MEMORANDUM

DATE: June 4, 2021

TO: The Honorable Members of the Delaware General Assembly

FROM: Ann C. Fisher, Chairperson
       GACEC

RE: Senate Bill No. 136 Transfer of Part C Services to DDOE

The Governor’s Advisory Council for Exceptional Citizens (GACEC) has reviewed Senate Bill
No. 136, which transfers responsibility for early intervention services for children ages birth to
three from the Department of Health and Social Services (DHSS) to the Delaware Department of
Education. Council supports the proposed legislation; however, our comments should not be
considered conclusive as we were not able to facilitate an in depth review of the legislation.

Council understands that this legislation will revise Delaware Code to be consistent with federal
law. It is being proposed in order to improve the coordination of early childhood services
provided and coordination between advisory bodies. It will also require early intervention service
providers to receive the same training on child abuse and the same background checks as school
employees, which will be beneficial to children and their families.

Council has held several discussions on the merit of transferring Part C to the Department of
Education and looks forward to working with stakeholders to ensure a smooth transfer that will
improve services for children. We anticipate working with the DDOE to gather input from
everyone involved, especially parents, to ensure transparency and a smooth transition. We also
look forward to working with the DDOE to draft regulations that will improve communication
and coordination between systems. In discussions with representatives of the early childhood
community, Council was made aware of issues and concerns about having separate data systems
in DHSS and Part C. There were no data systems that go from birth through early education.
There was concern about having a birth to three data system that would be compatible with the
DOE data system and the lack of integration between systems. Our hope is that this will no longer be an issue once the transfer is completely implemented.

As mentioned in the synopsis of the legislation, the GACEC is one of two Delaware agencies tasked with advising the Department of Education on the implementation of the Individuals with Disabilities Education Act (IDEA) for children from birth through age 26 and we take our responsibilities seriously. We will continue our review as additional information is provided and request that Council be represented on any workgroups or taskforces that may be developed to assist with the transfer.

Thank you in advance for your time and consideration of our endorsement and observations. Please feel free to contact me or Pam Weir at the GACEC office should you have any questions.