



**Governor's Advisory Council for Exceptional Citizens (GACEC)**  
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**MEMORANDUM**

**DATE:** March 20, 2015

**TO:** The Honorable Members of the Delaware General Assembly

**FROM:** Robert D. Overmiller, Chairperson  
GACEC

**RE:** Senate Bill No. 33 IEP Process

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed Senate Bill No. 33 which implements the legislative recommendations of the IEP Improvement Task Force created by the 147<sup>th</sup> General Assembly. The recommendations it implements are to:

- 1) Provide more detailed and helpful information to parents about their rights and resources in the IEP process;
- 2) Solicit the input of parents and children regarding the IEP process before IEP meetings occur;
- 3) Provide advance notice to parents and children of documents that will be discussed at IEP meetings;
- 4) Require the facilitation of parent councils to provide peer support for the parents of students with disabilities;
- 5) Ensure that teachers, staff, and contract employees do not suffer retaliation for offering their candid opinions during the IEP process;
- 6) Ensure that employment planning during the IEP process is consistent with Delaware's employment first policy;
- 7) Require a robust annual survey of parents and children to ensure that school districts and charter schools are adhering to state and federal law with respect to the IEP process.;
- 8) Ensure that charter schools are attentive to their responsibilities and available resources with respect to students with disabilities and
- 9) Require that the Department of Education report to the General Assembly on the status of and possible alternatives to the IEP Plus computer system, which has been an impediment to the preparation of IEPs by teachers, staff, and contractors.

Council has been in discussions with the sponsors of Senate Bill No. 33 and **endorses** the bill as amended. The amendment adds new emphasis to the law requiring that notices to parents must be in writing. It clarifies that charter schools and school districts have similar obligations in educating students with disabilities and that charter schools have an ongoing obligation to have a designated staff person trained in the legal requirements of educating students with disabilities. It also adds a specific task force recommendation that progress on transition related goals be regularly reported.

Thank you for your time and consideration of our observations and recommendations. Please feel free to contact me or Wendy Strauss should you have any questions.

CC: The Honorable Matt Denn, Attorney General