SPONSOR: Rep. Lynn & Rep. Bolden & Rep. Keeley & Rep. Potter
& Sen. Henry
Rep. Schwartzkopf

HOUSE OF REPRESENTATIVES
148th GENERAL ASSEMBLY

HOUSE BILL NO. 424

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO REORGANIZATION OF SCHOOL DISTRICTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 1008, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1008 Wilmington Education Improvement Commission.

(g) The WEIC shall work with and across all governmental agencies, educational entities, and private and nonprofit institutions to promote and support the implementation of all recommended changes from the Wilmington Education Advisory Committee (WEAC). The WEIC also will also monitor the progress of implementation and recommend policies and actions to the Governor and General Assembly to facilitate progress and to promote the continuous improvement of public education. The WEIC shall develop a transition, resource and implementation plan, for presentation to and approval by the State Board of Education, for the provision of necessary services to schools and students affected by the implementation of the changes recommended by WEAC. WEIC shall also develop a resource plan regarding transitional resources to effectively implement school district realignment. Both the transition plan and resource plan must be submitted first to the State Board of Education and then to the General Assembly and the Governor for final approval. Both are due for submission and related action by December 31, 2015. Final approval of the transition plan and resource plan by the General Assembly and the Governor shall not constitute an endorsement of any particular revenue or spending measure and shall not bind the State, nor any of its political subdivisions, to any specific action with regard to revenue and spending.

Section 2. Amend § 1026, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1026. Changing boundaries; vocational-technical school districts; City of Wilmington.

(d)(1) Notwithstanding the provisions of subsections (b) and (c) of this section, the State Board of Education may change or alter the boundaries of school districts in New Castle County in a manner consistent with some or all of the

redistricting recommendations made by the Wilmington Education Advisory Committee in the report issued March 31, 2015, provided that the General Assembly passes, and the Governor signs, a Joint Resolution supporting the proposed changes in school district boundaries. Passage of such a Joint Resolution does not constitute support or approval of any particular measure for revenue or spending proposed in the plan described in this subsection.

(2) Prior to ordering a change or alteration of a school district boundary under this subsection, the State Board or the Wilmington Education Improvement Commission, shall conduct at least 1 public hearing in each of the school districts to be affected, including at least two in the City of Wilmington.

(3) In its decision and order to change or alter a school district boundary under this subsection, the State Board of Education shall adopt a transition, resource, and implementation plan. The plan shall be developed by the Wilmington Education Improvement Commission, for presentation to and approval by the State Board, and shall, at a minimum, provide for:

a. The orderly and minimally disruptive reassignment of students affected by the boundary change and the reassignment of governance responsibilities;

b. Implications for educators, administrators, and other personnel that may lead to equitable adjustments to local collective bargaining agreements;

c. ~~Resources~~ Recommendations on resources that will be required, from state, district, and local sources, to support the redistricting transition and provide for the effective ongoing education of all affected students, and for the support of schools with high concentrations of low income students and English language learners;

d. Student transportation;

e. Distribution of capital assets; and

f. Engagement of educators, staff, parents, district personnel, and community members throughout the transition.

The plan shall permit students to continue their attendance at the school they attended prior to the boundary change, with tuition payments by the sending district as provided in Chapter 6 of this title, until such time as the pupils complete the grade levels offered in that school. If the State Board does not approve the plan as submitted by the Wilmington Education Improvement Commission, it shall notify the chairperson of the Commission in writing, give reasons why the plan was not approved, and allow the Commission to resubmit the plan within 60 days of the chairperson receiving the notice of denial.

(4) The State Board shall base its decision to change or alter school district boundaries on a record developed in compliance with state open meetings laws.

(5) The authority of the Wilmington Education Improvement Commission and the State Board of Education to act under the provisions of this subsection shall terminate on March 31, 2016.

Ssynopsis

This bill clarifies that a vote by the General Assembly as required in 14 Del C. §§ 1008(g) and 1026(d) in support of redistricting serves to authorize the State Board to proceed with the redistricting, but does not constitute approval of any particular revenue or spending measure proposed in the Plan of the Wilmington Education Improvement Commission.