and Law committee. Many key pieces of legislation are listed below.

- Council endorsed **House Bill 283 (Deaf/Hard of Hearing Bill of Rights)**, which creates certain rights for children who are deaf or hard of hearing in the Delaware School System. Governor Markell signed this bill into law on September 10, 2010.
- Council strongly endorsed and played an integral role in the development of **House Bill 1 (Needs Based Funding)**, which implements Needs Based Funding in all Delaware schools, to ensure fair distribution of funding for children with disabilities in Delaware. Governor Markell signed this bill into law on February 17, 2011.
- Council endorsed **SB 12 (Removal of Bar on Food Supplement Eligibility Based on Drug Conviction)**. This Bill removes the prohibition against persons convicted of any drug felony from receiving federal food benefit assistance. The Bill was signed by Governor Jack Markell on June 22, 2011.
- Council endorsed **HB 3 (Ban on Trans Fats in Public Schools)**. This Bill prohibits public schools, including charter schools, and school districts from making available or serving food with more than 0.5 gram of artificial trans fatty acids to students in grades K through 12. The Bill was signed by Governor Jack Markell on June 22, 2011.
- Council endorsed **SB 11 (Dental Care for Pregnant Medicare Beneficiaries)**. This Bill expands Delaware's Public Assistance Code to provide urgent and preventative dental care for eligible Medicaid recipients who are pregnant or become pregnant while receiving assistance. The Bill was assigned to the Senate Finance Committee on January 20, 2011.
- Council endorsed **HB 9 (Felon Voting Restriction)**. This Act is the first 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 Act shall be known as the Hazel D. Plant Voter Restoration Act. The Bill was reported out of the House Administration Committee with 3 on its merits on June 8, 2011.
- Council endorsed **HB 2 (CHIP Expansion)**. This Bill extends Delaware's Children's Health Insurance Program (CHIP) to include reduced-cost health insurance coverage for children only of families with personal incomes up to 300% of the Federal Poverty Level, confirms that the CHIP shall continue to provide health insurance coverage for children of families with personal

incomes at or below 200% of the Federal Poverty Level, and permits recipients of health care services under the CHIP to pay for any required premium health insurance charges by any commercially-accepted means, including by cash, check or charge. The Bill was tabled in committee on February 1, 2011.

- Council endorsed **SB 13 (Needle Exchange Program)**. This Act continues, without sunset, the needle exchange program. This Act directs the Director of the Division of Public Health to maintain a sterile needle and syringe program to help prevent the spread of AIDS and other diseases. The program would offer HIV testing, health counseling and information on substance abuse treatment. The goal of the program would be to use a multi-faceted approach to reducing the spread of AIDS and other diseases in Delaware by encouraging drug addicts to seek treatment for their addiction, educating program participants on the dangers of contracting AIDS through needle use, and providing access to sterile needles. The Bill was signed into law by Governor Jack Markell on July 7, 2011.
- Council wrote a letter to the members of the 146th General Assembly sharing observations and reservations regarding **HB 17 (State Procurement)**. This Bill set a goal that 3% of Delaware purchasing dollars be spent with disabled veteran-owned and veteran-owned businesses in Delaware. This bill recognized the extraordinary service rendered by veterans to our State and the United States and encourages the improvement of business opportunities in State contracting and procurement for veteran-owned small businesses. The Bill was stricken on June 14, 2011.
- Council wrote a letter to the members of the 146th General Assembly endorsing **SB 17 (Medical Marijuana Act)** subject to one clarification. This Bill allows for limited medical use and state-regulated distribution for marijuana per model legislation. It was signed into law by Governor Jack Markell on May 13, 2011.
- **SB 16 (Biannual Unit Count)**- Council wrote a letter to the members of the 146th General Assembly strongly supporting SB 16, but requesting that the Bill not be allowed to "sunset" in 2012. SB 16 implements the recommendations of the Senate's Teacher Hiring Task Force. It will result in the creation of an estimated unit count each March, which the Department of Education will conduct using existing resources. The state will guarantee that school districts receive unit funds for the following school year equivalent to 98% of the estimated unit count. This will allow districts to make offers of employment to new teachers in the late spring and early summer. The Act also requires greater transparency by school districts with respect to their hiring practices. The Act must be reauthorized prior to April 1, 2012, so the state has an opportunity to ensure that the estimated unit count is reliable. The Bill was signed into law by Governor Jack Markell on April 13, 2011.
- **HB 26 (Recording of State Board of Education (SBE) Meetings)**-This bill requires that all public meetings of the State Board of Education be digitally recorded and made available to the public on DOE's website. Council wrote a letter to the members of the 146th General Assembly endorsing the concept of the bill, subject to consideration of shared observations and points of clarification. This Bill was signed by Governor Jack Markell on June 8, 2011.
- Council wrote a letter endorsing and sharing observations regarding **SB 22 (Autism Spectrum Disorders Insurance Coverage)**. This Act provides for insurance coverage for the diagnosis and treatment of autism spectrum disorders. On May 31, 2011 Senate Amendment 1 was placed with the Bill in the Senate.
- Council offered a letter of strong endorsement for **HB 51 (Gold Alert Program)**. This bill requires the Department of Transportation to display on its variable message signs information regarding missing senior citizens, suicidal persons, or persons with a disability. HB 51 was signed by Governor Jack Markell on May 4, 2011.

- Council sent a letter endorsing the original bill without the amendment, subject to consideration of Council's stated concerns to the members of the 146th General Assembly regarding **HB 42 (DOE Uniform School Discipline Regulations)**. This Act requires the Department of Education to promulgate uniform regulations related to school discipline to provide consistency across all districts and charter schools. The Act implements certain recommendations initiated through the Department of Education's Standardized School Code of conduct Policies Report, prepared in response to House Resolution Number 33 of the 145th General Assembly. This Bill was signed by Governor Jack Markell on August 22, 2011.
- Council sent a letter of endorsement, pending consideration of our stated concerns, to the members of the 146th General Assembly regarding **SB 21 (Delaware Healthy Children Program)**. This Act removes the provision requiring that participants in the Delaware Healthy Children Program pay a premium to participate, while allowing the Department of Health and Social Services to consider instituting minimal co-payments for health services in order to recover a portion of the revenue that would be lost due to the absence of premium payments. Removing the premium payment may reverse declining enrollment in the Program and increase the number of children in Delaware who have health insurance coverage. This Bill was assigned to the Senate Finance Committee on March 15, 2011.
- Council sent a letter sharing observations and reservations to the members of the 146th General Assembly regarding **SB 24 (Public Guardian)**. This Act proposes reforms for the Office of the Public Guardian in an effort to meet the increasing critical need for guardianship services in Delaware, and to meet the needs of those who have no one else to care for them. The Bill was signed by Governor Jack Markell on June 8, 2011.
- Council endorsed **HB 91 (Disability References in Code and Publication)**. This Bill requires all new state laws and publications, from the effective date of the enactment of this bill into law, to avoid language that is disrespectful and/or offensive to individuals with disabilities. A violation of this bill is not grounds to invalidate any new state law or publication. This bill does not apply to terms required by federal law or regulation or state statute. Nothing in this section shall be construed as changing the application of any provision affected by this section to any person. It was signed by Governor Jack Markell on August 17, 2011.
- Council wrote a letter to the members of the 146th General Assembly endorsing the concept of **HB 76 (Prosthetic Insurance Coverage)**, subject to the consideration of two amendments. This Act assures prosthetic parity for Delaware citizens who have experienced limb loss by requiring that all individual and group health insurance policies provide orthotic and prosthetic devices at a reimbursement rate equal to the Federal reimbursement rate for the aged and disabled. The Bill was signed by Governor Jack Markell on August 15, 2011.
- Council wrote a letter to the members of the 146th General Assembly endorsing the concept of **SB 81 (Chancery Court Realty Sale Standards)** and its amendment, subject to consideration of Council's observations. This Bill gives the Court of Chancery increased discretion in determining whether it should approve a suggested price for a proposed sale of a disabled person's real estate. Currently, the Chancery Court is required in most cases to set the minimum price allowable as the price set by the appraiser. This Bill will allow Chancery to take into account all relevant circumstances, including the appraisal and the best interest of the disabled person, in determining whether to approve a proposed sale. The Bill was signed by Governor Jack Markell on July 13, 2011.
- Council wrote a letter endorsing **SB 84 (Delaware Public Health (DPH) Cardiovascular Disease and Stroke Prevention Program)**, subject to the consideration of Council's observations and recommendations. This Act establishes a Cardiovascular Disease and Stroke Prevention Program within the Division of Public Health. Cardiovascular disease is the leading

cause of death in this state and stroke is the third leading cause of death. The intent of this Act is to reduce the incidence of cardiovascular disease and stroke in Delaware through the creation of a state program to promote health education, public awareness and community outreach activities and to improve access to treatment for and prevention of cardiovascular disease and stroke. As of June 15, 2011, it was reported out of the Senate Health and Social Services Committee with 6 on its merits.

- Council endorsed **SB 112 (Supportive Instruction)**. This Bill empowers the Department of Education to adopt rules and regulations regarding eligibility for supportive instruction and which also provide for the identification of licensed professionals authorized to certify eligibility for supportive instruction. It was signed by Governor Jack Markell on July 13, 2011.
- Council wrote a letter to the members of the 146th General Assembly sharing their observations on **SB 102 Long (Term Care Ombudsman)**. This Bill, if enacted, keeps the Long-Term Care Ombudsman program at Delaware Health & Social Services but allows it to be located outside the Division of Aging and Adults with Physical Disabilities. This change is required by the Federal Administration on Aging to keep the Ombudsman program in a separate Division from the long term care facilities. The Bill was signed by Governor Jack Markell on July 13, 2011.
- Council wrote a letter to the members of the 146th General Assembly sharing their observations on **HB 107 (Educator Licensure)**. This Act requires that all applicants for educator licensure in Delaware achieve a passing score on an examination of general knowledge such as PRAXIS I, before being issued an initial license. As of June 1, 2011, this Bill was reported out of the House Education Committee with 1 favorable and 7 on its merits.
- GACEC Executive Administrator Wendy Strauss has worked with Representative Quinton S. Johnson and Senator Bethany Hall-Long on **HB 123 (Recognizing the Month of October as Disability History and Awareness Month)**, since 2009. Wendy first approached Rep. Quinn Johnson and Sen. Bethany Hall-Long about recognizing the month of October as Disability History and Awareness Month in Delaware back in the year 2009. As a result, Rep. Johnson and Sen. Hall-Long sponsored HCR 19, which was effective for two years starting in 2009 until the end of this past legislative session, in July of 2011. At the beginning of the January 2011 legislative session, Wendy approached Rep. Johnson and Senator Bethany Hall-Long once again, this time requesting that they follow up HCR 19 with a Bill. Rep. Johnson and Senator Bethany Hall Long introduced House Bill 123 during the 146th General Assembly. It was signed into law by Governor Jack Markell on August 17, 2011.

Many of the GACEC comments were taken into consideration and changes were made to the final regulations based upon those comments.

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



GACEC MEMBERSHIP LIST 2010-2011

Nina Bunting
Jean Butler
Dafne Carnright
Carma Carpenter
Al Cavalier
Wei Steve Chang
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
Judy Smith
Lavina Smith
Marshall Stevenson
Ray Verlinghieri
Mila Wells
Vanessa Withers-Little

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.

Department of Education, Special Education Group

Family SHADE

Interagency Coordinating Council (ICC) for Part C of IDEA

Developmental Disabilities Council (DDC)

CPAC- Child Protection Accountability Commission

DOE Transition Council

State Council for Persons with Disabilities (SCPD)

DE & Natl. Council for Exceptional Children (CEC)

Governor's Commission on Community-Based Alternatives for Individuals with Disabilities (GCCBAID)

ARC of Delaware

Coordinating Council for Children with Disabilities (CCCD)

Parent Information Center of Delaware (PIC)

Autism Delaware (AD, formerly known as ASD)

Protection & Advocacy of Individual Rights (PAIR)

Univ. of DE Center for Disabilities Studies (CDS)

Dept. of Labor Vocational Rehabilitation Advisory Committee

DE Student Testing Program (DSTP) Task Force

Workforce Investment Act Advisory Board

Governor's Commission on Employment of People w/Disabilities

Downs Syndrome Association

DOE IEP Work Group

Hearing Loss Association of DE

Universal Design Coalition

Children & Adults w/Attention Deficit Disorder (CHADD)

SCPD Traumatic Brain Injury (TBI) Committee

Collaborative Efforts to Reinforce Transition Success (CERTS)

Healthy Delawareans w/Disabilities

DOE Teacher Retention and Recruitment Committee

Delaware Ticket to Work Committee

Camden-Wyoming Challenger Little League

Speech/Language Pathologist Taskforce

Delaware Counseling Association

Alliance for Full Participation Committee

Abuse/Neglect Child Death Review Panel

Association for Supervision & Curriculum Development

Correctional Education Association

American Counseling Association

Natl. Assoc. for the Education of Young Children

Delaware Association of School Administrators

Delaware Family Support Coordinating Council

Respite Care Committee

DE Coalition for Americans w/Disabilities Act

Delaware Family Voices

National and DE Chapter of Hands and Voices

Kent Inter-Agency Council

Sussex Inter-Agency Council

Needs Based Funding Ad-Hoc Committee

Restraints and Seclusion Ad-Hoc Committee

DDC Data Analysis Ad-Hoc Committee

**GACEC Advisory Committee on the Education of
Individuals with Hearing Loss Committee**

**Listening and Spoken Language (LSL) Sub-
Committee**

LIFE Conference Design Team

**Dover Air Force Base Exceptional Families Resources
Program**

SCPD Policy and Law Committee

Transition Brochure Design Ad Hoc Committee

**Electro Convulsive Shock Therapy (ECT) Review
Group**

**Delaware Education Support System (DESS)
Advisory Council**

Statewide Transition Plan Team

The GACEC gratefully acknowledges the efforts and assistance of representatives from the Department of Education, representatives from various State of Delaware agencies and our invited guests. Council is indebted to these individuals who have been so helpful by attending our meetings to provide information, additional points of view and answer questions for our committees and Council as a whole.

Presenters & Topics 2010- 2011

- ❖ **The Honorable Matthew Denn, Lieutenant Governor of Delaware-** House Bill 328, which ensures that children with disabilities are entitled to a world-class education, and Race to the Top Education Initiative
- ❖ **Della Thomas, Administrator of Statewide Programs for the Deaf, Hard of Hearing and Deaf-Blind-**Delaware Statewide Programs for the Deaf, Hard of Hearing and Deaf-Blind Annual Report
- ❖ **Martha Toomey, Director, DOE Exceptional Children Resources-**Race to the Top Update, DCAS update, focused monitoring protocol and plans for FY 2011, update on Needs Based Funding
- ❖ **Terri Hancharick of the Center for Disabilities Studies and Cory Nourie of Nemours Adult Transition Services-**Regarding Advocating for improvements in the provision of medical, dental, social, mental health and other health services for persons over the age of 18 who are transitioning into adult services, and the Transition of Care Program.
- ❖ **Tracy Bombara/SLP-** regarding the SLP Shortage
- ❖ **Verna Thompson-** regarding accountability data, the reported areas in ECE for the Annual Performance Report (especially LRE for 619) and system development for improving services
- ❖ **Kyle Hodges, SCPD-** regarding public access and barriers for persons with disabilities
- ❖ **Brian Touchette, DOE Exceptional Children Resources-** regarding IEP Plus
- ❖ **Rosanne Griff-Cabelli and Sue Campbell, DHSS Early Intervention System-** regarding accountability data, the reported areas in ECE for the Annual Performance Report (especially LRE for 619) and system development for improving services.
- ❖ **Sarah Celestin, Center for Disabilities Studies-** Extension to Standards for ELA/Math and DCAS Alt. 1, the new alternate assessment.
- ❖ **Dale Matusevich, DOE Exceptional Children Resources-** on the Transition Audit Report
- ❖ **Patricia Watson, RN and Ali Knott, Associate Director for Bayada Nurses-** regarding services in early childhood.
- ❖ **Dr. Mike Stetter, DOE-** DCAS Update
- ❖ **Maureen Whelan, DOE and Mike DeLoy, Department of Corrections (DOC) -** regarding the Prison Adult Education Report.

- ❖ **Dawn Estep, Division of Medicare and Medicaid Services (DMMA)** - regarding early childhood issues and changes to Medicaid.
- ❖ **Dr. Jean Geddes, The College School-** regarding the status of and information on The College School at the University of Delaware.
- ❖ **Heidi Mizell, Autism Delaware-** regarding Rec4All and a parent's perspective on access to physical education and activities for children with disabilities in Delaware.
- ❖ **Dr. Michael Gamel-McCormick/University of Delaware** teleconference with Adult Transition Services regarding Transitioning towards Excellence Achievement and Mobility (TEAM) federal legislation
- ❖ **Nancy Widdoes/Division of Prevention and Behavioral Health Services-**regarding Early Childhood Mental Health Consultation Services program and services for young children
- ❖ **Linda Smith, DOE-** Annual Performance Report (APR) Indicator 4-Suspension/Expulsion Rates
- ❖ **Jack Jadach and Vicki Spence, John G. Leach School-**Expressing concerns with the DCAS Alt.

GACEC STAFF

Wendy S. Strauss

Executive Administrator

Kathie P. Cherry

Administrative Assistant

Susan L. Hayes

Operations Support Specialist through September 2010

Kristin E. Mullen

Operations Support Specialist November 2010-Present



Thank you for working with us! 😊

GACEC REVIEW OF STATE LEGISLATION, 146TH GENERAL ASSEMBLY
FY 2011

BILL	SYNOPSIS	RECOMMENDATION	LETTER DATE	STATUS & OUTCOME
Needs Based Funding HB 1	The GACEC played a pivotal role in developing the draft Needs Based Funding legislation.	Letter strongly endorsing and citing the GACEC's pivotal role in developing the draft legislation	1/4/2011	Final legislation signed by Governor Jack Markell on February 17, 2011
SB 12	Removal of Bar on Food Supplement Program Eligibility Based on Drug Conviction- This Bill removes the prohibition against persons convicted of any drug felony from receiving federal food benefit assistance.	Letter endorsing	1/26/2011	Signed by Governor Jack Markell on June 22, 2011
HB 3	Ban on Trans Fats in Public Schools- This Bill prohibits public schools, including charter schools, and school districts from making available or serving food with more than 0.5 gram of artificial trans fatty acids to students in grades K through 12.	Letter endorsing	1/26/2011	Signed by Governor Jack Markell on June 22, 2011
SB 11	Dental Care for Pregnant Medicare Beneficiaries- This Bill expands Delaware's Public Assistance Code to provide urgent and preventative dental care for eligible Medicaid recipients who are pregnant or become pregnant while receiving assistance.	Letter Endorsing	2/1/2011	January 20, 2011-Assigned to Senate Finance Committee
HB 9	Felon Voting Restriction- This Act is the first 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 Act shall be known as the Hazel D. Plant Voter Restoration Act.	Letter Endorsing	2/1/2011	June 8, 2011 - Reported Out of Committee (HOUSE ADMINISTRATION) in House with 3 On Its Merits

GACEC REVIEW OF STATE LEGISLATION, 146TH GENERAL ASSEMBLY
FY 2011

BILL	SYNOPSIS	RECOMMENDATION	LETTER DATE	STATUS & OUTCOME
HB 2	<p>CHIP Expansion-This Bill extends Delaware's Children's Health Insurance Program (CHIP) to include reduced-cost health insurance coverage for children only of families with personal incomes up to 300% of the Federal Poverty Level, confirms that the CHIP shall continue to provide health insurance coverage for children of families with personal incomes at or below 200% of the Federal Poverty Level, and permits recipients of health care services under the CHIP to pay for any required premium health insurance charges by any commercially-accepted means, including by cash, check or charge.</p>	Letter Endorsing	2/1/2011	Tabled in Committee
SB 13	<p>Needle Exchange Program-This Act continues, without sunseting, the needle exchange program. This Act directs the Director of the Division of Public Health to maintain a sterile needle and syringe program to help prevent the spread of AIDS and other diseases. The program would offer HIV testing, health counseling and information on substance abuse treatment. The goal of the program would be to use a multi-faceted approach to reducing the spread of AIDS and other diseases in Delaware by encouraging drug addicts to seek treatment for their addiction, educating program participants on the dangers of contracting AIDS through needle use, and providing access to sterile needles.</p>	Letter strongly endorsing	2/4/2011	Signed by Governor Jack Markell on July 7, 2011

GACEC REVIEW OF STATE LEGISLATION, 146TH GENERAL ASSEMBLY
FY 2011

BILL	SYNOPSIS	RECOMMENDATION	LETTER DATE	STATUS & OUTCOME
HB 17	<p>State Procurement-This Bill sets a goal that 3% of Delaware purchasing dollars be spent with disabled veteran-owned and veteran-owned businesses in Delaware. This bill recognizes the extraordinary service rendered by veterans to our State and the United States and encourages the improvement of business opportunities in State contracting and procurement for veteran-owned small businesses.</p>	<p>Letter sharing observations and reservations</p>	<p>3/22/2011</p>	<p>Stricken on June 14, 2011</p>
SB 17	<p>Medical Marijuana Act-Allows for limited medical use and state-regulated distribution for marijuana per model legislation.</p>	<p>Letter endorsing subject to clarification on one issue</p>	<p>3/22/2011</p>	<p>Signed by Governor Jack Markell on May 13, 2011</p>
SB 16	<p>Biannual Unit Count-This Act implements the recommendations of the Senate's Teacher Hiring Task Force. It will result in the creation of an estimated unit count each March, which the Department of Education will conduct using existing resources. The state will guarantee that school districts receive unit funds for the following school year equivalent to 98% of the estimated unit count. This will allow districts to make offers of employment to new teachers in the late spring and early summer. The Act also requires greater transparency by school districts with respect to their hiring practices. The Act must be reauthorized prior to April 1, 2012, so the state has an opportunity to ensure that the estimated unit count is reliable.</p>	<p>Letter strongly supporting, but requesting that the bill not be allowed to "sunset" in 2012</p>	<p>3/22/2011</p>	<p>Signed by Governor Jack Markell on April 13, 2011</p>

GACEC REVIEW OF STATE LEGISLATION, 146TH GENERAL ASSEMBLY
FY 2011

BILL	SYNOPSIS	RECOMMENDATION	LETTER DATE	STATUS & OUTCOME
HB 26	<p>Recording of State Board of Education (SBE) Meetings-This bill requires that all public meetings of the State Board of Education be digitally recorded and made available to the public on DOE's website</p>	<p>Letter endorsing the concept of the bill, subject to consideration of shared observations and points of clarification</p>	3/22/2011	Signed by Governor Jack Markell on June 8, 2011
SB 22	<p>Autism Spectrum Disorders Insurance Coverage-This Act provides for insurance coverage for the diagnosis and treatment of autism spectrum disorders.</p>	<p>Letter endorsing and sharing observations with the prime sponsors of this legislation and Autism Delaware</p>	4/28/2011	May 31, 2011-SA 1 Placed with Bill in Senate
HB 51	<p>Gold Alert Program-This bill requires the Department of Transportation to display on its variable message signs information regarding missing senior citizens, suicidal persons, or persons with a disability.</p>	<p>Letter strongly endorsing</p>	4/28/2011	Signed by Governor Jack Markell on May 4, 2011
HB 42	<p>DOE Uniform School Discipline Regulations-This Act requires the Department of Education to promulgate uniform regulations related to school discipline to provide consistency across all districts and charter schools. The Act implements certain recommendations initiated through the Department of Education's Standardized School Code of conduct Policies Report, prepared in response to House Resolution Number 33 of the 145th General Assembly.</p>	<p>Letter endorsing original bill without the amendment, subject to consideration of Council's stated concerns.</p>	4/28/2011	Signed by Governor Jack Markell on August 22, 2011

GACEC REVIEW OF STATE LEGISLATION, 146TH GENERAL ASSEMBLY
FY 2011

BILL	SYNOPSIS	RECOMMENDATION	LETTER DATE	STATUS & OUTCOME
SB 21	<p>Delaware Healthy Children Program- This Act removes the provision requiring that participants in the Delaware Healthy Children Program pay a premium to participate, while allowing the Department of Health and Social Services to consider instituting minimal co-payments for health services in order to recover a portion of the revenue that would be lost due to the absence of premium payments. Removing the premium payment may reverse declining enrollment in the Program and increase the number of children in Delaware who have health insurance coverage.</p>	Letter endorsing, subject to consideration of stated concerns	4/28/2011	March 15, 2011-Assigned to Senate Finance Committee
SB 24	<p>Public Guardian-This Act proposes reforms for the Office of the Public Guardian in an effort to meet the increasing critical need for guardianship services in Delaware, and to meet the needs of those who have no one else to care for them.</p>	Letter sharing observations and reservations	4/28/2011	Signed by Governor Jack Markell on June 8, 2011
HB 91	<p>Disability References in Code and Publication-This bill requires all new state laws and publications, from the effective date of the enactment of this bill into law, to avoid language that is disrespectful and/or offensive to individuals with disabilities.</p>	Letter endorsing	5/20/2011	Signed by Governor Jack Markell on August 17, 2011

GACEC REVIEW OF STATE LEGISLATION, 146TH GENERAL ASSEMBLY
FY 2011

BILL	SYNOPSIS	RECOMMENDATION	LETTER DATE	STATUS & OUTCOME
HB 76	<p>Prosthetic Insurance Coverage-This Act assures prosthetic parity for Delaware citizens who have experienced limb loss by requiring that all individual and group health insurance policies provide orthotic and prosthetic devices at a reimbursement rate equal to the Federal reimbursement rate for the aged and disabled.</p>	<p>Letter endorsing the concept of the bill, subject to the consideration of two amendments</p>	<p>5/18/2011</p>	<p>Signed by Governor Jack Markell on August 15, 2011</p>
SB 81	<p>Chancery Court Realty Sale Standards- This Bill gives the Court of Chancery increased discretion in determining whether it should approve a suggested price for a proposed sale of a disabled person's real estate. Currently, the Chancery Court is required in most cases to set the minimum price allowable as the price set by the appraiser. This Bill will allow Chancery to take into account all relevant circumstances, including the appraisal and the best interest of the disabled person, in determining whether to approve a proposed sale.</p>	<p>Letter endorsing the concept of the bill and amendment, subject to consideration of Council's observations</p>	<p>6/17/2011</p>	<p>Signed by Governor Jack Markell on July 13, 2011</p>

GACEC REVIEW OF STATE LEGISLATION, 146TH GENERAL ASSEMBLY
FY 2011

BILL	SYNOPSIS	RECOMMENDATION	LETTER DATE	STATUS & OUTCOME
SB 84	<p>Delaware Public Health (DPH) Cardiovascular Disease and Stroke Prevention Program-This Act establishes a Cardiovascular Disease and Stroke Prevention Program within the Division of Public Health. Cardiovascular disease is the leading cause of death in this state and stroke is the third leading cause of death. The intent of this Act is to reduce the incidence of cardiovascular disease and stroke in Delaware through the creation of a state program to promote health education, public awareness and community outreach activities and to improve access to treatment for and prevention of cardiovascular disease and stroke.</p>	Letter endorsing the proposed bill, subject to the consideration of Council's observations and recommendations	6/17/2011	June 15, 2011-Reported out of Senate Health and Social Services Committee with 6 on its merits.
SB 112	<p>Supportive Instruction-This Bill empowers the Department of Education to adopt rules and regulations regarding eligibility for supportive instruction and which also provide for the identification of licensed professionals authorized to certify eligibility for (homebound) supportive instruction.</p>	Letter endorsing	6/17/2011	Signed by Governor Jack Markell on July 13, 2011
SB 102	<p>Long-Term Care Ombudsman-This Bill, keeps the Long-term Care Ombudsman program at Delaware Health & Social Services but allows it to be located outside the Division of Aging and Adults with Physical Disabilities. This change is required by the Federal Administration on Aging to keep the Ombudsman program in a separate Division from the long term care facilities.</p>	Letter sharing observations	6/17/2011	Signed by Governor Jack Markell on July 13, 2011

GACEC REVIEW OF STATE LEGISLATION, 146TH GENERAL ASSEMBLY
FY 2011

BILL	SYNOPSIS	RECOMMENDATION	LETTER DATE	STATUS & OUTCOME
HB 107	<p>Educator Licensure-This Act requires that all applicants for educator licensure in Delaware achieve a passing score on an examination of general knowledge such as PRAXIS I, before being issued an initial license.</p>	Letter sharing observations	6/23/2011	June 1, 2011-Reported out of House Education Committee with 1 favorable and 7 on its merits
HB 123	<p>Recognizing the Month of October as Disability History and Awareness Month in Delaware-Wendy Strauss first approached Rep. Quinn Johnson and Sen. Bethany Hall-Long about recognizing the month of October as Disability History and Awareness Month in Delaware back in the year 2009. As a result, Rep. Johnson and Sen. Hall-Long sponsored HCR 19, which was effective for two years. At the beginning of this legislative session, Wendy approached Rep. Johnson and Senator Bethany Hall-Long once again, this time requesting that they follow up HCR 19 with a bill. Rep. Johnson and Senator Bethany Hall Long introduced House Bill 123 during the 146th General Assembly.</p>	GACEC Executive Administrator worked with Representative Quinn Johnson and Senator Bethany Hall-Long on legislation beginning in 2009.	N/A	Signed by Governor Jack Markell on August 17, 2011
HB 283	<p>Deaf/Hard of Hearing Bill of Rights-This Bill creates certain rights for children who are deaf or hard of hearing in the Delaware School System.</p>	Letter Endorsing	6/10/2010	Signed by Governor Jack Markell on September 10, 2010

**GACEC REVIEW OF POLICY AND REGULATIONS
FY 2011**

REGULATION	SYNOPSIS	COUNCIL ACTION	LETTER DATE	RESPONSE
14 DE Reg. 6	Proposed Content Standards Regulation-proposed amendment to DOE's content standards regulation.	Letter Endorsing	7/14/2010	
14 DE Reg. 8	DSS Proposal to Adopt Revisions to Income Eligibility Standards for Child Care Subsidy Program.	Shared Observations and Technical Suggestions	7/19/2010	
14 DE Reg. 11	DSS Proposed Child Care Subsidy Interview and Service Authorization	Shared Observations and Concerns	7/19/2010	
14 DE. Reg. 14	DSS Proposed Child Care Subsidy Program Overpayment Regulation	Shared Observations, Concerns, and Technical Suggestions	7/19/2010	
14 DE Reg. 18	DSAMH Proposed Substance Abuse Facility Licensing Standards	Shared Observations, Concerns, and Technical Suggestions	7/19/2010	

**GACEC REVIEW OF POLICY AND REGULATIONS
FY 2011**

REGULATION	SYNOPSIS	COUNCIL ACTION	LETTER DATE	RESPONSE
Letter of Support	RE:Submission of University of Delaware's Center for Disabilities Studies (CDS) application for the U.S. Department of Education's Transition Programs for Students with Intellectual Disabilities into Higher Education (TPSID) grant program.	Letter of Support	7/26/2010	
14 DE Reg. 140	DOE Proposed Gifted Student Kindergarten Early Admission	Letter Endorsing	9/17/2010	
14 DE Reg. 142	DMMA Proposed School-Based Wellness Center Reimbursement	Shared Observations	9/17/2010	DMMA acknowledged Council's comments
14 DE Reg. 221	DOE Proposed Prohibition Against Discrimination Regulation	Letter Endorsing	10/20/2010	
14 DE Reg. 222	DOE Proposed World Language Credit Regulation	Shared Observations and Concerns	10/20/2010	

**GACEC REVIEW OF POLICY AND REGULATIONS
FY 2011**

REGULATION	SYNOPSIS	COUNCIL ACTION	LETTER DATE	RESPONSE
14 DE Reg. 231	DOE Proposed Supportive Instruction (Homebound) Regulation	Shared Observations and Recommendations	10/20/2010	
14 DE Reg.244	DMMA Proposed Durable Medical Equipment Ownership	Letter Endorsing, Subject to DMMA Consideration of Council's Stated Concerns and Recommendations	10/20/1010	Acknowledged Council's comments, however, no changes were made to the regulation.
14 DE Reg. 246	DPH Proposed Child Lead-Based Screening Regulation	Letter Endorsing	10/20/2010	
14 DE Reg. 342	Delaware Council on Police Training Child Abuse Training	Letter Endorsing	11/29/2010	
14 DE Reg. 347	DOE Proposed Accountability Regulation	Shared Observations	11/18/2010	

**GACEC REVIEW OF POLICY AND REGULATIONS
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REGULATION	SYNOPSIS	COUNCIL ACTION	LETTER DATE	RESPONSE
14 DE Reg. 354	DOE Proposed School Nurse Regulation	Shared Observations and Recommendations	11/18/2010	Incorporated Council's suggested changes to sections 6.1.1, 6.1.2, 6.1.3, 6.1.4
14 DE Reg. 357	DMMA Proposed Child Eligibility for General Assistance (GA) and Temporary Assistance for Needy Families (TANF)	Shared Observations	11/29/2010	Acknowledged Council's comments, however, no changes were made to the regulation.
14 DE Reg. 360	DMMA Proposed Public Assistance Reporting Information System	Letter Endorsing	11/29/2010	DMMA sent a letter thanking Council for their comments.
14 DE Reg. 361	DMMA Proposed Medicaid & CHIP Quality Assurance Reg.	Shared Observations, Recommendations, and Inquiries	11/18/2010	DMMA acknowledged Council's comments, and stated that their response would be printed in the January, 2011 register of regulations due to the length of their reply.
14 DE Reg. 363	DMMA Proposed Citizenship & Alienage Regulation	Letter Endorsing	11/29/2010	DMMA sent a letter thanking Council for their comments.

**GACEC REVIEW OF POLICY AND REGULATIONS
FY 2011**

REGULATION	SYNOPSIS	COUNCIL ACTION	LETTER DATE	RESPONSE
14 DE Reg. 383	VCAP Proposed Payment of Claims Regulation	Letter Endorsing	11/29/2010	
14 DE Reg. 432	Office of Hwy. Safety Motorcycle Helmet & Eye Protection Reg.	Shared Observations	11/29/2010	
14 DE Reg. 604	DOE Proposed Children with Disabilities Part 922 (Purposes and Definitions)	Shared Recommendations	1/20/2011	DOE acknowledged Council's comments, and agreed to make the suggested grammatical changes. DOE will revise its state regulation defining "FAPE" to include sub-sections of (5)(e) and (5)(f) of section 3103
14 DE Reg. 606	DOE Proposed Children with Disabilities Part 923 General Duties Reg.	Shared Observations	1/20/2011	DOE agrees to pursue an amendment to the regulation in conjunction with the upcoming regulatory revisions to the Needs Based Funding System. DOE also agreed to Council's suggested grammatical changes.
14 DE Reg. 607	DOE Proposed Children with Disabilities Part 924 LEA Eligibility Reg.	Letter Endorsing	1/20/2011	

**GACEC REVIEW OF POLICY AND REGULATIONS
FY 2011**

REGULATION	SYNOPSIS	COUNCIL ACTION	LETTER DATE	RESPONSE
14 DE Reg. 609	DOE Proposed Children with Disabilities Part 925 Evaluation/Eligibility/IEP	Shared Observations	1/20/2011	DOE will defer revisions to 20.2 and 22.2.2 at this time, and will propose additional revisions with upcoming regulatory revisions for Needs Based Funding.
14 DE Reg. 610	DOE Proposed Children with Disabilities Part 926 Procedural Safeguards Reg.	Shared Observations	1/20/2011	DOE will defer a revision to section 3.1.3, and will research Council's comments further. DOE agreed to revise the technical error noted by Council in section 30.2
14 DE Reg. 612	DOE Proposed Children with Disabilities Part 927 Monitoring/Enforcement/Confidentiality Reg.	Shared Observations and Recommendations	1/20/2011	DOE agrees to revise section 13.3. DOE will propose the revisions requested by Council for section 17.1.
14 DE Reg. 614	DOE Proposed Children with Disabilities Part 928 Funds Use and Administration Reg.	Letter Endorsing	1/20/2011	
14 DE Reg. 615	DMMA Proposed PASRR Regulation	Shared Observations	1/31/2011	

**GACEC REVIEW OF POLICY AND REGULATIONS
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REGULATION	SYNOPSIS	COUNCIL ACTION	LETTER DATE	RESPONSE
14 DE Reg. 618	DSS Proposed Fair Hearing Practices and Procedures Reg.	Shared Observations and Recommendations	1/31/2011	
14 DE Reg. 620	DSS Proposed Food Supplement Program Verification	Shared Observations and Recommendations	1/31/2011	
14 DE Reg. 760	DOE Proposed School Board Member Special Education Hearing Training	Letter Endorsing	2/16/2011	
14 DE Reg. 762	DOE Proposed Notice to School Boards of Due Process Proceedings Reg.	Shared Comments Endorsing, Subject to Two (2) Considerations	2/16/2011	
14 DE Reg. 765	DOE Proposed World Language Teacher Certification Regulation	Shared Observations	2/16/2011	

**GACEC REVIEW OF POLICY AND REGULATIONS
FY 2011**

REGULATION	SYNOPSIS	COUNCIL ACTION	LETTER DATE	RESPONSE
14 DE Reg. 770	DSS Proposed TANF Eligibility Regulation	Shared Observations	2/16/2011	
14 DE Reg. 771	VCAP Proposed Payment of Mental Health Claims Regulation	Letter Endorsing	2/16/2011	
Letter of Support	Lake Forest School District Delaware Early Childhood Center/Sussex Parents As Teachers-Grant application to the Department of Education (DOE) for the Parents as Teachers (PAT) Program	Letter of Support	2/16/2011	
Letter of Concern	Department of Public Health (DPH) Newborn Hearing Screening Coordinator Position Vacancy- Shared concerns over the length of the vacancy. This leaves families without the services they need. There is also the possibility of losing \$250,000 in federal funds if the position is left unfilled	Letter of Concern, requesting information on status of DPH's intentions regarding filling the position	3/1/2011	Dr. Karyl Rattay sent an email to Wendy Strauss, per the request of Secretary Rita Landgraf. Dr. Rattay stated that DPH was working with the Office of Management and Budget (OMB) to get the position posted ASAP.
14 DE Reg. 848	DOE Proposed Interpreter/Tutor for the Deaf and Hard of Hearing Reg.	Shared Observations	3/16/2011	

**GACEC REVIEW OF POLICY AND REGULATIONS
FY 2011**

REGULATION	SYNOPSIS	COUNCIL ACTION	LETTER DATE	RESPONSE
14 DE Reg. 851	DOE Proposed Resident Advisor Regulation	Shared Observations	3/16/2011	
14 DE Reg. 947	DOE Proposed Student Testing Program Regulation	Shared Observations	4/20/2011	
14 DE Reg. 978	DOE Proposed School to Work Transition Teacher Regulation	Letter Endorsing Subject to Two Concerns	4/20/2011	The Professional Standards Board thanks Council for their comments, and will incorporate the two suggested grammatical changes.
14 DE Reg. 980	DOE Proposed School Social Worker Regulation	Letter Endorsing	4/20/2011	
14 DE Reg. 983	DLTCRP Proposed Protection and Advocacy (P & A) Cooperation Regulation	Letter Strongly Endorsing	4/28/2011	

**GACEC REVIEW OF POLICY AND REGULATIONS
FY 2011**

REGULATION	SYNOPSIS	COUNCIL ACTION	LETTER DATE	RESPONSE
14 DE Reg. 998	DMMA Proposed Medicaid and Delaware Healthy Children Program (DHCP) Alien Eligibility Regulation	Shared Recommendations	4/28/2011	DMMA Responded : "There is no need for [DMMA] to consider if prenatal care could be offered as a state funded benefit, due to section 214 of the Children's Health Insurance Program Reauthorization Act (CHIPRA) which provides Medicaid coverage to pregnant women residing in the United States."
14 DE Reg. 1001	DMMA Proposed Medicaid LTC Resource Exclusions	Letter Endorsing	4/28/2011	DMMA thanks Council for their endorsement.
14 DE Reg.1002	DPH Proposed Alzheimer's Disease and Dementia Training Regulation	Shared Observations	4/28/2011	
14 DE Reg. 1009	DSS Proposed Child Subsidy Program Special Needs Child Regulation	Shared Observations	4/28/2011	
14 DE Reg. 1011	DMMA Proposed TANF & RCA Income & Resource Exclusion	Letter Endorsing	4/28/2011	

**GACEC REVIEW OF POLICY AND REGULATIONS
FY 2011**

REGULATION	SYNOPSIS	COUNCIL ACTION	LETTER DATE	RESPONSE
14 DE Reg. 1155	DOE Proposed High School Graduation and Diploma Regulation	Shared Observations and Concerns	5/18/2011	
14 DE Reg. 1161	DOE Proposed Unit Count Regulation	Letter Endorsing	5/18/2011	
14 DE Reg. 1187	DOE Proposed Professional Development Standards	Letter Endorsing Subject to Two Concerns	5/18/2011	
14 DE Reg. 1189	DLTCRP Proposed Skilled and Intermediate Nursing Facility Regulation	Letter Endorsing	5/25/2011	
14 DE Reg. 1190	DLTCRP Proposed Assisted Living Facility Regulation	Letter Endorsing	5/25/2011	

**GACEC REVIEW OF POLICY AND REGULATIONS
FY 2011**

REGULATION	SYNOPSIS	COUNCIL ACTION	LETTER DATE	RESPONSE
14 DE Reg. 1191	DMMA Proposed Medicaid Prohibition on Payments to Entities Outside the U.S. Reg.	Letter Endorsing	5/25/2011	
14 DE Reg. 1193	DMMA Proposed Estate Recovery Regulation	Letter Endorsing	5/25/2011	
14 DE Reg. 1195	DPH Proposed Pre-Hospital Advanced Health Care Directive Regulation	Shared Observations	5/25/2011	
14 DE Reg. 1203	DSS Proposed Child Care Subsidy Child Support Cooperation Regulation	Letter Sharing Concerns	5/25/2011	
14 DE Reg. 1222	DOE Final Deaf and Hard of Hearing Interpreter/Tutor Regulation	Letter Reiterating Previously Stated Deficiencies, Shared Other Observations	5/18/2011	

**GACEC REVIEW OF POLICY AND REGULATIONS
FY 2011**

REGULATION	SYNOPSIS	COUNCIL ACTION	LETTER DATE	RESPONSE
14 DE Reg. 1226	DOE Final Resident Advisor Regulation	Letter Reiterating Previously Stated Deficiencies & Inquiring as to Why Council's Commentary was Ignored	5/18/2011	
Letter of Support	Developmental Disabilities Council (DDC)'s Strategic Plan 2011-2016	Letter of Thanks/Support	6/20/2011	
Letter Endorsing Previously Drafted Letter by State Council for Persons with Disabilities (SCPD)	HealthSouth Rehabilitation Hospital of Delmarva Construction Application	Letter of Collaborative Support with SCPD	6/20/2011	
14 DE Reg. 1276	DOE Career and Technical Education Program Regulation	Request for Information (Rationale for Proposed Changes)	6/23/2011	Email response to Council's request for information received.
14 DE Reg. 1280	DOE Proposed Purposes and Definitions (Mental Retardation: Hearing Impairment) Regulation	Letter Endorsing	6/22/2011	

**GACEC REVIEW OF POLICY AND REGULATIONS
FY 2011**

REGULATION	SYNOPSIS	COUNCIL ACTION	LETTER DATE	RESPONSE
14 DE Reg. 1292	DOE Proposed General Duties and Eligibility (Eligibility Age) Regulation	Shared Observations	6/22/2011	
14 DE Reg. 1294	DOE Proposed Evaluation, Eligibility and Individualized Education Plans (IEP) Regulation	Shared Observations	6/22/2011	
14 DE Reg. 1295	DOE Proposed Procedural Safeguards (Discipline Notice) Regulation	Shared Observations and Comments	6/22/2011	
14 DE Reg. 1297	DOE Proposed Records Access Regulation	Letter Endorsing	6/22/2011	
14 DE Reg. 1299	DOE Proposed Use and Administration of Funds Regulation	Shared Observations and Comments	6/23/2011	

**GACEC REVIEW OF POLICY AND REGULATIONS
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REGULATION	SYNOPSIS	COUNCIL ACTION	LETTER DATE	RESPONSE
14 DE Reg. 1304	DSS Proposed Child Care Subsidy Program In-Home Care Regulation	Letter Endorsing	6/30/2011	