



**Governor's Advisory Council for Exceptional Citizens (GACEC)**  
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November 27, 2023

Department of Education  
Office of the Secretary  
Attn: Regulation Review  
401 Federal Street, Suite 2  
Dover, DE 19901

**RE: 27 DE Reg. 299/14 DE Admin. Code 503 DDOE Proposed Instructional Program Requirements regulation (November 1, 2023)**

Dear Secretary Holodick:

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed the Delaware Department of Education (DDOE) proposal to amend 14 DE Admin. Code 503 Instructional Program Requirements. Several changes are noted and most of the changes are minor, primarily clarifying existing regulations. Therefore, Council is generally supportive of the proposed amendments especially since the new proposals will require schools to provide instruction in health education, which is a positive change. However, Council is concerned by the exemptions for the James H. Groves programs.

The education provided to these students should not be of lesser quality than the education provided to other students in Delaware. While many students voluntarily choose to participate in James H. Groves programs as an alternative pathway to a high school diploma, for other students, such as those in the adult prison system in Delaware, the James H. Groves program is the only option provided to work toward a high school diploma. Eliminating requirements for health/physical education and arts education programs from Groves programs effectively eliminates any opportunity for incarcerated students to benefit from these programs. There is evidence that incarcerated students have unique needs for these programs and would benefit substantially from them.

There is a demonstrated need for health and physical education among students in prison. Formerly incarcerated individuals statistically have worse health outcomes than the general population and have higher rates of many preventable diseases that are often discussed in high school health classes. Research suggests that health education programs for incarcerated students

increase knowledge and understanding of critical health information and susceptibility to at-risk behaviors. Evidence also suggests that structured opportunities for physical movement in prisons settings have significant positive health outcomes among incarcerated individuals. Research indicates that physical activity programs in prisons “improve the mood and anxiety of inmates as well as overall health.”

Incarcerated individuals have also been shown to benefit substantially from arts programs. Research suggests that arts programs help students “develop better mental outlooks,” reduce violence within the prison system,” and “decreas[e] parolees’ recidivism.” Incarcerated students, whose only option for a high school diploma program is a Groves program, have the most need for these programs and would uniquely benefit from them.

Council therefore recommends that the Groves programs not be exempted from requirements to provide health education, arts and physical education; and that the DDOE should prioritize how to make these programs available in alternative and adult education settings.

Thank you for allowing us the opportunity to share our general support of the proposed amendment and recommendations with you. Please contact Pam Weir or me at the GACEC office if you have any questions on our comments.

Sincerely,

*Ann C Fisher*

Ann C. Fisher  
Chairperson

ACF: kpc

CC: Shawn Brittingham, State Board of Education  
Kathleen Smith, State Board of Education  
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