

**GOVERNOR'S ADVISORY COUNCIL FOR EXCEPTIONAL CITIZENS (GACEC)
GENERAL MEMBERSHIP MEETING (ZOOM MEETING)
7:00P.M., June 16, 2020
ZOOM MEETING**

MINUTES

MEMBERS PRESENT: Sue Campbell, Al Cavalier, Nancy Cordrey, Cathy Cowin, Matt Denn, Bill Doolittle, Karen Eller, Ann Fisher, Terri Hancharick, Tika Hartsock, Thomas Keeton, Mary Ann Mieczkowski, Beth Mineo, Robert Overmiller, Jennifer Pulcinella, Brenn  Shepperson and Kimberly Warren.

OTHERS PRESENT: Guests: Zachary Davis/Center for Disabilities Studies; Pam Bauman/Delaware Department of Education (DDOE); Meedra Surratte/Parent Information Center; Stephanie Ramirez/Disabilities Law Program (DLP); and Marie Olivere/GACEC Applicant

STAFF PRESENT: Wendy Strauss/ Executive Director, Kathie Cherry/Office Manager and Lacie Spence/Administrative Coordinator.

MEMBERS ABSENT: Laura Waterland and Dafne Carnright

Chair Ann Fisher called the general membership meeting to order at 7:04 pm. Ann welcomed everyone to the June meeting. Ann explained that due to COVID-19 we will be attempting to hold our meetings via Zoom until further notice. Ann reminded members to preregister for meetings and to use the raise hand feature on Zoom if they would like to comment. A **motion was made and approved** to accept the June agenda.

PUBLIC COMMENT

There was no public comment for June.

Ann asked for a **motion to approve** the May minutes. The **motion was approved**. Ann then asked for a **motion to approve** the May financial report. The **motion was approved**.

GUEST SPEAKER

Pam Bauman from DOE presented on the Multi-Tiered System of Monitoring and Accountability. The PowerPoint is attached for your reference.

DOE REPORT

Mary Ann Mieczkowski provided the following information on Delaware Department of Education (DDOE) activities.

Update on Schools Reopening Working Groups

On Monday, May 18, 2020, Governor John Carney and Secretary of Education Susan Bunting [announced a public strategy](#) to plan for the safe reopening of Delaware school buildings. Three COVID-19 School Reopening working groups have been formed to advise the Delaware Department of Education (DDOE), Delaware school districts and charter schools on ways to safely and effectively reopen Delaware school buildings: health and wellness, academics and equity, and operations and services. In April, Governor Carney closed Delaware public school buildings for the remainder of the 2019-2020 school year due to the threat of COVID-19.

The purpose of the School Reopening Working Groups is to develop recommendations for the Secretary of Education, superintendents and charter leaders to consider as they create by July 15 a comprehensive, actionable plan for re-opening school buildings once that decision has been made by the Governor's Office. Three working groups – Health and Wellness, Academics and Equity, and Operations and Services – will develop recommendations for each of the following public health scenarios in relation to their assigned focus:

- If minimal community spread exists in Delaware (and school buildings re-open)
- If minimal-to-moderate community spread exists in Delaware (situation dependent)
- If significant community spread exists in Delaware (and school buildings remain closed)

Workgroups

- **Health and Wellness**

- *Co-chair:* Mike Rodriguez, Associate Secretary, Delaware Department of Education
- *Co-chair:* Dr. Meghan Walls, Pediatric Psychologist, Nemours/Alfred I. duPont Hospital for Children

- **Academics and Equity**

- *Co-chair:* Monica Gant, Associate Secretary, Delaware Department of Education
- *Co-chair:* Ashley Giska, Assistant Superintendent, Laurel School District

- **Operations and Services**

- *Co-chair:* Chuck Longfellow, Associate Secretary, Delaware Department of Education
- *Co-chair:* Oliver Gumbs, Director of Business Operations, Cape Henlopen School District

Public Comment

The following public comments have been submitted to the School Reopening Working Groups. Comments and ideas are accepted via email at reopeningideas@doe.k12.de.us or voicemail at 302-735-4244. All comments are forwarded to the working group committees for review. Comments are posted to this website each week. Please check back often for updates.

- [Public Comment June 5 - June 12, 2020](#)
- [Public Comment May 29 - June 5, 2020](#)
- [Public Comment through May 29, 2020](#)

Upcoming Meetings

The public is encouraged to participate in the virtual School Reopening Working Group meetings. All meetings will be livestreamed on the [Delaware Department of Education YouTube channel](#). Additional meeting information, including agendas, will be posted on the [Delaware Public Meeting Calendar](#). Comments and ideas will be accepted via email at reopeningideas@doe.k12.de.us or voicemail at 302-735-4244. All comments are forwarded to the working group committees for review.

Please select the date links for upcoming meeting details, including agendas, presentations and more.

- **Health and Wellness:** Tuesdays on [June 16](#), [June 23](#) and [June 30](#) from 5:00-6:30 p.m.
- **Academics and Equity:** Wednesdays on [June 17](#), [June 24](#) and [July 1](#) from 5:00-6:30 p.m.
- **Operations and Services:** Thursdays on [June 18](#), [June 25](#) and [July 2](#) from 5:00-6:30 p.m.

Meeting Archives

- **Thursday, June 11, 2020 - [Operations and Services committee](#)**
 - [Recorded YouTube livestream](#)
 - [Meeting presentation](#)
 - Meeting transcript (coming soon)
 - [Meeting chat transcript](#)
- **Wednesday, June 10, 2020 - [Academics and Equity committee](#)**
 - [Recorded YouTube livestream](#)
 - [Meeting presentation](#)
 - [Meeting transcript](#)
 - [Meeting chat transcript](#)
- **Tuesday, June 9, 2020 - [Health and Wellness committee](#)**
 - [Recorded YouTube livestream](#)
 - [Meeting presentation](#)
 - [Meeting transcript](#)
 - [Meeting chat transcript](#)
- **Thursday, June 4, 2020 - [Operations and Services committee](#)**
 - [Recorded YouTube livestream](#)
 - [Meeting presentation](#)
 - [Meeting transcript](#)

- [Meeting chat transcript](#)
- **Wednesday, June 3, 2020 - [Academics and Equity committee](#)**
 - [Recorded YouTube livestream](#)
 - [Meeting presentation](#)
 - [Meeting transcript](#)
 - [Meeting chat transcript](#)
- **Tuesday, June 2, 2020 - [Health and Wellness committee](#)**
 - [Recorded YouTube livestream](#)
 - [Meeting presentation](#)
 - [Meeting transcript](#)
 - [Meeting chat transcript](#)
- **Thursday, May 28, 2020 - [Initial meeting](#)**
 - [Recorded YouTube livestream - mp4](#)
 - [Meeting presentation](#)
 - [Meeting transcript](#)
 - [Meeting chat transcript](#)
- **Thursday, May 21 (*cancelled*) - Initial meeting**

Special Education Administrative Leadership Program (SEAL)

We are pleased to announce the inaugural cohort of the Special Education Administrative Leadership (SEAL) Program! This is an exceptional accomplishment as each applicant participated in a rigorous selection process, which included an interview, role-play and performance task.

The 2020 SEAL Cohort		
First	Last	District
Eileen	Baker	Cape Henlopen
Amanda	Wells	Capital
Cheryl	Wharton	Christina
Jamee	Catalano	Christina
Louis	Allman	Indian River
Madalaine	Mieczkowski	Red Clay
Gabrielle	Koury	Red Clay

Vienna	Walker	Polytech
Sara	Smith	Seaford
Courtney	Casperson	Smyrna

The next advisory team meeting on Monday, June 22 will review the selection process and the collaborative decision-making that comprised this endeavor. In addition, a focus group was held on Monday, June 15 with members of DASAP to gather further input on competencies and coursework.

Positive Behavior Supports (PBS) Initiative

The Delaware PBS Project shared a collection of anti-racism resources for adults and children of all ages. Check out the amazing collection you can use to take action: <https://tinyurl.com/ybm5ajsy>

Ann thanked Mary Ann for her report.

CHAIR REPORT

Ann reminded members to make sure they let the GACEC staff know whether they are able to attend meetings or not using the information that is emailed.

DIRECTOR’S REPORT

Wendy asked Mary Ann when the 922 and 925 regulations would be published. Mary Ann stated they are currently reviewing the comments and making necessary revisions. The regulations will be going back out on July 1 for a 60-day public comment period. After that, there will be three public meetings and Mary Ann will send out an official memo with the details. Wendy asked if Mary Ann could comment on the IEP situation in the Christina School District. Mary Ann reported that 198 records in total were reviewed. Of those, 20 from Glasgow High School were compliant, 20 from Sara Pyle were compliant, four from Delaware Autism were compliant, and four from Reach were compliant. There were eight students that have since withdrawn from Glasgow that could not be reviewed. There are 129 records that are currently in various stages of review and 22 records left that have not been submitted yet but have been completed as of today. There are only two meetings left to be held and everything should be completed by next month. Once all of the individual corrections have been completed and reviewed, they will go back in for prong two of the review and look at a percentage of files and hold new meetings. They will ensure that they are systemically doing the right thing. Pam stated that there has been a big change in leadership in the district. There has been coaching and professional development provided by DOE since December. Pam feels that the virtual meetings have increased parent participation. Extra educational diagnosticians and school psychologists have been brought in to keep things moving forward in a positive way. Al asked if Pam or Susan have ever attended an IEP meeting in Glasgow. Pam stated that she has not and Mary Ann said that is not a typical practice of the Department. Pam expressed that there is now district representation at more IEP meetings to make sure things are continuing to improve. Al expressed that it seems some of the deeper problems exist within the district board. Stephanie Ramirez asked if there was anything being done to identify when the IEPs started to be out of compliance and whether or not any individual compensatory education will be provided to students whose IEPs were out of compliance. Mary Ann stated that

would be done on an individual basis at IEP meetings. Wendy reported that Secretary Walker from the Department of Health and Social Services (DHSS) is stepping down and Molly Magarik will be taking her place. Molly is on a committee with Wendy regarding Part C issues moving to DOE. Bill is confident that Molly will be a huge asset to DHSS. Bill stated there is a draft piece of Legislation that will be pre-filed in the fall. GACEC members are welcome to review the draft. Wendy reminded committee chairs and vice chairs that we will be asking for their committee reports by July 15 to incorporate into our annual report. The Developmental Disabilities Council (DDC) met with Wendy and Robin to create a YouTube video that reviews the DelDHub website. Wendy reported that the Massey Station floors have been completed and painting is almost finished. Wendy reported that the GACEC signed onto a letter with the State Council for Persons with Disabilities (SCPD) addressing some of the funding issues and budget cuts for the upcoming fiscal year. Wendy updated that the 30-year ADA celebration is rapidly approaching. A family movie night is being planned to show movies that are impactful for people with disabilities. Wendy hopes to incorporate some of the posters from past poster contests on social media as well as a part of the acknowledgement of ADA 30.

COMMITTEE REPORTS

POLICY AND LAW

A **motion was made to approve** the June legal memo. The **motion was approved**. The analysis in the memo included the following:

1. DHSS Policies and Procedures Manual under Part C, 23 Del Reg. 945 (May 1, 2020).

General: Transition from Division of Management Services to Division of Public Health

One significant change presented is the decision to transition the Birth to Three Early Intervention Program from the Division of Management Services, to the Division of Public Health. On information and belief, stakeholders have criticized the previous organizational structure due to the lack of a single line of authority between Birth to Three and Child Development Watch (CDW). There are concerns that Birth to Three's focus was on policy, administrative issues and monitoring, but not on impacting service operations within CDW. This new structure will likely address these "disconnect" concerns by housing both arms of early intervention services within the same Division. GACEC should consider expressing support for this move.

Section 1, Definitions

Part C regulations allow states to define certain terms. Among these terms, certain definitions could benefit from further clarification.

Birth to Three's definition and operationalization of "surrogate parent" is of concern (Draft Manual, pg. 91). 34 CFR § 303.422 defines the limited circumstances in which a surrogate parent can be appointed. Those circumstances are when a parent cannot be identified and when the parent cannot be located after reasonable efforts. A surrogate parent can be appointed when the child is a ward of the State under the laws of that State. Additionally, Delaware has added that a parent can provide informed consent to the appointment of a surrogate.

First, the DLP recommends that Birth to Three develop and implement regulations further clarifying the definition and process of identifying a parent. The federal definition of “parent” is broad and includes “an individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child’s welfare.” 34 C.F.R. §303.27. Clarification of this definition is needed to understand the extent of its parameters. The DLP suggests Birth to Three consider modeling the relative caregiver after the definition found in the Delaware Relative Caregivers’ Authorization Law, which defines “relative caregiver” or “caregiver” as “an adult person, who by blood, marriage or adoption, is the great grandparent, grandparent, step grandparent, great aunt, aunt, great uncle, uncle, stepparent, brother, sister, step brother, step sister, half-brother, half-sister, niece, nephew, first cousin or first cousin once removed of a minor and with whom the minor resides, but who is not the legal custodian or guardian of the minor.” 13 Del. Code §707(a)(3). Birth to Three should also consider utilizing a similar process as what is used under the Relative Caregivers’ Authorization Laws, including the completion of an affidavit to authorize a caregiver act as a parent in the context of Birth to Three services. (The affidavit required under the Delaware Relative Caregiver’s Authorization Law is available at: https://www.dhss.delaware.gov/dhss/dsaapd/files/medical_affidavit.pdf and a similar one for education: <https://www.dhss.delaware.gov/dhss/dsaapd/delaware1.html>).

Next, the DLP recommends clarifying the definition of “ward of the state.” The manual currently defines “ward of the state” as a child who, determined by the state where the child resides is: A.) A foster child (but not including a foster child who has a foster parent who meets the definition of a parent in this Section); B.) A ward of the state; or C.) In the custody of a public child welfare agency.” *See Draft Manual*, pg. 10. The DLP suggests adopting the definition found in 13 Del. Code §2501(c), which states, “any dependent, neglected or abused child in DSCYF custody shall be considered a ward of the State.”

Section 3, “Public Participation”; Section 4, “Interagency Coordinating Council”

Section 3 details the requirements the Birth to Three Program must comply with in terms of public participation in any policy or procedure development. The specific requirements found in the draft manual appear to comply with 34 C.F.R. §303.208. Section 4 details the operation and composition of the Interagency Coordinating Council as required by 34 C.F.R. §303.600 et seq. GACEC may wish to consider whether it would be beneficial to seek a seat on the council or to request specific notice when policies and procedures are being modified, to ensure that Birth to Three operates in such a way that ensures successful transition from Part C to Part B services.

Section 5, “Fiscal Management”

Section 5 defines the fiscal responsibilities of the Birth to Three program and the requirements to facilitate the coordination of payment for early intervention services from federal, state, local, and private sources. The program does not provide services for at-risk infants and toddlers but does use federal Part C funds to ensure an effective, interagency child find system.” *See Draft Manual*, pg. 25. States have the flexibility to define Part C eligibility criteria and can choose to serve infants and toddlers who are at high risk for delay.¹ While only a few states serve children at-risk for delay,

¹ The Early Childhood Technical Assistance Center, “Minimum Components Required under Part C of IDEA”, Frank Porter Graham Child Development Institute, University of North Carolina at Chapel Hill, 2017, <http://ectacenter.org/partc/componen.asp>.

including Illinois, Massachusetts, New Hampshire, New Mexico, and West Virginia, DHSS should follow the lead of those states and expand the population of children eligible for program services.²

Among these states, Illinois' broad definition of "at-risk" is an example for Delaware to follow and includes a child experiencing either: "a parent who has been medically diagnosed as having a mental illness or serious emotional disorder defined in the Diagnostic and Statistical Manual V (DSM V) that has resulted in a significant impairment in the client's level of functioning in at least one major life functional area or a developmental disability"; or three or more of the following risk factors: "current alcohol or substance abuse by the primary caregiver; primary caregiver who is currently less than 15 years of age; current homelessness of the child; chronic illness of the primary caregiver; alcohol or substance abuse by the mother during pregnancy with the child; primary caregiver with a level of education equal to or less than the 10th grade, unless that level is appropriate to the primary caregiver's age; an indicated case of abuse or neglect regarding the child and the child has not been removed from the abuse or neglect circumstances."² Councils may wish to encourage Delaware to include high risk for delay children in Delaware's Birth to three services.

Section 8, "Monitoring"

Section 8 indicates that Birth to Three bears responsibility to correct "any noncompliance identified through monitoring as soon as possible and in no case later than one year after the Birth to Three Program identifies the noncompliance." Per 34 C.F.R. §303.700 enforcement may include technical assistance, imposition of conditions on the lead agency's funding of an early intervention services (EIS) program or, if the lead agency does not provide Part C funds to the EIS program, an EIS provider, corrective action or improvement plan and withholding of funds, in whole or in part by the lead agency. Indeed the manual provides for such enforcement, including a corrective action or improvement plan to address systems issues that are impeding progress. GACEC may wish to suggest that Birth to Three expand on the explanation of Corrective Action or Improvement Plans, to indicate that such plans should include corrective and compensatory action for affected individual children, to ensure the rights of children with disabilities are protected.

Section 15, "Individualized Family Service Plan (IFSP)"

The Draft Manual indicates that prior written notice will be provided to the parent "before the interim, initial, annual, six-month and periodic reviews of the IFSP." While notice is required before the meeting, considering that additional unforeseen changes may be made during the IFSP meeting, additional prior written notice would be required prior to making those changes. Per federal regulation, prior written notice must be provided to parents a reasonable time before a proposal or refusal, to initiate or change the provision of early intervention services. 34 C.F.R. §303.421. In other words, there may be one prior written notice informing the parent that a review of the IFSP will occur and then a subsequent prior written notice after the changes to the IFSP are finalized.

Section 21, "Dispute Resolution"

Currently, state complaints are reviewed and resolved by the Birth to Three Dispute Coordinator within 60 days after the complaint is received. *See* Draft Manual, pg. 97. The Dispute Coordinator is responsible for issuing a written decision to the complainant within 60 calendar days that addresses each allegation within the complaint. *See* Draft Manual, pg. 97. The manual does not describe a

² <http://www.ilga.gov/commission/jcar/admincode/089/089005000A00200R.html>

process for aggrieved state complainants to challenge the Dispute Coordinator’s written decision. While 34 C.F.R. §303.433 does not require an appeal process or review process, it would help to ensure program consistency and integrity to have a mechanism to request review of the Dispute Coordinator’s analysis, prior to the decision becoming final as per 34 C.F.R. § 303.433. GACEC may wish to encourage Birth to Three to consider developing an appeal process by which complainants may challenge a state complaint decision in order to ensure program integrity.

There is no time limit listed in which a due process complaint must be received by Birth to Three. 34 C.F.R. §303.440 specifies a two limit time period within which to file a due process complaint, under Part 615 of the Act; however, Delaware appears to follow Part 639 of the Act, which does not have a clearly listed statute of limitations.

II. Draft Prior Written Notice

The Birth to Three Program’s Draft Prior Written Notice (PWN) must conform to the requirements federal Part C regulation 34 C.F.R. § 303.421. Notably, the draft PWN contains the incorrect citation at the top (34 CFR §300.421). The federal regulation requires Prior Written Notices to “be provided to parents a reasonable time before [Birth to Three/CDW] proposes, or refuses, to initiate or change the identification, evaluation, or placement of their infant or toddler, or the provision of early intervention services to the infant or toddler with a disability and that infant's or toddler's family” and it must include sufficient detail to inform the parents about:

- (1) The action that is being proposed or refused;
- (2) The reasons for taking the action; and
- (3) All procedural safeguards (state complaint; mediation; due process) and related timelines.

The Draft Prior Written Notice seems to combine a meeting invitation with a Prior Written Notice, which may be confusing to parents. For example, it has a space for a time, date and location for a meeting but it may be a Prior Written Notice sent following a meeting, advising of changes made at the IFSP meeting. The Draft PWN does not allow a space for details regarding the action that is being proposed, as the only space for comment is the section on the reason for the decision. Failure to provide details as to the action that is being proposed or refused would violate 34 C.F.R. § 303.421. The Councils may wish to recommend that Birth to 3/CDW add additional narrative fields, and to suggest that Birth to 3/CDW review the Prior Written Notice form used for Part C services (available at: <https://dhss.delaware.gov/dhss/dms/epqc/birth3/files/b23priorwrtenntcedrft.pdf>). In particular, narrative fields are provided in the Part C PWN for all of the following:

- 1) A description of the proposed action;
- 2) An explanation for the reason the action is being proposed or rejected;
- 3) A description of any assessments/evaluations/reports/records used in making the decision;
- 4) Other choices considered and why they were rejected; and
- 5) An “other” narrative field.

Finally, that a summary of procedural safeguards are referenced in the PWN as enclosed but were not provided for comment. Thus it is difficult to ascertain whether or not they comport with the requirements of the regulation. Councils may wish to suggest that Birth to Three provide a copy for public comment.

III. Draft Dispute Resolution Request

Birth to Three has published a Draft Formal Dispute Resolution Request form. The form is a unified form to be used for state complaints, mediation, and/or a due process hearing. As such it must comply with the regulatory requirements of each. For State complaints, per 34 C.F.R. §303.434, a complainant can file a complaint on behalf of a specific child, or not on behalf of a specific child. Thus the regulation has a separate requirement that the complaint contain both the address and name of the complainant and that of the child. Presently the form does not include a separate field for the child's address which does not comport with 34 C.F.R. §303.434. Additionally, there is no statement regarding the requirement to provide a copy of the complaint to the EIS. Finally, there is no information presented on the forms as to timeline (e.g. state complaints may only be filed with respect to problems arising within the last year). Finally, with respect to the "mediation only" checkbox Councils may wish to suggest striking "only" as parents may choose to institute a state or due process complaint if mediation is unsuccessful.

IV. Guide to Parent Rights

The Guide to Parent Rights was not reviewed in full but it was noted that no time limit was listed for the timeframe in which you must request a due process hearing, and that the State Complaint time limit was buried in other text. Councils may wish to express that the timeframes in which complaints must be received are critical pieces of information for parents and should be made abundantly clear.

2.0 Proposed DDOE Regulation on Certification for Teachers of Students with Autism or Students with Severe Intellectual Disabilities, 23 Del. Register of Regulations 992 (June 1, 2020)

The Delaware Department of Education (DDOE) proposes to amend 14 Del. Admin. C. 1573, which describes requirements for teachers of students with autism or severe intellectual disabilities standard certificate (hereinafter "Certificate") pursuant to 14 Del. C. §1220. DDOE, in cooperation with the Professional Standards Board (hereinafter "The Board"), is proposing to amend this regulation to clarify language in Section 1.0, add definitions to Section 2.0, clarify the requirements for issuing a Certificate, and adding sections 6.0-9.0 which concern the validity of the Certificate, discipline actions, requests for the Secretary of Education to review applications and, recognizing past certifications, respectively.

Many of the proposed changes are similar to the proposed changes to the regulation governing the Standard Certificate for teachers of students with disabilities and the Standard Certificate for teachers of students who are gifted and talented, which were published in the Delaware Register of Regulations on April 1, 2020 (23 Del. Register of Regulations 810) and May 1, 2020 (23 Del. Register of Regulations 961), respectively. As this proposed regulation is nearly identical to the previous two, only differences and recommendations for Councils will be included.

In proposed §1573.3.2, DDOE proposes to include a provision that it will not act on an application under this section if the applicant is under official investigation by any local, state, or national authority with the power to issue educator licenses. It goes on to list alleged conduct where DDOE will not act. Councils have previously recommended (in proposed §§1571.3.2 and 1572.3.2) that DDOE clarify this section concerning whether the alleged conduct listed is the *only* conduct where DDOE shall not act. DDOE has incorporated those past recommendations here to clarify that the listed conduct are only examples rather than an exhaustive list.

As with the prior two reviewed proposed regulations, the two proposed sections which require the most scrutiny and consideration are §1572.6 and §1572.8. Proposed §1573.6 establishes that an educator with a certificate under this section is not required to *renew* the certificate *as long as* their educator's license is valid and current. For background, an educator's initial license is valid for four (4) years at which point they can apply for a continuing license which is valid for five (5) years. After five (5) years, the educator can apply to renew their license. That renewal requires a certain number of professional development hours along with other requirements. The purpose of these professional development hours is to ensure that Delaware educators are continuing to learn and develop their practice, just as other professions are required to do.

The Board does not prescribe specific professional development for educators. This is true for educators possessing one of the many standard certifications that are available, including the certification under proposed §1573. The only requirements for professional development, found at 14 Del. Admin. C. §1511.6, are that it should include at least ninety (90) "Clock Hours" which are related to 14 Del. Admin. C. §1597 (Delaware Professional Teaching Standards), 14 Del. Admin. C. §1590 (Delaware Administrator Standards), or "appropriate specialty organization standards." Therefore, it is possible that an educator with this certificate will not actually participate in any professional development related to their certification.

Councils may wish to recommend that DDOE consider whether including requirements for renewal of this certificate is warranted. For ease, the renewal of this certificate could coincide with the date of renewal for the educator's license. Proposed requirements for renewal could include activities such as participation in a mandated number of hours (out of the ninety (90) required) of professional development related to this certificate or additional mentoring on top of the current mentoring requirements.

Proposed §1573.8 establishes an additional route to obtaining a certificate under this section. Specifically, it allows DDOE's Secretary of Education to review and grant certification where the educator does not meet the requirements necessary. This review would be prompted at the request of a local school or school district and would need to be supplemented with documentation showing the educator's effectiveness.

Proposed §1573.8 mirrors similar language found in 14 Del. C. §1224, which allows the Secretary to "review licensure and certification credentials on an individual basis and to act upon same at the request of the local school district or charter school provided that the local school district or charter school is able to document the effectiveness of the applicant." The regulations implementing this part, found at 14 Del. Admin. C. §1505.9, use the same language as that found in the proposed regulation. Although proposed §1572.8 is aligned with current regulations concerning standard certificates, DDOE cannot forget that educators of special education students require Delaware's most capable educators. Councils may wish to recommend that DDOE remove proposed § 1573.8 or, alternatively, Councils may wish to recommend DDOE remove the language allowing for a review by the Secretary where an applicant does not meet the listed requirements. In conclusion, Councils may wish to support the proposed amendment with the included recommendations and suggestions.

Beth also reported that Delaware had planned to pilot an electronic voting system, specifically for individuals with disabilities. This has recently been pulled back due to concerns about security of electronic voting. Terri reported that she and Laura spoke with Taylor Hawk, Legislative Aide of Senator Poore. Terri stated that Laura was able to convey why everyone is upset by this not going forward, the lack of accessibility and the possibility of this leading to lawsuits in the future. Taylor is

going to be speaking with legislators regarding this issue. Beth invited Council to join the Center for Disabilities Studies for a Lunchtime Learning session about this topic. Beth let everyone know that the registration for this can be accessed through the Center for Disabilities Studies website. Kathie added that according to national news, the post office is running out of money and may have to scale back services by September. It will be an unfortunate situation if mail in balloting is not possible and electronic voting is not an option.

COMMITTEE REPORTS

ADULT TRANSITION SERVICES

Cathy Cowin updated Council on the visit from Todd Webb, the Americans with Disabilities Act (ADA) coordinator for the Delaware Department of Transportation (DelDOT) and chair for the State Council for Persons with Disabilities. Todd hoped to gain some input from people regarding initiatives that DelDOT is implementing such as the new paratransit app. The Committee suggested that he run things by the Adult Transitions Services committee. Todd reported that the Division of Motor Vehicles (DMV) has created a group to look at policies, understand how they can provide transportation in different ways for individuals and modify vehicles. Cathy reported that the Adult Transition Services Committee feels strongly that they need to make transportation a priority for next year. Cathy thinks it would be great to build a relationship with Todd and truly understand the underlying issues of transportation.

CHILDREN AND YOUTH

Bill reported that there still seems to be weakness in the state around training and supporting parents in helping their children with remote learning. Karen stated that there is a universal need for Wi-Fi access throughout the state. During the Monday GACEC Schools Reopening Discussion meetings, Karen suggested they review both of these issues to make sure they are addressed and included in the final document issued by the Schools Reopening Workgroups. Ann commented that this is an important point that they have discussed at Colonial School District as well.

INFANT AND EARLY CHILDHOOD

There was no Infant and Early Childhood Committee report for this month.

MEMBERSHIP

There was no Membership Committee report for this month.

PERSONNEL COMMITTEE

There was no Personnel Committee report for this month.

AD HOC COMMITTEE REPORTS

There was no ad-hoc committee report for this month.

OUTSIDE COMMITTEE UPDATES

Bill provided an Extended Learning Opportunities Committee update. The major focus was equity and access to technology. There is a barrier for adverse populations. No plan can be successful until that issue is addressed. Jennifer reported that the daycares are entering phase two of re-opening. The Delaware Institute for Excellence in Early Childhood (DIEEC) is offering a blueprint to help with all the new regulations. The Centers for Disease Control and Prevention (CDC) has suggested that staggered drop off and pick up times be implemented, along with other guidance. The DIEEC COVID-19 webpage provides all the updated information. Jennifer suggested that the Council consider looking more closely at the DHSS policies and procedures manual and guide to personal rights.

Ann reminded members that responses to letters could be found in the binder at the GACEC office and thanked all of our guests for attending. **A motion was made and approved** to adjourn the meeting at 8:36pm.

DRAFT