

**GOVERNOR'S ADVISORY COUNCIL FOR EXCEPTIONAL CITIZENS (GACEC)  
GENERAL MEMBERSHIP MEETING (ZOOM MEETING)  
7:00P.M., January 19, 2021  
ZOOM MEETING**

**MINUTES**

**MEMBERS PRESENT:** Sue Campbell, Nancy Cordrey, Matt Denn, Bill Doolittle, Karen Eller, Ann Fisher, Terri Hancharick, Tika Hartsock, Thomas Keeton, Mary Ann Mieczkowski, Beth Mineo, Marie Olivere, Robert Overmiller, Treenee Parker, Jennifer Pulcinella, Laura Waterland and Lindsay Williamson

**OTHERS PRESENT:** Pam Bauman/Department of Education (DOE), Susan Brewster/Department of Labor (DOL), Michelle Mathew/ Birth to Three Early Intervention Program, Kristina Horton/ Birth to Three Early Intervention Program, Erika Powell/GACEC applicant, Corey Gilden/GACEC applicant and Erik Warner/GACEC applicant

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

**MEMBERS ABSENT:** Al Cavalier, Jill Scannell, Breneé Shepperson

Vice Chair Terri Hancharick called the meeting to order at 7:05 pm. Terri welcomed everyone to the January general membership meeting. A **motion was made and approved** to accept the January agenda. Terri requested a **motion for approval** of the November minutes. The motion was **approved**. A **motion was made and approved** to accept the November and December financial reports.

**PUBLIC COMMENT**

There was no public comment for January.

**GUEST SPEAKER**

Mary Ann Mieczkowski and Pam Bauman from DOE presented on the State Performance Plan and Annual Performance Report. The PowerPoint is attached for your review. Bill Doolittle inquired if there are any districts that are noncompliant in three or more areas. Mary Ann will have to do some research to obtain that information. Thomas Keeton recommended that the slides include the prior year's data so there is something to compare the current data with. Maria Olivere asked if there is any data to compare those who received a regular diploma to those who did not receive a diploma. Mary Ann will ask Dale Matusевич if he has that information. Lindsay Williamson inquired if anything is currently being done to improve the parent participation rate in completing the survey. Mary Ann replied that there was recently a meeting with the Center for Disabilities Studies (CDS). They discussed possible solutions for improving parent participation and will be meeting with stakeholders again this spring to work on the following year's package. Tika Hartsock asked if the survey could be sent out electronically, rather than mailing. Mary Ann explained that a letter was sent out informing parents that they could complete the survey by paper or online. Tika explained that the easier the survey is to complete; the more likely parents are to do it. Corey Gilden asked what the parent involvement data is used for. Mary Ann replied that data is sent back to the districts to do an analysis, along with data from the Parent Information Center, parent calls and Autism Delaware. Corey asked

how the data is presented to the districts. Mary Ann stated that the state data is presented and sent to them. Laura Waterland asked what attributes to the larger discrepancies in the 7 A/B/C indicators. Pam Bauman replied that COVID-19 played a part in this. Mary Ann explained that this is a tough indicator that most states struggle with. Mary Ann advised the Council that Cindy Brown would be knowledgeable on this topic and she would be happy to invite her to present on this. Trenee Parker asked if there is an opportunity to look at performance measures for students who are in foster care. Mary Ann replied that the data at the state level does not break it down that way. Erik Warner commented that he has noticed a significant decrease in parent response rate to emails and on Remind.com. Terri thanked Mary Ann and Pam for their report.

## **DOE REPORT**

Mary Ann Mieczkowski shared the following report:

### **DDOE and Office of Conflict Resolution**

The Department of Education through the University of Delaware's Conflict Resolution Programs offered a Fall 2020 training series.

Leading Effective and Engaging Meetings (Tuesday November 17, 2020 8-10 a.m.)

- Best practices for planning and leading effective meetings
- Tips for an inclusive, transparent, and engaging process

Register through PDMS for course #29393 and section #55296. Registration deadline: November 11  
Facilitation Skills and Parent Engagement (Thursday December 8, 2020 12:30-2:30 p.m.)

- Facilitation skills that support engagement and collaboration
- Tips for dealing with difficult dynamics

Register through PDMS for course #29394 and section #55297. Registration deadline: December 2

The Department of Education through the University of Delaware's Conflict Resolution Program offered a training (Facilitation Skills and Parent Engagement) on December 8, 2020. There were 88 attendees.

### **DE-Positive Behavior Supports Initiative**

The DE-PBS FBA to BIP for Educators webinar materials are now available! This 2-part series can be watched asynchronously for a total of 4 PDMS hours. Participants should watch the webinar and complete the associated survey for each session. Reach out to Niki Kendall with questions!

### **Trauma-Informed MTSS/PBS Framework**

The Center on Positive Behavior Interventions & Support has released a guide on Integrating a Trauma-Informed Approach within a PBIS Framework, which includes a crosswalk of Tier 1 components and trauma-informed features. Districts and school leaders using a trauma-informed approach should work to incorporate their important efforts within a multi-tiered framework to make sure they are linked to student outcomes. This systematic integration will ensure investments in training educators in trauma-informed practices will be sustainable with the use of team-based decision making, use of data, a formal screening process, a process for selecting interventions, measuring fidelity and outcomes, and ongoing professional development and coaching.

PBIS – MTSS Cultural Responsiveness Field Guide Available

Looking for tools to ensure cultural responsiveness and equity in your MTSS-B systems, practices, and data? The DE-PBS Project just released an interactive Live Binder version of the "PBIS (MTSS) Cultural Responsiveness Field Guide" from the National PBIS TA Center. This field guide outlines ready-to-implement resources for creating an equitable MTSS-B framework that aligns with 5

components of culturally responsive practices - identity, voice, supportive environments, situational appropriateness, and the use of data to ensure equity. This Live Binder version aids users' navigation across guidance documents to enhance equity in 15 Tier 1 behavior support practices and more equity-related resources for MTSS-B/PBS Trainers, Coaches, and teams.

### **Winter reopening in schools**

-Governor pause through Jan 11

-Jan 11- all schools offering some form of hybrid learning except Sussex Vo-tech and New Castle County Vo-Tech (NCCVT). They want to return at the end of the first semester because of their programs.

-Cape Henlopen has been doing a lot of in person instruction. Elementary has been five days/week

-Superintendents reported this morning things are going well

### **CHAIR REPORT**

No Chair report for January.

### **DIRECTOR'S REPORT**

Wendy informed the Council that the annual Joint Finance Committee (JFC) Hearing for GACEC will be held virtually on February 3. If any members plan on attending, they will need to register and let the GACEC staff know. If members of the public would like to speak, they will have two minutes to speak. Members of an organization will have three minutes. Wendy welcomed all GACEC members to attend. Terri added that attending the hearing is a great opportunity to learn and gain experience with advocating. Wendy asked Robert Overmiller and Bill Doolittle to update the Council on the Nomination Committee. Robert stated that everyone currently in office has agreed to keep their current positions. Robert is going to leave the nominations open until we vote in February. Wendy thanked Robert and Bill for working on the committee. Wendy reported that the Delaware Developmental Disabilities Council (DDC) held their annual retreat recently. They are working on their five-year strategic plan. The DDC held public forums where individuals in the community spoke about issues that have impacted them or their family members with disabilities. Wendy mentioned that the GACEC will be working more closely with the DDC to address the many concerns around students with disabilities and concerns with Individualized Education Plans (IEPs). Wendy hopes that the DDC will share all the information that was gained through their public forum. Wendy shared a letter that was written by Danna Levy in response to the tribute she was sent recognizing her years of service with the GACEC. Wendy announced that the next GACEC Annual Planning Retreat will be held on October 9, 2021. As of now, we will plan on the retreat being held virtually again. Wendy shared that Emmanuel Jenkins, Terri Hancharick and her daughter, Bridgette were present at the Governor Carney's Inauguration earlier today. Terri was honored and happy to see that individuals with disabilities were included front and center. Wendy then asked for an update on the Special Education Administrative Leadership (SEAL) program. Mary Ann reported that their first cohort just finished their first course. They are in the process of calibrating all the people that have been involved in providing feedback. Another information session was held on Saturday regarding their internship, which includes jumping into the work around the indicators and how it relates to their problem of practice and work within their district. They will begin their second course, which is the legal course, at the end of January. The applications for the second cohort went live and are due March 1. Next, Wendy reported to the Council that she attended a Lunch and Learn provided by the Center for Disabilities Studies (CDS) regarding the Adult Dental Benefit through Delaware Medicaid. Steve Groff and Lisa Zimmerman presented and revealed that 1.8 million dollars of the funding was used in

the first quarter. He was asked if it was expected that the 8 million dollars remaining in funding would be far outreached. He did not predict this to be the case. Currently, individuals can receive dental care up to \$1000.00 a year, with an additional \$1500.00 in benefits designated for emergency dental services. Beth noted that there were many thoughtful questions from people on the call that Steve had not considered. He will be taking this information back to his team to evaluate how some of these needs can be accommodated. In addition, Wendy sat in on the Delaware Early Childhood Council meeting where they discussed COVID-19 and the federal relief allocation for childcare. Providers are receiving payments whether or not the children are present through the Purchase of Care program. There was an update on aligning pre-k along with the K-12 certification. Educators will be able to more easily access what trainings are needed and track what trainings they have completed. The Delaware STARS Program is currently in Phase 1 of their revision and are hoping to start the process for Phase 2 in March. Dwayne Bensing from the University of California, Los Angeles (UCLA) gave an update on the lawsuit against the governor on education. Wendy stated that he also presented at the Delaware League of Women's Voters meeting. Wendy noted that legislators will be voting on the implementation of some of the issues that were outlined in the lawsuit. The DDC hosted meet and greet sessions with the new legislators and GACEC staff participated. There was good, productive dialogue and the hope is to continue meeting with legislators every six to eight weeks. Terri thanked Wendy for her report.

## **COMMITTEE REPORTS**

### **ADULT TRANSITION SERVICES COMMITTEE**

Thomas Keeton reported that they had guest presenter Sue Brewster from Sue Brewster Consulting. Sue has over 30 years of experience in the transitional services related fields. She currently works throughout the state with about 300 people including students, parents, teachers and vendors. Her foundational involvement is from a Midwestern transitional services perspective. In many of those states, the universities require seven courses in transition and provide a certification path for transitional services delivery. Sue's vision for students is that any student given the opportunity and the right support can do anything. She believes the best thing is to get students out into the community early in their secondary years, so they are working before they leave the secondary experience. She questioned the Committee on why there are not more of these students out in the community working. She uses visioning or brainstorming with students and the family support group to develop a plan for transitioning. She will provide the Committee with some contact information regarding a systems change grant, which helps fund programs. When asked what the Committee could do to increase our support to student transitional services, she recommended getting more involvement of the parents on the Committee and reaching out to an employer or counselor for involvement. The Committee agreed that she provided inspiring and valuable information. Terri added that she was happily surprised to hear that Sue has been working with the sheltered workshops in Delaware. She said Chimes will be changing their business model to begin doing employment and day services.

### **CHILDREN AND YOUTH**

Bill reported that the Children and Youth Committee met in both December and January. Bill asked for a **motion** for Council **to approve** a letter of recommendation from the Committee to change the Alternate Assessment System to an Aggregated Interim System. **The motion was approved.** Next, Bill said that the Committee has completed a preliminary recommendation for changes to the School Construction Formula for the K to five range. The Committee is asking for authorization to circulate this formula to additional stakeholders for further input. There was no opposition. There was also a

request to the Chair that Tika Hartsock be appointed the liaison to the Redding Commission. The two major items that are being addressed, which are the K through 3 program funding, as well as ensuring that the ombudsmen program is fully inclusive. Chair, Ann Fisher approved the request. Bill added that several years ago the Council made a recommendation to DOE to modify the IEP system to include spaces for all identified disabilities. There was only one at that time, there are now two. Maria Olivere added that on her daughter's IEP, she is unable to list more than two classifications. All the classifications should be listed for accuracy and eligibilities. Erika Powell shared that the Leech School now has the ability to list as many secondary disabilities as needed. Mary Ann stated that all the needs that the student has must be addressed within the body of the IEP. Bill stated he will be requesting a new report from DOE for detailed data regarding class configurations related to counts of regular, basic, intense and complex regulations changing classrooms. This is in part because there is new legislation being drafted to address the issue of classes that have higher than natural proportions of students with disabilities. Those classrooms are not receiving needed supports.

### **INFANT AND EARLY CHILDHOOD**

Sue Campbell reported that there were two visitors at the Committee meeting. Michelle Mathew is the new Birth to Three Administrator. She has been with Public Health for the last 10 years and had a child who went through Child Development Watch. Kristina Horton is the new Part C Coordinator. She was previously with Child Development Watch. Michelle discussed some of the priorities Birth to Three is looking at. This included closing gaps in services and increasing compliance on the operations side. They spoke about the early childhood transition from Part C to 619. They will be working closely with Cindy Brown. Jen Pulcinella brought up the concern with a decrease in medical emphasis when children transition from part C to part B. Parents get confused on how different the models are. This is information that will be helpful to bring to Michelle and Kristina's attention. Sue added that there is an RFP (Request for Proposals) on the bidder's website for the data system that closes February 17. There is also an RFP currently being created for service delivery for the providers. Providers are currently operating under contracts that were created as early as 1993. One of the concerns were inconsistencies with provider responsibilities and reporting. Lisa Henry, the Director for Community Health Services for Public Health, hopes to start the new contracts as of July 1 of this year. Sue mentioned that GACEC would be interested in having a similar report out for Part C. She thinks it is very important for the transparency of this group. In the future, Sue hopes to discuss more about the screenings and reaching out to underserved populations and progress made on the program manual. Kristina stated that she looks forward to working with the GACEC in the future.

### **POLICY AND LAW**

Beth Mineo reported that the committee reviewed only three regulations this month and would like to move forward with only one proposed regulation, Major Capital Improvement Programs. Laura Waterland will work with Disabilities Law Program (DLP) staff for additional analysis and review. The analysis provided is as follows:

#### **24 DE Reg. 642 Proposed DDOE Regulation on 1510 Issuance of Initial License, 24 Del. Register of Regulations 122(d) (January 1, 2021)**

The Delaware Department of Education (DDOE) proposes to amend 14 Del. Admin. C. §1510, which describes the requirements for issuing and retention of an Initial License for Educators pursuant to 14 Del. C. §1203, 1203, 1205(b) and 1210. The DDOE in cooperation with the Professional Standards Board (hereinafter "The Board") is proposing to amend the title of the regulation; clarifying that the regulation applies to both the issuance and retention of an Initial License in Section 1.0; adding and

striking defined terms in Section 2.0; clarifying the requirements for issuing an Initial License in Section 3.0; specifying the requirements for an applicant to obtain an Initial License in Section 4.0; adding reciprocity requirements in Section 5.0; specifying the requirements for applicants whose Delaware Initial License expired in Section 6.0; specifying application requirements in Section 7.0; adding Section 8.0, which concerns the validity of an Initial License; specifying the requirements for extensions for exigent circumstances and leaves of absence in Sections 9.0 and 10.0, respectively; revising Section 11.0, which concerns requests for the Secretary of Education to review applications for an Initial License; adding Section 12.0, which specifies the requirements for retaining an Initial License; adding Section 13.0, which concerns disciplinary actions; specifying the requirements for educators who intend to apply for a Continuing License in Section 15.0; revising Section 16.0, which concerns recognizing past Initial Licenses that were issued by the Department; and adding Section 17.0, which specifies that the effective date of the regulation would be July 1, 2021, respectively.

DDOE believes this change will improve the quality of the educator workforce, which will help to improve student achievement. The proposed sections which require the most scrutiny and consideration are §1510.4, 1510.5, 1510.6 and 1510.10.

Proposed §1510.4 mirrors similar language found in 14 Del. Admin. C. §1210(a). The Department may issue an Initial License to an applicant who has satisfied the requirements in subsections 4.1.1 through 4.1.3. (1) The applicant shall have earned, at a minimum, a bachelor's degree from a four-year Regionally Accredited college or university. Notwithstanding the foregoing requirement, an applicant for a Skilled and Technical Sciences Teacher Standard Certificate (14 DE Admin. Code 1559) shall complete the coursework specified in Section 4.0 of 14 DE Admin. Code 1559 prior to the expiration of the Initial License. (2) The applicant shall have simultaneously applied for and met the requirements of at least one Content Area Standard Certificate. (3) The applicant shall have completed a Student Teaching Program or meet the requirements of one of the following alternatives to student teaching.

Proposed §1510.4.1.3 establishes alternatives to Student Teaching. Specifically, it allows applicants to complete a minimum of 91 days of successful long-term substitute teaching in a Delaware public school as part of a planned hiring process that leads to a full-time teaching position. This proposed provision only applies to applicants who have applied for a Content Area Standard Certificate. Teaching experience from an Alternative Routes for Teacher Licensure and Certification program may not be used to satisfy the requirement in subsection 4.1.3.1.

Proposed §1510.4.1.3.3 applies to an applicant who has applied for a specialist Standard Certificate. The specialist standard certificates are (1) Elementary School Counselor, (2) Secondary School Counselor, (3) School Library Media Specialist, (4) School Nurse, (5) School Psychologist, and (6) School Social Worker.

Proposed §1510.5 establishes the requirement for reciprocity. The Board added reciprocity in the event that an applicant is already licensed or certified as an educator in another state or jurisdiction. The applicant must meet the requirements in subsections 5.1.1 through 5.1.3 in order for the Department to issue an Initial License. The following requirements were added to the provision: (1) The applicant shall hold a Valid and Current License or Certificate as an educator. (2) The applicant shall have earned a bachelor's degree from a Regionally Accredited college or university. Notwithstanding the foregoing requirement, an applicant for a Skilled and Technical Sciences Teacher Standard Certificate (14 DE Admin. Code 1559) shall complete the coursework specified in Section 4.0 of 14 DE Admin. Code 1559 prior to the expiration of the Initial License. (3) The applicant shall have simultaneously applied for and met the requirements of at least one Content Area Standard Certificate. (4) The applicant

shall have completed at least one year of Teaching Experience but less than four years of Teaching Experience.

Council should recommend a provision for the years of teaching experience in the event an applicant has more than four years of such experience.

Proposed §1510.6 establishes the requirements for applicants whose Delaware Initial License has expired. (1) The applicant shall have previously held a Delaware Initial License that has expired. (2) The applicant shall have been out of the profession for four years or less. (3) The applicant shall have simultaneously applied for and met the requirements of at least one Content Area Standard Certificate. The provision adds that an applicant who previously held a Delaware Initial License that has since expired, has been out of the profession for more than four years, and is ineligible to apply for a Continuing License will be treated as a new applicant and must meet all the requirements in Section 4.0.

Proposed §1510.10 adds that an Educator who holds an Initial License may take a leave of absence for up to three years with no effect upon the validity or expiration of the Educator's Initial License if approved by the Department. If approved, the License will be frozen for amount of time that is commensurate with the length of the leave of absence up to three years.

In conclusion, Council may wish to support the proposed amendment with included recommendations and suggestions.

**24 DE Reg. 637 Proposed DDOE Regulation on 401 Major Capital Improvement Programs, 24 Del. Register of Regulations 137 (January 1, 2020)**

The Delaware Department of Education (DDOE) proposes to amend 14 Del. Admin. C. §401, which includes the requirement that school districts must provide an Equity Statement when requesting a Certificate of Necessity during the process of any Major Capital Improvement program (“one or more construction projects having a cost of \$750,000 or more” 14 Del. Admin. C. §401 1.1).

Under the proposed regulations, the Equity Statement must include “the demographic information (e.g. race, Low Income, English Learner) of the students who are expected to attend the new school, use a new facility, or benefit from an approved Major Capital Project and how the Major Capital Project impacts equitable distributions of new and renovated buildings throughout the school district.” 14 Del. Admin. C. §401 2.2.

Currently, the Certificate of Necessity application includes an enrollment and projection attachment which only includes information about students in Kindergarten through twelfth grade. The proposed regulation to include an Equity Statement should also include language requiring school districts to provide demographic information (enrollment, projection, race, Low Income, English Learner, etc.) about all students, including pre-Kindergarten and students who are not given a graded designation. Council should consider asking DDOE to include information on all students, including Pre-K.

**24 DE Reg. 643 Proposed DDOE Regulation on 1581 School Reading Specialist, 24 Del. Register of Regulations 458 (January 1, 2020)**

The Delaware Department of Education (DDOE) proposes to amend 14 Del. Admin. C. §1581, which describes the requirements for obtaining the School Reading Specialist 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 add definitions to Section 2.0, clarify the requirements for issuing a Certificate, specify application requirements and add

Sections 7.0-10.0 which concern the validity of the Certificate, discipline actions, requests for the Secretary of Education to review applications and recognizing past certifications, respectively.

DDOE, in partnership with the Board, has been systematically reviewing and updating the requirements for the different Standard Certificates since approximately April of 2020. Council has previously submitted comments to several of these proposed regulations with little to no effect. Of the recommendations put forth by Council, DDOE and the Board have adopted only one, which was not related to this regulation but to the regulation on 1571 Special Education Teacher of Students with Disabilities (clarifying the language of subsection 3.2, which was ambiguous in the proposed regulation for the Special Education Teacher of Students with Disabilities, found at 14 Del. Admin. C. §1571). This change has been adopted in the proposed regulations which followed. As this proposed regulation is nearly identical to the previous, Council may wish to support the proposed regulation as is.

**A motion was made and approved** to accept the regulation about Major Capital Improvement Programs with a recommendation to expand the student population to very young children and students up to age 21.

### **MEMBERSHIP COMMITTEE**

Wendy acknowledged that we have several individuals who have applied to become members and are waiting for approval. Kathie commented that she was happy to have so many of the applicants join in on the meeting tonight. She thanked them for coming.

### **PERSONNEL COMMITTEE**

There was no Personnel Committee report.

### **AD HOC COMMITTEE REPORTS**

Bill Doolittle updated the Council on the Part C transition to DOE continuing to make progress on drafting legislation. Wendy agreed that there is a lot of valuable dialogue taking place to see how this can be implemented. Senator Sturgeon wants to be sure that everyone is on board and ready to move forward. Bill also had the opportunity to meet with Lisa Henry to review where we are and identify areas of future need.

### **OUTSIDE COMMITTEE UPDATES**

Nancy inquired if anyone knew how it is determined what phase we are in as far as COVID-19 vaccinations. Terri recommended speaking with the community navigator or asking Cory Nourie. Laura Waterland stated there was a discussion at the Advisory Council for DMMA meeting about whether family caretakers of those with significant disabilities should have already been vaccinated during phase 1a since they are providing healthcare. There were no other Outside Committee updates for this month.

Terri welcomed and thanked visitors and guests for attending the meeting this evening. She reminded members to contact the GACEC staff for any responses to letters. **A motion was made and approved** to adjourn the meeting at 9:05pm.