



Governor's Advisory Council for Exceptional Citizens (GACEC)
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MEMORANDUM

DATE: March 26, 2026

TO: The Honorable Members of the Delaware General Assembly

FROM: William H. Doolittle, Chairperson
GACEC

RE: **House Bill No. 313 Department of Services for Children, Youth and Their Families and Educational Services**

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed House Bill No. 313 relating to the Education Unit in the Department of Services for Children, Youth and Their Families (DSCYF). Council would like to share the following recommendations with the sponsors of the proposed legislation.

First, Council would recommend that DSCYF and DDOE explore and address the financial impact on districts of removing these students from the Unit Count.

Second, Council asks that the bill be modified to make it clear in §2407A that obligations under IDEA, 504 and the Americans with Disabilities Act (ADA) will apply to DSCYF as a local education agency (LEA), to avoid future legal disputes on this interpretation.

Council would also like to share the following questions:

1. If DDOE interprets IDEA obligations to fall under §2407A.
2. Which entity will serve as the IDEA LEA responsible for due process and compliance monitoring for students in DSCYF facilities?
3. What role will the DDOE play in oversight of the Education Unit?
4. How will credits earned in DSCYF programs transfer to students' home school districts?
5. How will the state ensure continuity of services for students with disabilities when entering or exiting placement?
6. How will educational outcomes and compliance data for these students be reported to the state?

Thank you for your time and consideration of our recommendations and inquiries. We would appreciate the opportunity to discuss this legislation and any future legislation impacting the education of students with disabilities in Delaware.