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## GACEC FY2023 Budget Hearing Statement for the Joint Finance Committee (JFC)

February 15, 2022

Good afternoon Representative Carson, Senator Paradee and honorable members of the Joint Finance Committee:

My name is Pam Weir, and I am the Executive Director of the Governor's Advisory Council for Exceptional Citizens, also known as the GACEC. I am fairly new to this role having recently replaced Wendy Strauss upon her retirement in May after serving for 23 years in this position. Here with me today is our Council Chairperson Ann Fisher and joining via zoom are Council Vice Chairperson Terri Hancharick and staff members Kathie Cherry, our office manager and Lacie Spence, our administrative coordinator.

I would like to thank the Office of Management and Budget (OMB) and the Delaware Department of Technology and Information (DTI) as well as the Delaware State Police and Capital Police for continuing to collaborate with us to get our security system up and running. We are in the final stages of installation and the system should be fully implemented very soon. Additionally, we are forever grateful to OMB for working towards the installation of Wi-Fi in our building, the George Massey Station. We hope that will be completed soon also.

I would like to thank our budget analyst, Nicholas Konzelman, for his assistance as we worked on my first budget submission as the director of the GACEC. Nicholas also had recently started in his role, and I commend his commitment to understanding the function and needs of our unique agency. His collaborative attitude made me feel confident in my understanding of this process and the decisions I needed to make were easier as a result.

Lastly, I would like to thank DTI including Robin Slaughter, Eavan Caulfield, Dewayne Lehman our former Customer Engagement Manager John Trabaudo and our current Customer Engagement Manager, Paul Kanich. Their dedication and support have been invaluable and really enabled me to hit the ground running in this new role. They continue to provide the ongoing support necessary to ensure that our Council can adapt to the ever-changing needs of persons with disabilities and exceptionalities.

The GACEC has been in existence since 1972. We serve as the State Advisory Panel for the state of Delaware under the Individuals with Disabilities Education Act (IDEA). In that role, we monitor services and make recommendations on behalf of students with exceptionalities to the Governor, General Assembly, Secretary of Education, and the State Board of Education. In 1977, the State of Delaware enhanced the role of the GACEC to include advising and advocating on the unmet service needs of all citizens with exceptionalities from birth to death. That change expanded our role to provide advice and information to other agencies such as the Department of Health and Social Services (DHSS), the Department of Transportation (DeDOT), the Department of Services for Children, Youth, and their Families (DSCYF), the Delaware State Housing Authority (DSHA) and other advocacy organizations across the state. Since the passage of Senate Bill 20 in 2014, the Council is also mandated to meet annually with representatives of the Delaware Department of Education (DOE) and the Department of Corrections (DOC) to discuss the operation of the prison education program. The GACEC conducts site visits and provides information on the prison education program in its annual report as mandated in Delaware Code.

Despite the constraints of the Covid-19 pandemic, the GACEC worked on several key pieces of legislation including 23 bills and 25 regulations. Several were passed and signed this past legislative session. I would like to highlight a few of the most impactful for individuals with disabilities and children qualifying for special education services.

House Bill 86 increases funding for kindergarten through third grade students identified as eligible for basic special education services. Prior to House Bill 86, basic special education has only been provided for students in fourth through twelfth grade who are identified as eligible for basic special education and related services. House Bill 86 will expand funding to younger students. The bill was passed and signed by Governor Carney on July 30, 2021

House Bill 100 establishes mental health services units in every Delaware public elementary school, including charter schools. The State will be required to fund one school counselor or school social worker per 250 full-time enrolled students and one school psychologist for every 700 full-time enrolled students. In its comments to the General Assembly, Council noted that the introduction of this bill is timely in that the ongoing coronavirus pandemic has raised serious concerns about the long-term effects of increased isolation and remote learning on child mental health. Council also recommended that an intentional process of collaboration be developed among all personnel tasked with providing mental health services and supports to students. The legislation was passed and signed by the Governor on August 19, 2021.

House Bill 128 permits the extension of special education and related services to those students with a disability who turned 21 during the 2020-2021 school year thus aging out of special education. The IEP team for affected students will be responsible for reviewing and revising the IEP of the child with a disability whose education has been interrupted or adversely affected by the Coronavirus State of Emergency. The extension beyond the age of 21 will benefit individuals receiving special education services and supports that cannot be delivered virtually or part-time

with the same effectiveness as in-person. Council supported this legislation since it ensures compliance with the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act and Title II of the Americans with Disabilities Act. The legislation passed and was signed by the Governor on June 3, 2021.

Senate Bill 56 introduced Educational Opportunity Funding, which will provide additional funding for schools to support English Learners (EL) and low-income students (LI). The bill was introduced as a result of a settlement agreement in *RE Delaware Public Schools Litigation C.A. No. 2018-0029-VCL*. The Department of Education (DOE) will be required to adopt regulations identifying the types of services and supports that may be funded with money from the Opportunity Fund. The bill requires the DOE to create accountability procedures and logistical supports, along with an expenditure plan template and plan development supports identifying evidence-based practices shown to improve performance outcomes for EL and LI students. Recipients of the funding will also be required to provide an annual report on the use of the funding received. Council supported the legislation and noted that it is a stride toward greater and more equitable funding for schools across the State, but it is only the beginning, not the end, of progress needed to improve school funding in Delaware. The bill was signed by the Governor on June 30, 2021.

The GACEC performance measures are different from other agencies because we do not provide direct client services. In response to our first performance measure, Council sent out over 1800 letters to the General Assembly, the Department of Education, DHSS, and other agencies in this past year. Through our correspondence, the GACEC assists these agencies with their understanding of the implications of regulatory and legislative changes on the lives of individuals with disabilities.

Council members and staff are fully committed to improving the lives of Delawareans with exceptionalities through collaboration with other stakeholders. The Council and staff are honored to work with our Governor, Lieutenant Governor, legislators, cabinet secretaries, state agencies and nonprofit organizations. To address our second performance measure, Council members and staff participate on over 60 advisory boards, committees, or taskforces including the Center for Disabilities Studies Community Advisory Council, the LIFE Conference Planning Committee, the State Council for Persons with Disabilities and other stakeholder groups formed by the Department of Education or General Assembly.

Council continues to educate the public and the disability community on disability issues and services related to children, youth and adults through various presentations, workshops, newsletters, and conferences. Council advises and provides recommendations to agency heads and legislators for systemic change activities. Through our efforts, individuals with disabilities and their families are given the opportunity to provide input into the design and provision of needed community services.

Our third performance measure tracks individuals contacted via outreach and awareness activities. The GACEC was unable to provide as much information to the public due to the cancellation of various in-person conferences and workshops around the State. However, Council was able to provide a limited amount of information to over 1100 individuals utilizing virtual formats.

This past year, we finalized the newest upgrades to the Delaware Disability Hub (DeIDHub) transition website and are continuing to make the GACEC website more ADA accessible. The DeIDHub received over 12,698 hits from September 2020 through September 2021, with over 6,833 unique visitors, providing information and resources for transitioning youth, their families, and educators around the State. Additionally, we provided a new video on the DeIDHub entitled “College is an Option for Individuals with Disabilities-Stepping up to the Challenge.”

The GACEC is requesting the following funds to assist us with accomplishing our mission as the State Advisory Panel under IDEA as well as our mission as the Council that oversees disability issues for all Delawareans with exceptionalities and their families:

Council is requesting \$2600 as directed by OMB as our allotment of contingency funds for increases in personnel costs for fiscal year 2022.

The GACEC has requested \$30,000 to fund the salary of the vacant casual/seasonal position. This position would then be utilized to review regulations and policy; provide analysis and attend legislative meetings to report on the GACEC position on legislative issues. With the increase in federal and state regulations and legislation affecting individuals with exceptionalities, the role of the GACEC in providing advice has also increased, especially during the current pandemic. It is vital to the role and mission of the GACEC to keep up to date on proposed legislation and proposed regulations. As the state advisory panel under the Individuals with Disabilities Education Act (IDEA), it is imperative that we have the ability and manpower to closely monitor services provided to students with special needs by the Department of Education. This is especially important, now more than ever, as we know that students with disabilities are experiencing unfathomable learning loss as a result of the virtual and hybrid educational offerings provided over the past twenty months. Students with exceptionalities must be protected from regression and extra care must be shown to ensure equitable, effective educational services. This position would be able to assist in these areas and provide additional support to the GACEC. OMB has indicated funding support will be provided as part of our fiscal year 2023 contingency.

As I mentioned previously, we understand that OMB is working towards the installation of Wi-Fi in George V. Massey Station. Wi-Fi will allow the Council to utilize increased technology to accommodate the needs of our members, particularly members with disabilities or parents of children with disabilities who find it difficult to attend meetings. As a small agency with a small budget, we must be ever mindful of how to utilize our budget most efficiently. We thank OMB

and DTI for their continuing efforts to ensure we are fully able to utilize current technology to fulfill our purpose for the State of Delaware.

We do not know how hard COVID-19 has truly hit our community but as time goes on, we will have a better idea of its negative impact. As previously noted, the GACEC is a small agency with a small budget, but we always try to do our part and be mindful of times of crisis. Our volunteers and staff will continue to do our best with the resources we are provided to monitor and provide advice on behalf of individuals with exceptionalities. We need to continue our investment in our children, and we particularly know how important it is to invest in our children with disabilities. We want our children to be happy, healthy, successful individuals in their communities and that starts right here right now. Thank you again for this opportunity to share our budgetary information with you. I wish you well. Be safe and stay healthy.