

**GOVERNOR'S ADVISORY COUNCIL FOR EXCEPTIONAL CITIZENS (GACEC)**  
**GENERAL MEMBERSHIP MEETING**  
*7:00P.M., June 15, 2021*  
**ZOOM MEETING**

**MINUTES**

**MEMBERS PRESENT:** Al Cavalier, Nancy Cordrey, Bill Doolittle, Karen Eller, Cory Gilden, Terri Hancharick, Tika Hartsock, Genesis Johnson, Thomas Keeton, Mary Ann Mieczkowski, Maria Olivere, Robert Overmiller, Erika Powell, Jennifer Pulcinella, Laura Waterland and Lindsay Williamson

**OTHERS PRESENT:** Kristina Horton/ Department of Health and Social Services (DHSS), Michelle Mathew/DHSS, Bruce Orr/Interagency Coordinating Council (ICC), Kim Krzanowski/Department of Education (DOE), Maureen Whelan/DOE, Pam Bauman/DOE, Kateri Morton/Guest, Erik Warner/GACEC Applicant, Eileen Reynolds/Guest

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

**MEMBERS ABSENT:** Matt Denn, Ann Fisher, Beth Mineo, Trenee Parker, Brenn  Shepperson, and Jill Scannell

Vice Chair Terri Hancharick called the meeting to order at 7:01pm. Terri welcomed everyone to the June general membership meeting. A **motion was made and approved** to accept the June agenda.

**PUBLIC COMMENT**

Eileen Reynolds, an advocate in the field of hearing impairment, provided public comment on her concern of monopoly through a Christina School District agency. Eileen is concerned that this agency can have too much influence over what parents, districts, 619 coordinators and special services directors learn about service options. Their thoughts are often that they must use the School for the Deaf personnel as the first service at the birth to three level, which is usually a conflict of interest. The families do not always learn that there is a listening and spoken language option and there are mainstream programs available where children can thrive. The districts are under the assumption that if children do not have sign language, they are not able to succeed. The Department of Public Health through the early hearing detection and intervention program has granted the Christina School District School for the Deaf personnel money to get a deaf mentor to go out in the community. Eileen stated that the deaf mentor is going to have hidden recruitment agenda and may not share all options. It is not always appropriate, and they tend to invite themselves to Individualized Education Plans (IEPs) without written permission from parents. Eileen feels as though parents are not getting the chance to be fully informed. Al Cavalier stated that he is aware that this has been a long-standing issue within the State. Al thought the Choices Program was growing and was created to advocate for providing parents with the variety of choices as opposed to just being presented with American Sign Language at their earliest recognition that their child may have a hearing impairment. Al asked Eileen if this program has not been influential. Eileen replied that the Choices Program is a grassroots advocacy group of purely volunteers. They ring bells everywhere, but things continue to get more unbalanced. Funding has been given to DSD for interpreters, but not to the local school districts. The funds are not all being used for

interpreters but are being used for paraprofessionals. Parents are confused and do not realize which programs are appropriate for their circumstances. Terri Hancharick thanked Eileen for sharing her concerns.

Terri Hancharick **made a motion** to approve the May meeting minutes. The **motion was passed**. Al Cavalier added that the minutes are wonderful archives of information. He recommended we be more mindful that people who are not within our circle may appreciate identifying people speaking with their first and last name and who they are affiliated with throughout the minutes. Al also recommended being more aware that leaving out details may make it difficult for people outside of Council to understand the proceedings.

**A motion was made and passed** to approve the May Financial Report.

### **GUEST SPEAKER**

Pam Bauman and Mary Ann Mieczkowski, both from the Department of Education (DOE), presented on Local Educational Agency (LEA) Annual Determinations. The power point is attached for your review. Bill Doolittle, Chair of the GACEC Children and Youth Committee, asked if the plans that are developed regarding LEA Determinations would be available to view on the DOE website. Mary Ann said they are not currently, but that is a good suggestion. DOE is not required by the Office of Special Education Programs (OSEP) to post that information. Pam Weir, Executive Director of the GACEC, asked if this information could be shared with Council. It would be helpful to see what each district is doing. Mary Ann will check with her OSEP contact to determine if she is able to provide that. Pam Bauman added that one concern with that is that is some of the information shared may contain private student information. Mary Ann will get back with us. Laura Waterland, from the Disabilities Law Program (DLP), believes that it is important for that information to be readily available and would be helpful from a transparency standpoint. Al Cavalier asked if any of the LEAs that needed assistance or intervention last year were on the list this year. Pam Bauman replied that there are a few big districts that have needed intervention over the years. Mary Ann added the Significant Disproportionality data is based over a three-year period. Even if districts or charter schools are still on the “needs intervention” list, the State looks at the progress that is being made. Al Cavalier added that it would be helpful to know what those trends are.

### **DOE REPORT**

Pam Weir asked if we could see the information that DOE submitted in reference to House Bill 128. Laura Waterland asked how many students would be potentially impacted by House Bill 128. Mary Ann replied that 111 students would be eligible for the opportunity to take part in this. Pam asked how the parents would be notified of this eligibility. Mary Ann said that an IEP meeting would be held. Pam asked if this would be done in plenty of time for families to take advantage of this. Mary Ann replied it is based on data that is collected and what the child’s post school goals are. Bill Doolittle added that there are some gaps in the bill if it is passed and there will still be some challenges that will occur. Pam was curious if decisions may have been made because families were not aware that this bill was in progress. Mary Ann answered that eligibility is based on if the child has not met their post school goals due to COVID-19.

## **CHAIR REPORT**

There was no Chair Report for this month. Terri Hancharick announced absent members and welcomed the guests for the evening.

## **DIRECTOR'S REPORT**

Pam Weir, Executive Director of the GACEC, shared an update on her first month's activities and accomplishments. Pam reported that there was an Executive Board meeting for introductions. Pam is pursuing Technical Assistance (TA) training. Pam was invited to become a member of the National SAP-SICC Workgroup, which helps address the information and communication needs of State Advisory Panel (SAP) members and State Education Agency (SEA) staff, State Interagency Coordinating Council (SICC) members and Lead Agency (LEA) staff. This work is done through the creation of newsletters, webinars and other resource sharing. Pam has been working with Mary Ann Mieczkowski of DOE to get an understanding of the Part B system through weekly TA sessions. Pam will be working with Council to schedule four to six-hour trainings to review the roles and responsibilities of the SAP and more specific information about Part B. Kathie Cherry will be sharing information to glean Council's thoughts on dates for this TA. Pam announced that she has been collaborating with the Parent Information Center (PIC) to engage families through the development of trainings based on the results of the parent survey. She will be meeting with PIC bi-weekly to draft and implement engagement opportunities that fit the needs of families and meeting them where they are. Pam plans on meeting with the Office of Boards and Commissions to discuss appointment opportunities including current applicants. Pam has been onboarding daily with Kathie Cherry and Lacie Spence to include the following topics:

- Fiscal Administration- fully trained and approved to complete fiscal processes
- Legislative agenda- walked through "how a bill" becomes a law to include daily reviewing of the General Assembly page, monthly viewing of the Register of Regulations and participation in public comment opportunities on behalf of the Council.

Pam asked that committee chairs and vice chairs submit their committee report forms for the Annual Report to Lacie no later than July 15, 2021. Pam let Council know that due to staff shortages during the summer months, the Disabilities Law Program (DLP) will be able to provide only minimal analysis on proposed regulations and legislation. Several DLP staff are preparing to take the Bar Exam this summer, as well as staff taking vacations when possible. Three attorneys are having to absorb the work of six over the summer so it was decided that a legal memo will not be provided. Specific bills and regulations may be analyzed on a per item basis as the need arises. We appreciate the work that the DLP does to support Council and wish those taking the Bar Exam much success. Pam thanked Laura Waterland for the tremendous amount of work that is done to support these councils. Laura brought up that Council should be on the lookout and consider supporting House Bill 122, in reference to the elimination of subminimum wage. Terri Hancharick asked if the bill comes up during the summer months, are we able to vote via email to get a vote together quickly? Kathie Cherry replied that we can email it out to the Board for approval. In the coming months, Pam will be working with the Executive Board to plan the annual retreat, working with staff to draft the annual report and review the Governor's FY22 budget. Pam encouraged everyone to reach out with any questions or comments over the summer.

## COMMITTEE REPORTS

### ADULT TRANSITION SERVICES COMMITTEE

Thomas Keeton, Chair of the Adult Transition Services Committee, reported that they received a presentation from Maureen Whelan, Director of Adult and Prison Education Resources for the Delaware Department of Education. The purpose of the presentation was to gain an understanding of what the Delaware Department of Education (DDOE) provides educationally to adults with special needs in the prisons and community programs. Maureen shared the Fiscal Year (FY) 2021 Year to Date (YTD) data where the mix has changed. One hundred eighty-one students were eligible for special education in the prisons. Fifty-six received services with an Individualized Education Plan (IEP), 29 were in process and 22 opted out. Forty-two students left prior to services being rendered and 32 received education without services. There were 41.5 students with high school credits earned, 62 IEP benchmarks met, and 44 percent were individuals with learning disabilities (LD). In addition, there were two alternative diplomas earned and one industry certification was earned. Teachers were not permitted physically into the facilities over the past year. Education was delivered in the prisons using correspondence courses and video conferencing. Level IV (inmates preparing to re-enter society) special education services were added in FY21 with one student requesting services. Club Z is the contracted deliverer of the special education services. Thomas reported that when COVID-19 is reasonably cleared, the delivery will move from Zoom to in-person instruction. Pearson VUE provided 29 accommodations for inmates taking the GED® exam. Community programs only had two accommodations approved in Fiscal Year (FY) 21. The Identified Need was that Howard R. Young has the largest number of special education students with the majority in detainee status. The GACEC could provide support for an additional special education position at Howard R. Young. DOE had 70 special needs detainees in the pre-trial area of Howard R. Young last year. Thomas **made a motion** for the GACEC to write a letter to the Secretary of Education supporting the addition of a special education position at Howard R. Young to meet the special education needs at the facility. **The motion was passed.**

### CHILDREN AND YOUTH

Bill Doolittle, Chair of the Children and Youth Committee, reported that the group had Kimberly Krzanowski, Executive Director for the Office of Early Learning, share an overview of the Delaware Stars Redesign with a focus on inclusion and children with disabilities. When Stars was first developed, the Committee reviewed the program and had some significant concerns and comments. Bill asked Kim if they had disability training as a requirement to have a Stars rating. Unfortunately, the answer is no. Kim asked if the previous recommendations could be sent to her. The reason for concern is that if children are denied services early on, the likelihood of them accessing childcare later is almost zero. Laura Waterland added that there have recently been three cases at DLP where children have been denied care or expelled based on disability. This puts families in compromising situations. Laura is in disbelief that childcare settings can get a five-star rating if there are no requirements in place for inclusion or procedures in place to prevent this from happening. Pam Weir asked what the next step should be. Bill thinks that we are at the enforcement level. Laura thinks that convincing the Office of Childcare Licensing that they can lean on these providers would be helpful. There should be services and funding available to provide education to childcare providers. Genesis Johnson added that before her son's diagnosis, he was expelled from Head Start programs. The requirements for early childhood educators are not as strict as they are for Kindergarten through grade twelve. Pam Weir added that outreach and training for staff is vitally important. Bill Doolittle added that he confirmed that if 619 or

Part C are providing services to a child in a licensed or Stars setting, that facility cannot refuse it. Tika Hartsock expressed that even if a childcare provider is told they are required to accept a child, it is an uncomfortable situation and causes anxiety to then send your child there. Al Cavalier added that the new emphasis for the Stars program is requiring a national Child Development Associate (CDA) certification for staff, which does not require any competencies in disabilities. An Ad Hoc committee was recommended to address this issue. The GACEC staff will send out an email to see who is interested in being on this committee. Bill Doolittle added that there is no significant new data regarding lost learning due to COVID-19, and the committee continues to deal with that as new information arises.

### **INFANT AND EARLY CHILDHOOD**

Jennifer Pulcinella reported that Kristina Horton and Michelle Mathew (Birth to Three Early Intervention Program leadership/DHSS) presented to touch base on how the new Request for Proposal (RFP) contracts were coming along since they were set to begin July 1. According to Michelle Matthews there are no indications that there is anything wrong. They cannot discuss details while they are in the process but if providers are referred to her, she can address them directly. They are working very hard to expedite everything in the contract office. Due to legalities, providers need to contact Birth to Three directly. Kristina Horton assured meeting attendees that the new data process is still in the contractual process and when it is executed, we will know more. Additionally, they have one open position for an Assistant Part C Coordinator. They will be revamping and redeveloping new hire training, so it is compliant with the Individuals with Disabilities Education Act (IDEA). Evaluation and assessment opportunities area are part of the rebuilding process and the training has the potential to be available to persons not in the Birth to Three field. Bruce Orr, Chair of the Interagency Coordinating Council (ICC), assured the Committee that this new transition to DOE will provide us all an opportunity for a fresh start to build connections and paths that have been needed for a long time. Bill Doolittle recommended creating a pathway for the ICC to gain additional staff to provide similar service as they do the GACEC. Bruce Orr stated that it would make a world of difference if the ICC had their own staff. Bruce would love to partner with the GACEC to make this work. Pam Weir added that the Part C program added that RFPs will end June 30<sup>th</sup>. New contracts are supposed to start July 1. Pam has been contacted by several providers stating that they have not received a contract yet. This leaves 20 days to get all the requirements fulfilled. Similarly, the Part C Program issued RFPs for some contracted family service coordinators. Pam is concerned that equitable and available services afforded under the IDEA will not be accessible to children and families and there will be a lack of service coordinators come July 1. Jen Pulcinella and Bill Doolittle agreed that they are not sure what can be done until after July 1.

### **POLICY AND LAW**

There was no Policy and Law Committee report for this month. Laura Waterland did recommend keeping up with House Bill 122, as discussed earlier.

### **MEMBERSHIP COMMITTEE**

Al Cavalier updated Council that there are still several GACEC applications that have been submitted but not yet approved. Kathie Cherry reminded Council that people who apply should let staff know, otherwise we are unaware that there are applications out there to follow up on. Pam Weir welcomed members to send any input to be shared when she meets with Lori James of the Office of Boards and Commissions. Al added that we are short in our membership profile and encouraged Council members to let him know if they have people in mind who would be good candidates for membership. Pam Weir

spoke with Meedra Surrate of the Parent Information Center of Delaware (PIC), who discussed meeting with individuals in the Junior Partners in Policymaking program to see if GACEC membership is something they would be interested in. AI will also check with the Director for the Autism Scholars Program at the University of Delaware to see if there is any interest there. Tika Hartsock recommended reaching out to the Parent Councils for the LEAs.

### **PERSONNEL COMMITTEE**

Robert Overmiller announced that there will be 34 new Delaware State Troopers to enforce the gun laws. We will have 51 new Deputy Attorney Generals to look at body cameras. The bad news is that there were not any funds left for the GACEC to receive any additional funding.

### **AD HOC COMMITTEE REPORTS**

The Ad Hoc committee regarding Disproportionality has not heard anything back from Susan Veneema, from DOE, about her availability to meet to discuss this issue. Bill Doolittle stated there is also a Christina School District Ad Hoc Committee that is technically still active.

### **OUTSIDE COMMITTEE UPDATES**

Terri Hancharick noted that the Division of Developmental Disabilities Services (DDDS) taskforce that lasted for two years has finished up. There is a 400-page final report available online. One of the major achievements was to expand the DDDS advisory council to include providers, self-advocates and professional advocates. Bill Doolittle shared that he is on the Extended Learning Opportunity Subcommittee. They are continuing to work on how the additional Extended Learning Opportunity funding will help children with disabilities catch up on learning.

Terri Hancharick welcomed and thanked visitors and guests for attending the meeting this evening. She reminded members to contact the GACEC staff for copies of any letters or responses to letters. **A motion was made and approved** to adjourn the meeting at 9:00 pm.