



Governor's Advisory Council For Exceptional Citizens (GACEC)

The Council's adopted role is "to provide leadership through advice giving and advocacy for the education of and amelioration of unmet needs of citizens of all ages who are exceptional." Council activities in fulfilling this role are intended "to improve the lives of Delaware citizens who are exceptional."

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

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Message from the Chair

The Governor's Advisory Council for Exceptional Citizens (GACEC) has had a very busy and productive year. We have reviewed the progress the Department of Education is making in the DAPA, NCLB implementation, Biennial performance report, Memoranda of Agreement with other agencies, PCCD Continuous Improvement Monitoring Process, State and district self-assessments and the State Improvement Plan.

In addition to the activities above, the Chairperson appointed a member of GACEC to attend the Office of Special Education Programs' (OSEP) Continuous Improvement Self Assessment Process. This was a lengthy and important commitment that benefited Council's understanding and participation in this on-going process.

Council also reviewed the draft Interagency Agreements between the Exceptional Children Group at the Department of Education, and the Division for the Visually Impaired (DVI), Delaware Autism Program (DAP), Division of Vocational Rehabilitation (DVR), Division of Services for Children, Youth and their Families (DSCY&F) and the Division of Developmental Disabilities Services (DDDS)

Council activities also included a review of the federal No Child Left Behind (NCLB), which is a reauthorization of the Elementary and Secondary Education Act (ESEA of 1965) which supports elementary and secondary education and drives education reform efforts across the nation. Key accountability changes will be introduced with the annual assessment of all children in grades 3 through 8 and one high school grade by 2006. Science assessments must be added by 2008. Under the NCLB, all students must meet proficiency on the state assessment (DSTP) in reading/ELA and math by the 2013-2014 school year in the aggregate and in each subpopulation. Schools that do not make Adequate Yearly Progress (AYP) for two years or more will be required to inform all parents of their rights relative to school choice and or supplemental services.

John A. Werner
Chairperson

What is the Council?

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..."

Organizational Structure

GACEC is an all volunteer Council in which the composition of GACEC membership represents a broad cross-section of Delaware's community statewide. The GACEC holds regularly scheduled meetings which are open to the public. Officers are elected annually, with the elected chairperson responsible for providing the Council its primary leadership and supervision for the staff members. The Board of Directors consists of the officers, committee co-chairs, and the Past Chairperson. 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) and four issues committees: (infant/early childhood, children and youth, adult/transition services and policy and law).

Eleventh Annual Fall Planning Retreat

GACEC held its Eleventh Annual Planning Retreat on September 26 & 27, 2003 at the Virden Center in Lewes, Delaware, as part of the Council's planning activities for FY 2004. Participants at the Retreat included GACEC members, staff, DOE & CDS Staff and a panel of teachers from around the state.

Preliminary Retreat activities involved extensive planning, including:

- A survey of perceived needs of all Council members;
- Development of DOE Exceptional Children Team expectations from various initiatives and issues for 2003-2004;
- Formulation of the FY 2003-2004 GACEC operational plan.

Council reviewed their yearly goals. The Council goals are as follows:

1. To foster improved results of exceptional students by monitoring and supporting the implementation of the State Improvement Plan (SIP), State Improvement Grant (SIG) and No Child Left Behind (NCLB) as the NCLB pertains to students with exceptionalities.
2. To improve delivery of special education and related services in the least restrictive and natural environments by reducing funding barriers and improving practice.
3. To improve programs and services for exceptional citizens by reviewing and advocating for funding, policies and procedures that positively impact exceptional citizens.
4. To improve the impact of the GACEC through effective communication strategies.
5. To improve Delaware's Department of Education standards-based reform and accountability efforts through review and advocacy for the inclusion of exceptional students in all provisions and programs.

GACEC Budget Report

The GACEC FY 2005 budget request was submitted to the State Budget Office in November, 2003. Chairperson, John Werner, along with GACEC staff, presented the proposed budget to the Joint Finance Committee in February of 2004. Due to the economic condition of the state, additional funds were requested and approved by the Joint Finance Committee (JFC) in only the following areas:

- An increase of \$3,000.00 in the “Personnel “ line was requested and approved as part of the state’s salary contingency plan.
- A structural change was requested and approved to move \$2,000.00 from the Contractual Service line into the Supplies line.

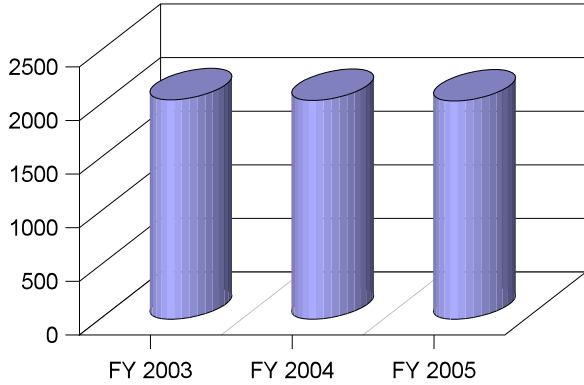
With the assistance of the GACEC staff, a 3% budget reduction was developed, at the request of the State Budget Office.

FY 2004

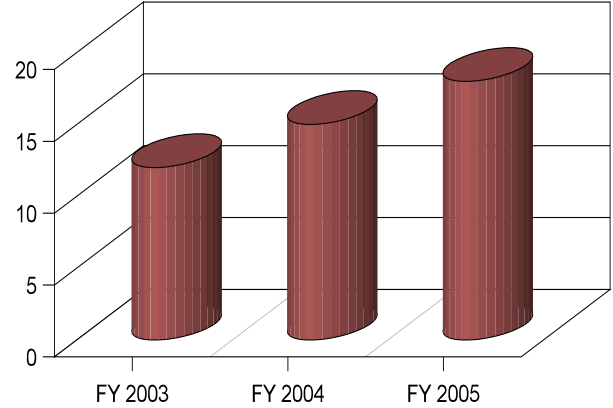
Personnel Cost \$93,4000
Travel Cost \$6,000
Contract Services Cost \$13,200
Supplies & Material Cost \$1,100

FY2004 Performance Measures

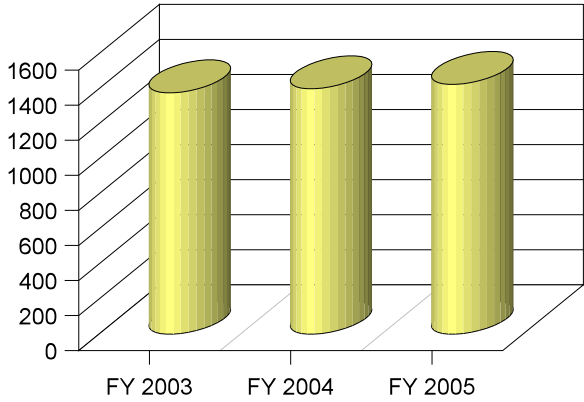
Letters on State Legislation
Performance Measure # 1



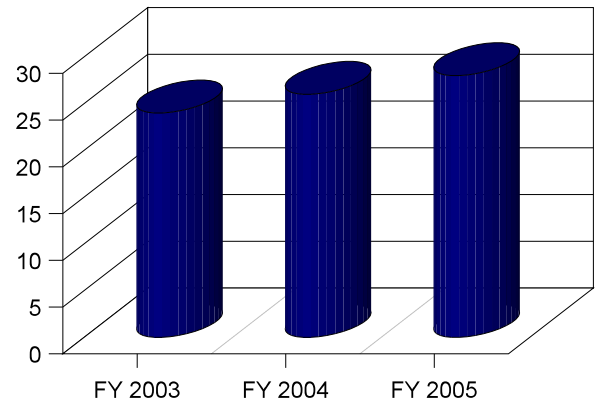
Contacts with Legislators & Executive Branch
Performance Measure # 2



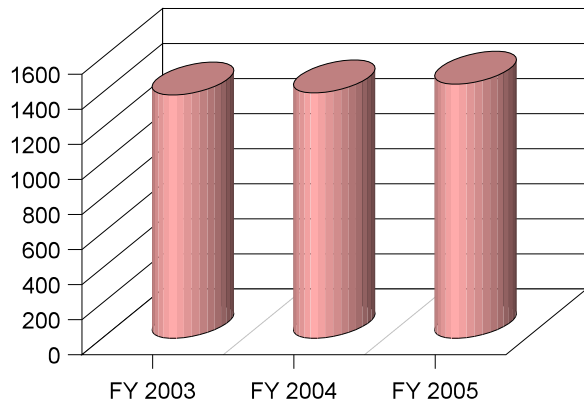
Contacts via Letters
Performance Measure # 3



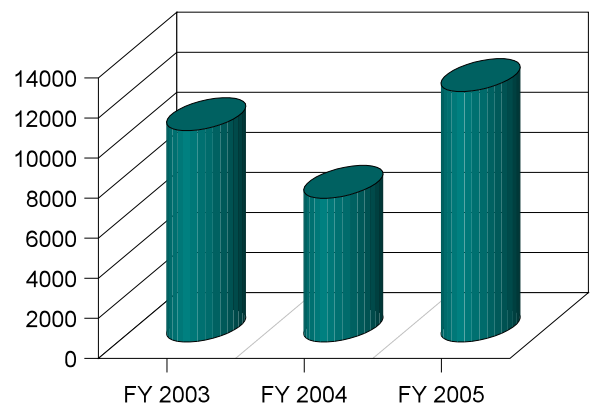
Participation by GACEC
Performance Measure # 4



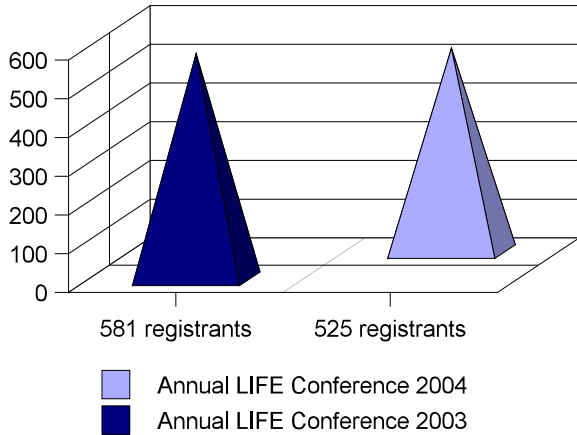
Individuals Reached by GACEC
Performance Measure # 5



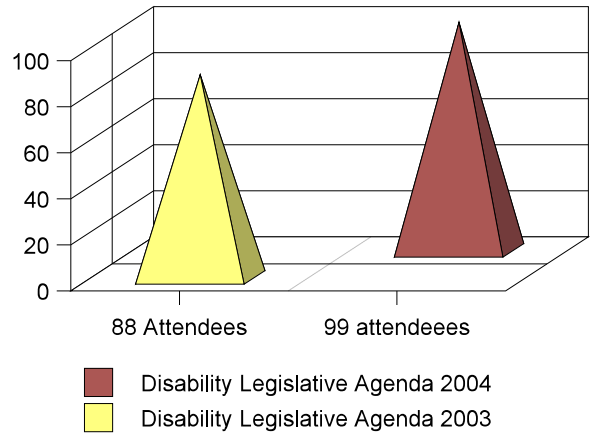
GACEC Website Accessed
Performance Measure # 6



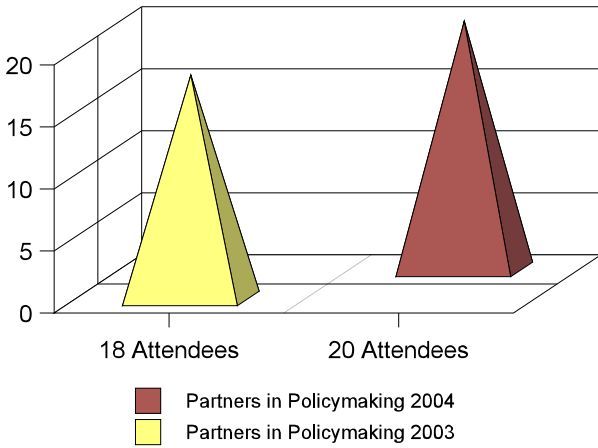
Co-sponsored by GACEC



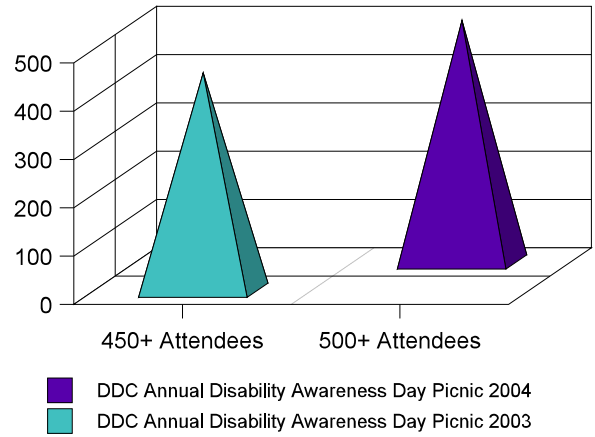
Collaborated w/sponsor



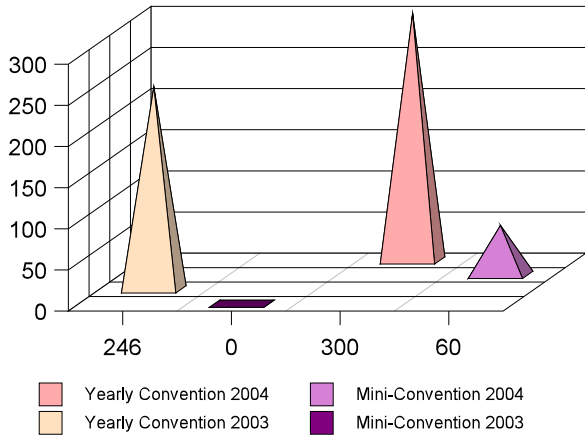
Executive Administrator Presentations



Collaboration



DE Council for Exceptional Children



Executive Administrator Presentations



- Letters on state legislation per year to elected officials.
- Personal contacts with key legislators and executive branch personnel related to proposed legislation.
- Contacts via letters to DOE, SBE & other agency representatives.
- Boards, councils and committees with participation by GACEC staff and members.

- Individuals reached via GACEC presentations or co-sponsorship of conferences & workshops on education & disability related issues, by members and staff.
- Times GACEC website home page accessed annually.

Note: FY 2003 - Actual, FY 2004 - Estimated and FY 2005 Projected

ADMINISTRATIVE COMMITTEES

MEMBERSHIP COMMITTEE REPORT

- An Ad Hoc committee composed of the Membership Committee chairperson and several other Council members was formed to address member leave of absences and extensions in the current by-laws. This committee also addressed meeting attendance and discipline. Based on the recommendations of this committee, the bylaws were revised to clarify the obligations of Council members in regard to attendance and leave of absences.
- The Council and Membership Committee continue to recruit individuals who represent state juvenile and adult corrections agencies in order to fulfill the membership mandate as stated in Council by-laws.
- The Membership Committee is actively seeking to recruit more special education teachers for membership.

PERSONNEL COMMITTEE REPORT

- This year the Personnel Committee was successful in conducting a Maintenance review of the executive administrator's position (non-merit). As of 6/15/04, the critical reclass has been approved by the State Personnel Office. The current title is Deputy Principal Assistant/Paygrade 13. This has been reclassified to the equivalent of the Merit position of a Social Services Senior Administrator/Paygrade 18. Since this is a non merit position, the title of Deputy Principal Assistant will be retained.
- Additional goals for the Personnel Committee are to complete the GACEC Personnel Manual and to seek funding for at least a part time position.

ISSUES COMMITTEES

INFANT AND EARLY CHILDHOOD

- The goals of the Infant and Early Childhood committee were as follows: to enhance services to young children and their families in natural environments and to study and make recommendations regarding issues related to birth to five population. The strategies for these goals included: 1) Moving from information gathering to making an impact; 2) increasing access at quality childcare establishments for children and monitoring new child care regulations coming out; 3) learning more about the pilot program in the Seaford Preschool unit; 4) reviewing findings of the Early Care and Education advisory committee for children with disabilities prior to meetings and making suggestions at the meeting to report to the full Council; 5) learning more about the Universal Design for Learning study design specific to preschool children at the Inclusion Conference; 6)

monitor inclusion in child care centers; 7) encourage and monitor parent involvement/inclusion; 8) monitor transition services at age 3 and 9) research the Early Learning Foundations Initiative.

- The committee engaged in a number of activities to align with these strategies such as requesting that the GACEC support the preschool unit and changes in the use of “developmental delay” for children until the age of eight. A letter was written in support of these changes. The committee heard monthly reports on the status of the proposed child care regulations. Committee members were invited to the public hearings on these regulations. The committee discussed the need for inclusion to be a part of the definition of quality. The committee had a presentation from representatives of the Seaford School District Early Childhood program, where the preschool unit has been piloted. Using this program as a model for statewide inclusion efforts was discussed. Monthly committee meetings included reports on Early Care and Education Council meetings, as well as other early childhood work going on throughout the state. The committee requested to Council that we work harder on recruiting families to participate as Council members and share their perspective.
- The committee also invited Paula Burdette of DOE to present to committee on Universal Design for Learning (UDL). She presented information to the entire Council, but did not know how Universal Design applied to Early Childhood. Committee is still looking for a resource to bring this information into an early childhood application. No committee members were able to attend the Inclusion Conference this year. The committee reported on the work of the Building Capacity in Natural Environments committee of the ICC, including two projects offering assistance to child care centers- the Johnson and Johnson-Easter Seals grant and Project Insite.
- In keeping with the committee’s strategy to increase parent involvement and inclusion, the committee discussed work done with the New Scripts project identifying parents to work as co-educators and presenters in pre-service and in-service programs for persons working in early childhood special education. Betty Richardson, with Partners in Excellence, presented to the entire Council about the work being done on Social and Emotional Wellness for young children. Monthly updates on the Partners in Excellence (PIE) project were shared with the committee at meetings. The issue of transition services at age 3 was discussed but not studied in depth. Transition continues to be an issue for families and programs across the state. To learn more about the Early Learning Foundations (ELF) Initiatives, committee members reviewed copies of the ELF document and discussed its contents. Reports on the committee formed to work on an infant-toddler version were shared with the committee.

CHILDREN AND YOUTH

- The Children and Youth Committee goals were to: review the effectiveness of discipline practices; review implementations of inclusion practices; and review State Assessment initiatives (DSTP and DAPA). The primary focus for the Children and Youth Committee this year was the review of effective discipline practices.
- To achieve the primary goal of reviewing the effective discipline practices the committee attempted to compare the State SIP Report with the individual district SIP reports. Specifically

the committee reviewed, Priority Area Three: Improve Student Behavior. This proved to be a difficult task as the reporting methods varied from district to district. In addition, the types of information reported on were not the same between the different districts. This also prevented the State from developing a statewide statistical database in order to conduct comparisons.

- However, with the information that was available, it was possible to determine if a school district had or had not improved in the area of disciplinary climate and practices from the previous year. As to date, these developments are not seen on a statewide level. This continues to be a problem in addressing the disciplinary climate of special needs children in the State.
- Additionally, the committee reviewed in length, the newly proposed eligibility regulations for autism, adaptive cognitive disability, developmental delay, orthopedic impairment and other health impairment. Committee's comments, questions, and recommendations were stated in Council and mirrored those of other committees and individuals.
- The committee reviewed three proposed interagency agreements. The committee recommended the agreements with no questions or recommendations.
- The other two goals of the committee were not actively pursued this year but were monitored to insure that progress was still being made in the areas of inclusion and State assessments.

ADULT/TRANSITION SERVICES

- The Adult/Transition Services Committee reviewed agencies that provide training and education to students in transition from high school to post-secondary education, work, and life in the community. In addition, committee members met with Marianne Smith, Director of the Division of Developmental Disabilities Services in October 2003 and Penny Orendorf in January 2004 in order to get an overview of the adult service system. They were also able to obtain a list of adult service providers so they could conduct site visits.
- So far this year committee members have conducted site visits to the following adult service provider programs:
 - ▶ The Chimes, Easter Seals (NCC)
 - ▶ Chesapeake Care Resources
 - ▶ Opportunity Center, Inc.
 - ▶ Heartwood Corporation

The committee will continue to conduct site visits into the '04-'05 program year.

- The group researched the availability of continuing education programs available to adults with disabilities in Delaware. They reviewed Michael Gamel-McCormick (Center for Disabilities Studies) proposal for CDS Adult Education Pilot. The committee will continue to research available options.

- In addition the committee has obtained information on the Lanterman Act (CA). They are still awaiting results of staff, DDPC, Arc, inquiries into other states' adult services entitlement programs. Research in this area will continue into the 04-05 program year.
- The Committee is interested in Transportation issues that affect individuals with disabilities and will advocate for improved transportation services across Delaware for people with disabilities. In the following year the Adult Transition Committee will invite Dean Beatts and Kyle Hodges to future meetings, to discuss Driver Education issues.
- At Council's pleasure, the committee has retained the goal of identifying special education services in the prison system. No significant action was taken on this issue this year. This will be an ongoing goal for this group.

POLICY AND LAW COMMITTEE

- Last year the GACEC was instrumental in drafting legislation on Traumatic Brain Injury (TBI) and getting it passed. SB 105 Traumatic Brain Injury Unit Count was initially drafted by Council members, before being sponsored by Senator Patricia Blewins. The legislation established a distinct TBI classification in conformity with Federal law and State regulations and was signed by the Governor on August 14, 2003. The Department of Education has released the Unit Count Report for the 2003-2004 school year. It reflects zero students identified as TBI. Dr. Martha Brooks hopes that by September 2004, the unit count will reflect more accurate TBI statistics.
- This year the Policy and Law Committee reviewed twenty-five pieces of proposed legislation and sixty-two proposed regulations, policies and interagency agreements.
- The Policy and Law Committee reviews and analyzes proposed state legislation and regulations, as well as federal legislation affecting exceptional citizens. The GACEC, in conjunction with other Councils and Committees was successful in advocating for changes in a number of pieces of legislation. A brief overview of some of the initiatives are highlighted below:
- SB 234 Motorized Go Peds - This bill regulates the usage of motorized scooters and skateboards. Council endorsed the concept of the bill and recommended strengthening the helmet/eye protection standards and including vendor display/advertising requirements. The bill was passed, with several amendments and signed by the Governor on 6/29/04.
- SB 261 Nurse Practice Act Exemption - This bill was drafted by a Council member and endorsed by the Council. It authorizes competent individuals to delegate health care acts which they could normally perform themselves but for functional limitations. The Board of Nursing will promulgate regulations, after consultation with SCPD and DDC representatives, listing exclusions. The legislation was signed on 6/18/04.
- SB 271 Homeless Students - This bill adds a 1-sentence exemption to the statute which contemplates school attendance by students in the district in which they reside, i.e., generally where their parent or guardian lives; thus ensuring that any changes to the McKinney Act do not

have to be addressed in new State legislation to ensure conformity. Council endorsed the bill which was signed on 7/22/04.

- HB 433 Assistive Technology (AT) Lemon Law - Requires that new AT sold or leased in the State include at least a one year warranty. Also authorizes a refund or replacement of defective AT after 2 unsuccessful repair attempts or reaching a threshold of 30 days during which the AT has been out of service during the warranty period. Council strongly endorsed this legislation which was signed on 6/29/04.
- House Bill 373 Money Follows the Person - Stated that funds used to cover cost of service in nursing facilities or similar facilities, follow individuals into the home- or community-based service environment. Council members were very active in attempting to get this bill passed. It did not pass. However, Senate Resolution SR 26 has been proposed urging the Governor's Commission on Community-Based Alternatives for Individuals with Disabilities to create a Subcommittee to undertake all necessary steps to fund, facilitate and complete a study on the feasibility of implementing the "Money Follows the Person" initiative.
- SB 270 Speech Language Pathologist (SLP) Incentive Loans - Expands eligibility to non-public school employees who are providing services in IDEA-C programs and offers incentives to service providers of infants and toddlers enrolled in the DHSS program to counteract the current shortage of SLPs. Council endorsed the legislation, which was signed on 6/24/04.
- Governor's Commission on Community-Based Alternative-Executive Order 50 - established to ensure the availability of community based programs for persons with disabilities in order to foster independence and participation in the community. The GACEC wrote a letter in support of the Executive Order and has several members that are a part of the committee and/or the subcommittees.
- This committee will continue to review and analyze proposed State regulations and proposed bills affecting exceptional citizens
- For the upcoming year, the P&L goal is to again review the legislation proposed by the Delaware State Legislature which concerns the interests of individuals with disabilities. In addition, we will interview and recommend candidates for the Due Process Hearing Panel and suggest any changes to the Council's By-Laws.

Listed below is a comprehensive list of organizations and councils as well as public meetings with which GACEC staff and/or members are involved on a recurrent basis, and which assist the Council with interagency collaboration and coalition building.

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|---|---|
| 1. State Board of Education (SBE) | 16. University of Delaware Center for Disabilities Studies(CDS) |
| 2. Department of Education , Special Education Group | 17. Department of Labor Vocational Rehabilitation Advisory Committee |
| 3. Developmental Disabilities Council (DDC) | 18. Delaware Student Testing Program (DSTP) Task Force |
| 4. Interagency Coordinating Council (ICC) for Part C of IDEA | 19. Statewide Coalition on the Americans with Disabilities Act (SCADA) |
| 5. Delaware Ticket to Work Committee | 20. Workforce Investment Act Advisory Board |
| 6. Delaware Alternate Portfolio Assessment (DAPA) Program | 21. Governor’s Commission on Employment of People w/Disabilities |
| 7. Partners Council for Children with Disabilities (PCCD) | 22. Division of Vocational Rehabilitation/Delaware Autism Program (DVR/DAP) Taskforce |
| 8. State Council for Persons with Disabilities (SCPD) | 23. Downs Syndrome Association |
| 9. Delaware Federation & National Federation Council for Exceptional Children | 24. 21 st Century Learning Center Advisory Committee |
| 10. Governor’s Commission on Community-Based Alternatives for Individuals with Disabilities (GCCBAID) | 25. “Coaching” Steering Committee |
| 11. Association for the Rights of Citizens with Mental Retardation in Delaware (ARC-Delaware) | 26. Partners in Excellence (PIE) Early Care and Education Initiative |
| 12. Coordinating Council for Children with Disabilities | 27. Children and Adults with Attention Deficit Disorder (CHADD) |
| 13. Parent Information Center of Delaware, Inc. | 28. SCPD Traumatic Brain Injury (TBI) Committee |
| 14. Autism Society of Delaware (ASD) | 29. Collaborative Efforts to Reinforce Transition Success (CERTS) |
| 15. Protection and Advocacy of Individual Rights (PAIR) | 30. SCPD Public Relations Group |

The GACEC gratefully acknowledges the efforts and assistance of several Department of Education and State of Delaware agency staff members and invited guests who have been so helpful in attending meetings to provide information and to answer questions for committees and for Council as a whole.

Presenters & topics:

- ★ Mark Chamberlin, DOE - Transition IEP Pilot
- ★ Shauna Crossen, Center for Disability Studies (CDS), Brian Touchette, Diana Farrell, Teacher on loan to DOE & Judi MacBride, DAPA Parent Liaison - DAPA Update
- ★ Dr. Martha Brooks - Preschool Unit Funding Pilot Program, First State School update, SIP, PCCD Update, Unit Count Funding Pilot, Due Process Hearing Manual draft, DOE Annual Performance Report, Focused Monitoring
- ★ Dr. Nancy Wilson, DOE - No Child Left Behind (NCLB)
- ★ Representative Pam Maier - How to contact and discuss issues with legislators
- ★ Betty Richardson, DOE - Emotional Wellness Framework
- ★ Penny Orndorff, DDDS - Adult Services
- ★ Robin Case, DOE, Lori Sansbury Duerr, DOE, Debbie Boyer, CDS - Positive Behavior Support System, School Climate & Discipline Report
- ★ Diane Kichline, Sandy Gregory, Rayna Chaffinch, Carol Workman, and Helen Trivits of the Seaford School District - Early childhood inclusion and the preschool unit count
- ★ Dr. Paula Burdette - State Improvement Grant & Universal Design Curriculum

**GOVERNOR'S ADVISORY COUNCIL FOR EXCEPTIONAL CITIZENS
(GACEC)
MEMBERSHIP LIST 2003-2004**

- | | | | |
|-----|-------------------------|-----|------------------------|
| 1. | Marie-Anne Aghazadian | 19. | Danna M. Levy |
| 2. | Rosanna Andrews | 20. | Patricia Maichle |
| 3. | Martha Brooks | 21. | Diane Merritt |
| 4. | Jean Butler | 22. | Janet S. Milnamow |
| 5. | Al Cavalier, Ph. D. | 23. | Meri Jo Montague |
| 6. | Nancy Cordrey | 24. | Karen O'Brien |
| 7. | Janet R. Cornwell | 25. | William P. O'Neill |
| 8. | Patricia Darlington | 26. | Robert D. Overmiller |
| 9. | Helene Diskau | 27. | Deborah L. Pote |
| 10. | Jan Drake | 28. | Dennis Rubino |
| 11. | Ronald Engard | 29. | Melissa Shahan |
| 12. | Michael Gamel-McCormick | 30. | Judy A. Smith |
| 13. | Lisa Gonzon | 31. | Darlene M. St. Peter |
| 14. | Bernhard Greenfield | 32. | Nancy L. Suleski |
| 15. | Theresa A. Hancharick | 33. | Charles W. Tulloch, II |
| 16. | Brian J. Hartman, Esq. | 34. | John A. Werner |
| 17. | Dave Hosier | 35. | Kristin Wilson |
| 18. | Christopher Laniyan | | |

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