



GOVERNOR'S
ADVISORY
COUNCIL FOR
EXCEPTIONAL
CITIZENS

ANNUAL REPORT

FY 19

Submitted by: Wendy S. Strauss, Executive Director & Ann Fisher, Chair
Prepared by: Sybil Baker, Administrative Coordinator

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 the Code of Federal Regulations (CFR) 300.650, the Council serves as the State Advisory Panel for the Individuals with Disabilities Education Improvement Act (IDEA) and its amendments.

1. Delaware Code: Title 14, Chapter 31, Sub. Sec. 3111
2. Federal Statute: Individuals with Disabilities Education Improvement 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..."
3. Delaware Code: Title 14, Chapter 24, subsection 2408

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 Improvement 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 (age's birth through 26).

GACEC plants the seeds to ensure equal justice for



Delawareans with disabilities and their families

A message from the Executive Director

As I write and think about this past year, I am amazed at how quickly a year has gone by when working with a group of such dedicated members that are on the Governor's Advisory Council for Exceptional Citizens and other advocates and professionals from around the state. Working closely with professionals, parents and the community is always a pleasure. We have all worked towards effective positive changes that will improve the educational and lifelong outcomes for all students with disabilities. A piece of legislation that we should be particularly proud of is:

- **Senate Substitute 1 for Senate Bill 92**

Delaware is one of only three states that does not offer some form of adult dental coverage through Medicaid (alongside Tennessee and Alabama). Dental care is health care. Studies have shown that poor dental health care can result in serious infections and abscess in the face, neck, and jaw areas requiring some individuals to go to the emergency room where they may spend days in intensive care or even die. This ultimately costs the state more money through their Medicaid program that could be saved if dental care were covered. This Act expands Delaware's Public Assistance Code to provide dental care to all eligible adult Medicaid recipients. Payments for dental care treatments are subject to a \$3 recipient copay and the total amount of dental care assistance provided to an eligible recipient may not exceed \$1,000 per year. However, an additional \$1,500 may be authorized on an emergency basis for dental care treatments through a review process established by the Department of Health and Social Services.

For approximately 12 years GACEC along with other advocates had been working on a bill that would cover dental care for adults with disabilities. I am pleased to announce the passage of SS1 for SB 92 which expands dental health care to all eligible adult Medicaid recipients.

In 2017 the Governor's Advisory Council for Exceptional Citizens commissioned an original musical "Boundless!". The original musical was written by George Purefoy Tilson. Hoping to capture some of the state's history as well as providing performing arts experiences for individuals with disabilities and their allies. The musical was directed by Dover's own Don Lonski. Mr. Tilson and Mr. Lonski spent countless volunteer hours creating and directing this original musical. Many talented professionals including vocalist, choreographers, and instrumentalists joined the effort, giving freely of their time and knowledge. The production, which began practicing in February 2018 was a true labor of love for the cast, crew, and their families. In October 2018 in recognition of Disability History and Awareness Month, the production made its debut at Dover High School. Many friendships were formed during the process and the group of individuals will be meeting again to see if they can hold more performances in the near future.

We will miss long time member Bill O'Neal as he retires. Bill was with the Council for 32 years! He spent countless hours assisting and helping to make changes that impacted individuals with disabilities, but he is passing the torch on. Thank you, Bill for all of your time.

I want to thank the GACEC staff and members for their consistent hard work and volunteer hours which help to bring positive change for individuals with disabilities in school settings, community living, workplaces, recreational settings, and healthcare settings.

~Wendy S. Strauss

Highlights and Collaborations

The GACEC held its Annual Fall Retreat on October 13, 2018, at the Dover Downs Hotel and Conference Center Dover, DE as part of the Council's planning activities for FY 2020. Retreat participants included Council members, as well as Mary Ann Mieczkowski and Dale Matusевич from the Delaware Department of Education (DOE), who presented on the Department's compliance monitoring system.

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

- The GACEC **wrote more than 1800 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 Director Wendy Strauss is a member of the LIFE Conference Design Team. The team is also comprised of representatives from the Developmental Disabilities Council (DDC), State Council for Persons with Disabilities (SCPD), 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 2018 LIFE conference was attended by over 700 people.
- GACEC Office Manager Kathie Cherry is a member of the **SCPD Policy and Law Committee**. This committee reviewed and/or provided commentary on **more than 130** proposed or final regulations, State bills, Federal bills and many other policies which impact persons with disabilities.
- **SCPD Brain Injury Committee (BIC)** - GACEC Executive Director Wendy Strauss and Administrative Coordinator Sybil Baker are members of the SCPD Brain Injury Committee (BIC). The mission of BIC 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.
- **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.
- **Dover Air Force Base Exceptional Family Member Program** - GACEC staff has attended numerous information fairs held on Dover Air Force Base by their Exceptional Family Member Program (EFMP). Information about the GACEC and our mission was shared base-wide at the event. This event is attended by hundreds of Air Force member and their families at Dover Air Force Base.

- **Transition Conference** - GACEC staff attended the Transition Conference held by DOE and the Division of Vocational Rehabilitation (DVR) on December 12, 2018. Over 700 individuals were in attendance for the 17th annual event. Staff provided information on the GACEC and how Council seeks to provide advice and advocacy for persons with disabilities for their full lifespan in Delaware.
- **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 provide information and keep up to date on new information regarding early childhood issues.
- **Access to General Education Curriculum (AGEC) Work Group** - This group focuses on assessment issues for students in special education. GACEC Office Manager Kathie Cherry attends these meetings to provide input from her perspective as a parent, as well as a representative of the Council.
- **Heart 2 Heart Hugs** - This initiative of the GACEC began in the fall of 2009 as the Sleeping Bag Campaign. Soon the endeavor expanded with the goal of collecting new, warm, cuddly items for children who are homeless or in foster care in Delaware. At a reception held at Massey Station on February 14, 2019 the GACEC was proud to distribute thousands of “practical, portable, positive hugs” in the form of coats, blankets, scarves, cuddly animals, handmade quilts, afghans, pajamas, slippers and more to the assembled Hug Ambassadors. These Hug Ambassadors included social workers, school nurses, foster care coordinators and representatives from the Division of Services for Children, Youth, and their Families (DSCYF). Thousands of items were given out at this year’s distribution event.
- **Disability History and Awareness Month Activities** - 2018 marked the eighth year for the GACEC’s Disability History and Awareness Month efforts and activities. Council focused on the production of the original musical Boundless! to celebrate Disability History and Awareness month in 2018.
 - **Disability History and Awareness Month Resource Manuals-**
GACEC produces and distributes a resource manual for use at every school and charter school in Delaware. The manuals include information on the Individuals with Disabilities Education Act (IDEA) of 2004, the Help America Vote Act of 2002, and the Americans with Disabilities Act (ADA) of 1990. The manual also contains information regarding disability etiquette, examples of People First Language, activities to help promote disability awareness and inclusion in the classroom and a sample letter to notify parents of upcoming Disability History and Awareness activities. In an effort to conserve resources, a PDF file of the resource manual is available on the GACEC website.
- **Center for Disabilities Studies (CDS) Community Advisory Council (CAC)** - The Center for Disabilities Studies is supported with its work through the contribution of their Community Advisory Council (CAC). The CAC is composed of individuals with developmental and related disabilities; family members of individuals with developmental disabilities; representatives from disability-related training, service, and advocacy organizations; representatives from state agencies; and other disability advocates. Meetings of the CAC are held four times a year. GACEC Executive Director Wendy Strauss is a CAC member.

- **Special Education Strategic Planning Council (SESPAC)** – GACEC Executive Director Wendy Strauss and Administrative Coordinator Sybil Baker are members of the SESPAC. They regularly attend meetings to facilitate collaboration with this work group on issues relevant to students with disabilities. In addition, Council member Bill Doolittle is the current Co- chair of the SESPAC. Council member Tika Hartsock is also a member.
- **Every Student Succeeds Act (ESSA) Advisory Panel** – Administrative Coordinator Sybil Baker regularly attends meeting of the ESSA Advisory Panel. The panel meeting quarterly to discuss implementation of ESSA in Delaware. The panel is hosted by the Delaware Department of Education (DOE) and is attended by district personnel, DOE staff as well as Representative Kim Williams.

*****GACEC Honored by the City of Dover** - On April 8, 2019 Executive Director Wendy Strauss and Administrative Coordinator Sybil Baker attended the Dover City Council meeting to accept an award from Dover Mayor Robin Christiansen on behalf of GACEC. The city of Dover honored GACEC for its efforts over the last several years with the Heart 2 Heart Hugs warm clothing drive. The Mayor and Council thanked GACEC for its efforts to not only help students in need but also promoting good citizenship. ***

Arts and Advocacy

The Governor's Advisory Council for Exceptional Citizens is pleased to have had the opportunity to work with inspiring individuals to bring "Boundless!" the musical to life.

Who would've thought that a march of advocates from Philadelphia to Washington DC would end up choreographed into a musical production? In 2003, 200 individuals with disabilities and their advocates marched from Philadelphia to the U.S. Capitol to demand their rights as citizens, their right to be full members of their communities and to end the practice of shutting people away in institutions. During their two-week journey, they blocked traffic for 144 miles and camped along the way.

"Boundless!" took the audience on the trek and combined the recollected stories of Delawareans with disabilities and the sometimes-difficult history of our nation's struggle to ensure dignity and justice for all. The theatrical performance allowed us to ponder and celebrate the intricacies of our shared humanity through campfire stories of hardship, resilience, and celebration. The Governor's Advisory Council for Exceptional Citizens is pleased to have had the opportunity to work with a wonderful playwright, director, cast, crew, and their parents.

The original script and lyrics were written by George Purefoy Tilson.

Original music score was written by Alex Diaz.

Don Lonski directed the production.

Joy Pritchett was the production coordinator.

Beverly Henderson was the stage crew manager.

The GACEC was able to obtain funding from a private donor as well as the Delaware Division of the Arts to make this production possible. Thanks are also due to Stanton's 4th Wall and Jeff Place productions for their time and in-kind donations. Executive Director Wendy Strauss was also able to obtain free audition and practice space from Central Middle School, Dover High School and Delaware School for the Deaf. GACEC was also truly fortunate to have worked with the Delaware Division of Visually Impaired to have braille programs created for the shows. Individuals from Art Therapy Express helped us with the background art, and fortunately for those involved, George Tilson had some contacts in the theatrical world and was able to enlist the help of Annie Couffman a choreographer. Ms. Couffman was a staff singer in Washington DC and is currently an assistant director, choreographer, and mentor with ArtStream Inclusive Theater Company in Arlington, Virginia. Alex Diaz who composed the music to accompany George's lyrics, directs and arranges his own music and is an instructor at the Chinese Sisterhood of Tuscaloosa. Janelle Robinson who has been a vocal coach for more than 20 years and has performed internationally, coached the cast on vocals. Orlando Cotto was the music director and percussionist. Orlando is on the faculty at the University of Delaware and has taught at Northern Illinois University, Morgan State University and Loyola College in Maryland. John Dahlman and Salem Kamalub were musicians who also volunteered their time. We are also thankful for the greeters who represented the Down Syndrome Association of Delaware as well as the dedicated parent volunteers who were able to secure many donations from the local community to offer lunch and a cast party for the participants. A great big Thank You to all of the cast and crew that made this wonderful production possible.



Boundless

a musical journey



A WORD FROM OUR CHAIR

As my first term as Council Chair ends, I stopped to reflect...

This past year was one of hard work and great success. Thank you to all of our dedicated members for your continued passionate advocacy. Thank you for your commitment to not just Council, but to individuals with disabilities in our state.

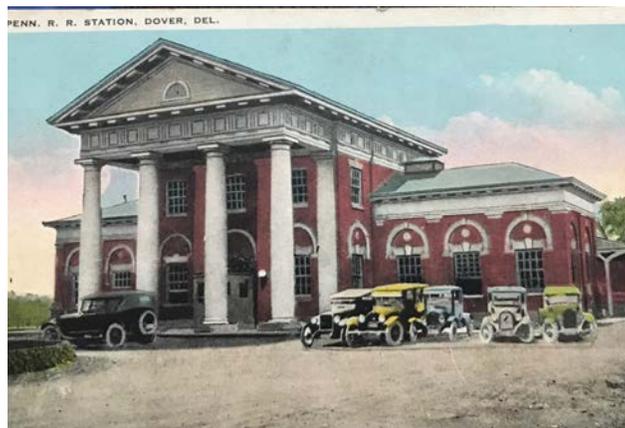
As a council, we have reviewed, commented on, and advocated for legislative and regulatory changes that will positively impact the lives of Delaware citizens with exceptionalities across the life span. I look forward to working with each of you as well as the dedicated staff of GACEC as we move in to this next chapter of our advocacy journey.

Many thanks for your continued support!

Yours in Service,

Ann C. Fisher

GACEC Chair



IT'S ALL ABOUT THE PLAN



The FY 2019 planning retreat took place at Dover Downs Hotel and Conference Center on October 13, 2018. Council members used this time to plan a course of action for the upcoming year as well as sharing successes from the past year. Additionally, members heard from the Exceptional Children Resources work group at DOE.

COUNCIL GOALS 2018 - 2019

GOAL 1: Outcomes for students with exceptionalities will be improved by monitoring and supporting the implementation of the Annual Performance Report (APR), State Systemic Improvement Plan (SSIP), State Professional Development Grant (SPDG), Every Student Succeeds Act, and review of the Department of Education (DOE) Special Education Regulations.

GOAL 2: Programs and services for students with exceptionalities will be improved by monitoring and advocating for the delivery of evidence-based special education and related services in the least restrictive and natural environments.

GOAL 3: Programs and services for citizens with exceptionalities will be improved by reviewing and advocating for funding, policies and procedures that positively impact and empower citizens with exceptionalities.

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

GOAL 5: Delaware Department of Education standards-based reform and accountability efforts will be reviewed to provide advice and advocacy for the inclusion of students with exceptionalities in all programs and initiatives.

For many years Council has expressed concern about the lack of state funding for basic special education services in grades K-3. Study after study points to early intervention being key to childhood success. This is why Council supported House Bill 48, sponsored by Representative Kim Williams. The legislation has an ambitious four-year price tag of over 12 million dollars. Even as the bill languishes in appropriations this session, there appears to be some hope on the horizon. Enter Governor John Carney's "Opportunity Funding Initiative." The plan, which was approved, will offer 4.5 Million over the span of three years to support basic special education services in grades K-3. While this is a far cry from the amount sought by HB 48, Council is hopeful that it will pave a path to increased funding in years to come. Below is a breakdown of how Governor Carney proposes to spend the \$1 million.

IMPROVING OUR SCHOOLS

Investing \$100 million in High-Needs Schools

- **Opportunity Funding:** \$75 million over three years for:
 - \$20 million/year in weighted funding for low-income students and English learners (EL) across all grade levels
 - \$5.0 million/year to provide mental health and reading supports for grades K-5
 - \$500,000 to evaluate the results of this program and identify best practices
- **Providing Resources for Early Grades – Student Success Block Grant:** \$26 million over a three-year period for the following:
 - \$4.5 million/year in support for K-3 Basic Special Education
 - \$4.0 million/year to provide an estimated 45 reading teachers targeted to elementary schools with high percentages of students in poverty
 - \$350,000/year to establish Wellness Centers in elementary schools

Investing in the Classroom

- \$1 million for yearlong residencies to prepare incoming teachers and improve retention in high-needs schools
- \$850,000 for the DE Literacy Plan providing professional development and micro-credential bonuses
- \$560,000 to provide four additional middle school math coaches bringing the total funding for this program to \$1.6 million

Investing in Educators

- Funding for annual salary steps for educators, plus a 2% general salary increase
- \$500,000 to expand High Needs Educator Student Loan Forgiveness Program, bringing the total funding for this program to \$700,000
- \$347,600 to restore National Board certification premium

Investing in Early Education

- \$3.8 million to continue support for Delaware's early learning centers
- \$6.7 million to maintain access to quality early learning through Delaware STARS

Investing in the City of Wilmington

- Continued support of \$1.5 million for the Christina School District schools located in the City of Wilmington

Continued Support for Higher Education Institutions

- \$2.2 million for SEED and INSPIRE program growth and for the expansion of SEED to post-associate degree
- \$1.5 million for the Higher Education Land Grant/Workforce Development Matching Fund to match federal land grant appropriations or support academic programs that address critical workforce needs in the State
- \$1.7 million for the University of Delaware to support in-state students and the Cooperative Extension program
- \$538,800 to expand grant opportunities for women athletes and support for the nursing program at Delaware State University
- \$1.1 million for the Delaware Technical Community College RN to BSN program, diesel mechanic program, pathways partnerships, enrollment and financial aid support and phase in of a retention and compensation plan



INFANT & EARLY CHILDHOOD

We began our year with visitors from Child Development Watch South and former GACEC member Helene Diskau, Jessi Wyatt, and Jeanette Kernan. The group discussed the transition process for three-year olds, as it pertains to the Early Childhood Technical Assistance (ECTA) framework on the Office of Special Education (OSEP) website. "Section 619 of the Individuals with Disabilities Education Act (IDEA) authorizes additional preschool formula grants to states that are eligible for grants under Section 611 of Part B. States are eligible if they make free appropriate public education (FAPE) available to all children with disabilities, ages three through five. While not mandatory, all states are currently providing IDEA services to preschool aged children. IDEA funds can be used to provide services to two-year old children with disabilities who will turn three during the school year, if consistent with state policy."

The committee also met with Kim Kryznowski from the Department of Education (DOE) and Christine Stoops from Parents as Teachers (PAT) to learn more about what the Parents as Teachers program does. Parents as Teachers (PAT) is an evidence-based home visiting model that has been a part of Delaware for the last 30 years. PAT provides optimal early development, learning and health of young children by supporting and engaging their family through home visits. It is a statewide program serving children birth through the age of five focusing on school readiness. The goals for the program are to: Increase parent knowledge of early childhood development and improve parenting practices; Provide early detection of developmental delays and health issues; Prevent child abuse and neglect [and]; Increase children's school readiness and school success for families in Delaware, some of their objectives include personal visits, child screening, group connections and community resource networks. Primarily, they work with children from birth to age 3, but they do have some funding to work with those three to five-year olds that don't otherwise qualify for services. They enhance the parent's ability to use skills to access personal resources and make connections.

Committee Chair Jen Pulcinella attends meetings of the Delaware Perinatal Collaborative. DPC consists of representatives of six birth hospitals, including one large regional perinatal referral center, children's hospital, birthing center, State Division of Public Health, Delaware Healthcare Association, March of Dimes, and other professional organizations.

The committee spoke with Fiona Vivar/DOE and Jeanette Short/ DOE, of Child Development Watch (CDW) north and south as well Cindy Brown/DOE Office of Early Learning (OEL) to discuss the process for transitioning 3-year olds from CDW to the districts. They shared that CDW is trying to have their transition meetings done earlier to increase the amount of time the districts have to do evaluations. We were informed that the burden of proof for eligibility for Part B services is on the receiving district, and any new evaluations would have to be performed by the receiving district. This has been a point of contention for some school districts. Other topics covered included the steps in preparing an Individualized Family Service Plan (IFSP) and a discussion about the oversight of the transition coordinators.

The committee met with Kim Krzanowski from the Office of Early Learning regarding the Delaware STARS Program. "Delaware Stars for Early Success is a Quality Rating and Improvement System (QRIS), which is a method used to assess, improve and communicate the level of quality in early care and

education and school-age settings. It establishes quality standards for programs and provides technical assistance and limited financial support to programs involved in Stars as they engage in quality improvement efforts.

Delaware Stars was implemented in 2007 and continues to enroll new programs. Delaware Stars is funded by the Delaware Department of Education and administered and managed by the Delaware Institute for Excellence in Early Childhood (DIEEC) in the Department of Human Development and Family Sciences in the College of Education and Human Development at the University of Delaware. There are currently 470 programs, with the majority being in New Castle County. STARS is managed by the Office of Early Learning and they contract with University of Delaware. The choice point program was discussed. It is currently under revision to assess how points are achieved and standards used. GACEC will be updated and included as they revise the DE stars program. The redesign of the structure of DE stars should start being rolled out by July 2021.

The Committee heard from Jamie Walko and Kim Brancato, chairs of the Early Childhood Inclusion Committee (ECIC), formerly EIEIO, a subcommittee of the Delaware Early Childhood Council. The Council is devoted to quality inclusive early childhood programs and services. This group of early childhood stakeholders meets monthly to carry out the recommendations of the U.S. Department of Health and Human Services and U.S. Department of Education Policy statement on Inclusion of Children with Disabilities in Early Childhood Programs. Their goals include the following: Collaborate across early childhood programs to support high quality inclusive early childhood opportunities; Increase public awareness regarding inclusion; Develop materials to educate and support early childhood inclusion; Address funding and financial barriers to inclusion [and]; Share and disseminate recent research regarding inclusion. Information about ECIC was provided to the committee including information on the Childcare Development Block Grant, which will include funds to train three inclusion specialists for each county; to help train special education itinerant teachers and childcare centers that they work with. The group discussed the impending revision to the Delaware STARS rating system. As there is not currently a requirement of inclusion, the committee, and its guests from ECIC, would like to write a letter to John Fisher Klein at the Department of Education suggesting that the GACEC and ECIC be included in discussions to assure that inclusion is, in fact, part of the revision plan. ECIC will keep the Infant and Early Childhood committee updated on the revision of the inclusion manual.



CHILDREN & YOUTH

The Children and Youth Committee made progress on a wide variety of goals in identifying the unmet needs of students with disabilities. We made recommendations for solutions to these needs, and supported implementation of these solutions.

Two major areas of focus have been in identifying structural impediments to full inclusive opportunities for students with disabilities in our schools and working toward improving the efficiency and effectiveness of funding to meet the needs of students with disabilities.

The committee and its members have received presentations and had discussions with a variety of representatives from the Department of Education as well as other decision makers and stakeholders.

The committee continues to collaborate with the Special Education Strategic Plan Advisory Council (SESPAC). SESPAC includes as members 2 GACEC members from Children and Youth, and GACEC staff members. The current chair of Children and Youth serves as one of the co-chairs of the SESPAC.

The following is specific progress on actions items:

- The committee, its members and staff have engaged in discussions and fact finding about implementing the statutory required district and charter Special Education Parent Councils. There was discussion with SESPAC and the Parent information Center (PIC) which is Delaware's IDEA parent information and training center. While there is a strong consensus of the importance of these councils funding to provide technical assistance and other support for the councils continues to be an obstacle to implementation.
- The committee continued to advocate for dedicated needs-based funding for children with basic needs in grades K-3, in line with that which is provided in grades 4-12. An additional \$1.9 million was added to the \$2.85 million from last year's budget, bringing the total to 38% of the identified required funding.
- The committee continues to monitor the progress of the University of Delaware Speech Language Pathology (SLP) program in helping to address the shortage of school-based speech language pathologists (SLPs). The committee has identified the limited number of in state candidates (30%) as a significant impediment to this progress. To address this issue, methodologies to provide in state tuition levels similar to what is available to educators is the current areas of analysis. Also, the best methodology and funding source information is being developed. Preliminary informal discussion with the University has indicated their support for this methodology if a structured funding source can be identified.
- The committee continues to monitor state progress on measures and the data tracking system for Delaware. A presentation on this was suggested as a topic for the GACEC annual retreat in the fall of 2019.
- The committee is collaborating with SESPAC to continue the work of the IEP Implementation Task Force. This is one of the three SESPAC full council goals. A review of the initial IEP task force recommendations was carried out, focusing on incomplete items and identification of new areas to include in the ongoing work.
- The committee continues to monitor and provide input on the SESPAC full council goal to provide recommendation for improved structure and practices related to statewide supports for the unique needs of students from low incidence groups. As part of this work a bill (HB201) passed the House Education Committee and is awaiting House consideration to move the Administration of the DE Autism program to Department of Education.
- The committee has worked to obtain regular education classroom data about the distribution of students with disabilities in regular education class rooms. Partial data received from DOE gave preliminary indications that concentrations of students with disabilities in general education classrooms is above natural

proportions and may exceed what would qualify the classroom as a general education setting. The committee is awaiting the balance of the requested data from DOE.

- The committee met with the DOE staff overseeing school construction and received a briefing on the current school construction formula. There has not been a substantive update to align the formula with best practices for inclusion of students with disabilities. DOE has indicated a desire to collaborate with the committee on updating the formula. Committee work is ongoing to develop recommendations to align the formula with best practices related to inclusion.
- The committee advocated and provided legislative language for the creation of a Special Education funding task force (HCR47) to develop comprehensive data and provide recommendations to improve Delaware's Special Education funding system. The resolution has passed the House Education Committee and is awaiting action by the full House
- At the request of the committee, staff has been working to develop a system to monitor and review Delaware's federal reports and GACEC requested state reports.
- The committee continues to advocate for GACEC representation on task forces, councils and workgroups which impact students with disabilities. GACEC representation is included in HCR47
- The committee advocated for more appropriate staffing level of the DOE Exceptional Children's Resource workgroup. One additional Educational associate has been added to next year's budget which increased the number from 7 to 8.

Finally, the committee met with representatives of the Department of Education assessment group to review the implementation of the new alternate assessment. This was a follow up to the Department's indication when the assessment was introduced that the assessment would move from a single end of year assessment to a set of aggregated interim assessments. No progress has been made towards this best practice modernization. The committee has drafted and approved a recommendation to the Department of Education to complete this modernization as expeditiously practical. The recommendation is awaiting endorsement by the full Council.

The committee has worked to increase its membership to more historic and practical levels.



ADULT TRANSITION SERVICES

The Adult Transition Services committee continued to monitor services for young adults with disabilities transitioning into adult services as well as continued services for all adults.

The committee goals were the following:

Monitor and advocate for the transformation of sheltered workshops, promote knowledge about supported decision making and alternatives to guardianship, and include individuals with intellectual disabilities and those in work release programs in adult education opportunities.

- Stacy Watkins, from the Division of Developmental Disabilities Services (DDDS) presented to the committee about the Home and Community-Based 1915(c) Lifespan Waiver Renewal. As of July 1, 2019, individuals living in a group home or other provider setting, can receive acute care through managed care versus fee for services. Those needing medical residential habilitation and need skilled nursing can now have drop-in service and remain living in the community. The waiver helps sustain services as it now utilizes federal funding. To receive services, individuals must meet financial criteria for Medicaid. Behavioral analysts and targeted management are the only services fully funded by the state. The implementation of the new financial requirements has been challenged by the committee. A letter was written by the Council to seek the development of regulations before requiring individuals and their families to meet the demands of the financial requirements.
- According to Maureen Whalen, DOE Director of Adult/Prison Education the prisons have lost four education positions. They are trying to get approval to add two positions. All IEPs were audited on paper and corrections were made. All IEPs are standard based. For the year 2018, there was a completion rate of 66%. To receive adult education, individuals must bring their own documentation as there are no evaluations done in the prison setting. The Division of Vocational Rehabilitation (DVR) and the Division for the Visually Impaired (DVI) will work with inmates for employment.
- Dale Matusевич of DOE reported that a letter with a survey was sent to all providers that give services to individuals with disabilities in the beginning of March 2019. There were six basic questions: what is the agency's strategic plan; how is the agency offering Employment First; what data has the agency compiled; who is going into sheltered workshops and what are the barriers agencies are experiencing? Sheltered workshops are declining with only Chimes and Elwyn left. WIOA's (Workforce Investment Opportunity Act) 511 regulations have helped in the decline of those in the workshops. Services are to be written into the IEP. Progress reports should indicate if services are not provided, the reasoning why not and if the services still need to be provided as well as how to make them happen. Graduation rates for students with disabilities has increased over the last three years, while dropout rates have decreased.

- The Office of the Public Guardian Director Lexi McFassell Esq. presented to the committee. She explained that the Public Guardians office make decisions for people who may not have family to assist with decision making. There is a caseload of 220 individuals and there are six guardians. Lexi shared a power point which outlined the alternatives to guardianship offered in Delaware. Lexi also shared the work that her office does to support about 220 individuals who do not have family members to act on their behalf. In New Castle County at least, school district personnel are inviting individuals in to talk with staff and families regarding alternatives to guardianship. Lexi shared that there is legislation in the works to allow the Office of the Public Guardian to act as representative payees since the Division of Developmental Disabilities Services (DDDS) will no longer be acting in that capacity.
- Dr. Patricia Keeton from the Delaware Department of Education (DOE) presented information on Senate Bill 65. The bill will provide funding to students interested in attending Delaware private business and trade schools. The committee recommended a letter of support which was approved and sent.
- Christine Wilborne, from Delaware Technical and Community College (DTCC), shared information about financial aid available at Del Tech. The counselors will help students complete the FSAFA for college scholarships. Stand by Me also has coaches on the campuses to assist students in finding resources. SEED is a scholarship open to any Delaware student graduating from high school with at least a 2.5 grade point average and no criminal record. The scholarship provides 100% tuition for six semesters. If students have a disability, they must meet with the Americans with Disabilities Act (ADA) counselor to take less than a full course load and keep the SEED funding. SEED will also fund basic and pre-college courses as well as courses for credit. Del Tech has continuing education classes and certifications available for students who have an alternative diploma. The college has mental health counselors available who will help with finding resources for students if needed. A food pantry is also available on all DTCC campuses.



ADVOCACY



At a State level, the Council served for several years as the Advisory Council for Exceptional Children with a primary mandate to advise the State Board of Education of the educational needs of exceptional children. Delaware Senate Bill 353, passed in 1977, gave the Council its present name and expanded its responsibilities to cover the human service needs (including education) of exceptional citizens of all ages.



POLICY & LAW

This year the Policy and Law committee reviewed many pieces of legislation. Following are the synopsis for a few bills the Council commented on after the committee's careful review. Please see the appendices for a full listing of legislation and regulatory changes commented on by the Council.

Senate Bill 28

This Act increases the penalties for parking in an area designated for a vehicle being used by an individual with a disability. For a first offense this Act increases the monetary penalty from \$100 to \$200. For a subsequent offense, this Act increases the monetary penalty from \$200 to \$300. **This legislation was signed by the Governor June 2019.**

Senate Substitute 1 for Senate Bill 92

Delaware is one of only three states that does not offer some form of adult dental coverage through Medicaid (alongside Tennessee and Alabama). Dental care is health care. And, studies have shown that poor dental health care can result in serious infections and abscess in the face, neck, and jaw areas requiring some individuals to go to the emergency room where they may spend days in intensive care or even die. This ultimately cost states more money through their Medicaid program that could be saved if dental care were covered. This Act expands Delaware's Public Assistance Code to provide dental care to all eligible adult Medicaid recipients. Payments for dental care treatments are subject to a \$3 recipient copay and the total amount of dental care assistance provided to an eligible recipient may not exceed \$1,000 per year, except that an additional \$1,500 may be authorized on an emergency basis for dental care treatments through a review process established by the Department of Health and Social Services. **This legislation was signed by the Governor July 2019.**

House Bill 21

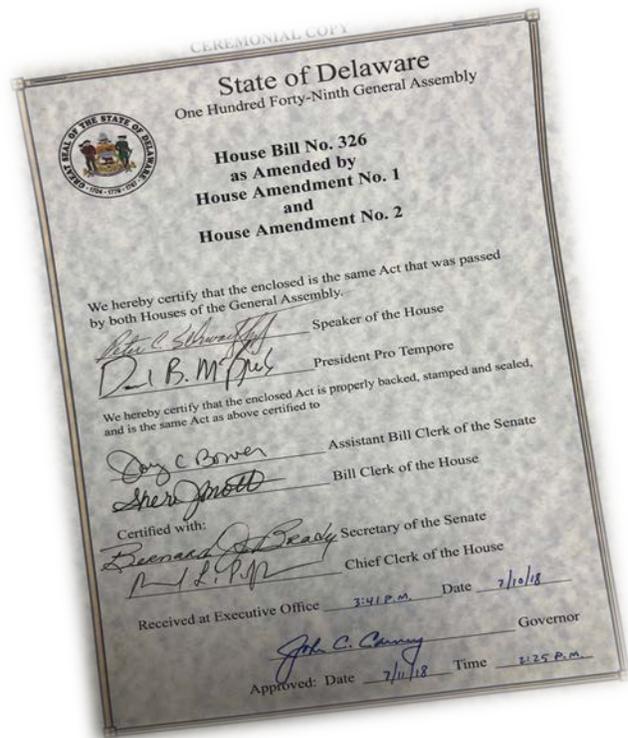
The language set forth in this statute would remove barriers for inmates who are students with disabilities and who have an Individualized Education Program (IEP) under state and federal law, when being considered for parole or a sentence modification. Requiring an inmate with an IEP to complete a GED or State of Delaware High School Diploma is counter-productive to the treatment and programming of this segment of the prison population and prohibits them from seeking the same benefits of parole or sentence modification afforded to those inmates who do not have an IEP. This amendment to the law allows an inmate the opportunity to earn a State of Delaware Diploma of Alternate Achievement Standards upon successful completion of the inmate's IEP. **This legislation has been voted out of committee and is on the ready list.**

Senate Bill 17

The use of genetic information in disqualifying coverage for non-health insurance products, such as disability insurance and long-term care insurance, is a gap in the protection provided by the federal Genetic Information Nondiscrimination Act. As a result, patients who seek genetic counseling to determine whether they may be at risk for certain diseases, such as genetic testing for the BRCA gene to determine predisposition for breast and prostate cancers, are cautioned that a positive result could result in the person being denied insurance. The potential denial of insurance has a chilling effect on patients seeking genetic testing, blocking them from being proactive by putting in place a preventative care plan that would reduce the likelihood of them getting the specific disease in the future. This Act follows the lead of other states and prohibits discrimination based upon genetic characteristics and information in the issuance or renewal of disability and long-term care insurance. This Act also provides a notice requirement if an insurer requires a genetic test. **This legislation is in committee awaiting a vote.**

House Substitute 1 for House Bill 105

This Act creates a Step Therapy Exception Process whereby patients who are required by their insurance company to go through step therapy protocols can, under certain circumstances, bypass step therapy to obtain the initially-prescribed medication. This Act does not apply to state or federal governmental plans. **This legislation was signed by the Governor June 2019**



Legislation like House Substitute 1 for House Bill 287 (Diploma of Alternate Achievement Standards) and House Bill 326 (Delaware Advanced Scholarship Program) are examples of the fruits of our labor. These important pieces of legislation were made possible, in part, through the advocacy of the GACEC. Council will continue to advocate for real change to improve the lives of individuals with disabilities in Delaware.

IN THE COMMUNITY



*Advocating in
the community*



The following are a few of the organizations and committees that GACEC members and staff are involved on a recurrent basis. These groups assist the Council with interagency collaboration and coalition building.

- Alliance for Full Participation Committee
- American Association of University Women
- American Counseling Association
- ARC of Delaware
- Art Therapy Express
- Association for Supervision & Curriculum Development
- Autism Delaware
- Behavioral Health Collaborative
- Brain Injury Committee (BIC)
- Correctional Education Association
- CPAC- Child Protection Accountability Commission
- Delaware and National Council for Exceptional Children (CEC)
- Delaware State Teachers Association
- Delaware Association of School Administrators
- Delaware Counseling Association
- Delaware Early Childhood Council
- Delaware Families for Hands and Voices
- Delaware Family Support Coordinating Council
- Delaware Healthy Mothers & Infant Consortium (DHMIC)
- Delaware Oral Health Coalition
- Delaware Parent Teacher Association (PTA)
- Delaware State Network of Educators
- Department of Education, Exceptional Resources Special Education Group
- Department of Education, Every Student Succeeds Act workgroup
- Department of Labor Vocational Rehabilitation Advisory Committee
- Developmental Disabilities Council (DDC)
- Disability History Committee
- DOE Transition Council
- Dover Air Force Base Exceptional Families Resources Program
- Division of Service to Aging and Adults with Physical Disabilities (DSAAPD)
- DVRC For Visually Impaired Council
- DVRTF (Delaware Victims' Rights Taskforce) Disability Committee
- Educational Technology Taskforce
- Employment First Initiative Oversight Commission
- Endless Possibilities in the Community (EPIC)
- Early Childhood Inclusion Committee
- Family SHADE
- Governor's Advisory Council for Aging and Disabled Persons (GACADP)

The following are a few of the organizations and committees that GACEC members and staff are involved on a recurrent basis. These groups assist the Council with interagency collaboration and coalition building.

- Governor’s Commission on Building Access to Community-Based Services (GCBACS)
- Governor’s Commission on Employment of People w/Disabilities
- Health Care Commission Disability Health Equity Sub Committee
- Hearing Loss Association of Delaware (HLADE)
- Interagency Coordinating Council (ICC) for Part C of IDEA
- LIFE Conference Design Team
- Mobility in Motion
- National and Delaware Chapter of Hands and Voices
- National Association for the Education of Young Children
- Parent Information Center of Delaware (PIC)
- Persons with Access, Functional and Medical Needs
- Protection & Advocacy of Individual Rights (PAIR)
- Respite Care Committee
- State Council for Persons with Disabilities (SCPD)
- SCPD Policy and Law Committee
- Special Education Strategic Planning Committee
- State Systemic Improvement Plan (SSIP)
- SSIP Early Childhood Part C Collaboration Implementation Team
- Sussex Early Childhood Council
- Sussex Inter-Agency Council
- Trauma Informed Care Interest Group
- Universal Design Coalition
- University of Delaware Center for Disabilities Studies (CDS) Community Advisory Council (CAC)

Presenters & Topics FY 2019

The GACEC gratefully acknowledges the efforts and assistance of representative from the Department of Education, representatives from various State of Delaware agencies and our invited guests.

- ❖ Mary Ann Mieczkowski - Director of Exceptional Children Resources workgroup, Delaware Department of Education (DOE) re: Monthly to deliver the Delaware Department of Education report to Council.
- ❖ Kimberly Krzanowski – Executive Director, Office of Early Learning, DOE to Infant and Early Childhood Committee re: January 2019 early learning program updates, April 2019 Delaware Stars level requirements/inclusion credentials.
- ❖ Christine Stoops - Delaware State Leader Parents as Teachers to Infant and Early Childhood Committee re: January 2019 Parents as Teachers program updates.
- ❖ Dale Matusевич - Education Associate, DOE, Exceptional Children Resources workgroup re: October 2018 to full Council re: Transition monitoring self-determination initiative, March 2019 to Adult Transition Committee re: Transition updates.
- ❖ Meedra Surratte - Executive Director Parent Information Center (PIC) March 2019 to Children and Youth re: Supporting parent councils and partnership opportunities.
- ❖ Jeanette Short – Liaison to Child Development Watch, DOE to Infant and Early Childhood Committee March 2019 re: Transition reports.
- ❖ Fiona Vivar - Liaison to Child Development Watch, DOE to Infant and Early Childhood Committee March 2019 re: Transition reports.
- ❖ Lexie McFassel Esq. – National Certified Guardian for the State of Delaware, Office of the Public Guardian to Adult Transition Committee March 2019 re: alternatives to guardianship.
- ❖ Michelle Jackson – Education Associate, DOE to Children and Youth Committee April 2019 re: Assessments for students with disabilities.
- ❖ Dr. Kimberly Brancato – Preschool Principal, Appoquinimink School District re: ECIC
- ❖ Jim Pennewell – Education Associate, DOE to Children and Youth re: School construction formula.
- ❖ Tracy Neugebauer – Education Associate, DOE, Exceptional Children Resources May 2019 re: Significant disproportionality, Indicator 4, and school climate survey.
- ❖ Maria Locuniak – Education Associate, DOE, Exceptional Children Resources January 2019 re: FFY2017 SPP/APR report. June 2019 re: LEA annual determinations.
- ❖ Linda Smith - Education Associate, DOE, Exceptional Children Resources May 2019 re: Significant disproportionality, Indicator 4, and school climate survey.
- ❖ Jalee Pernol – Education Associate, DOE, Exceptional Children Resources, April 2019 re: Results based accountability.

THANK YOU FOR YOUR SERVICE



Mr. William O'Neill served as a member of the Governor's Advisory Council for Exceptional Citizens for 32 years. During that time, he was a deeply involved and passionate advocate. Members of Council and staff were incredibly sad to see Bill turn in his resignation. His dedication and passion will not soon be forgotten by anyone who has had the pleasure of knowing him. We wish him well as he continues his many worthwhile endeavors. Fair Winds and Following Seas to you sir!

GACEC MEMBERSHIP LIST 2017-2018

Susan Campbell
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Administrative Coordinator

The price of success is hard work, dedication to the job at hand, and the determination that whether we win or lose, we have applied the best of ourselves to the task at hand.

– Vince Lombardi

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