SPONSOR: Sen. Blevins
Sens. Henry Marshall Townsend Poore McDowell
Peterson Hall-Long Bushweller Ennis & Rep. J. Johnson

DELAWARE STATE SENATE
148th GENERAL ASSEMBLY

SENATE JOINT RESOLUTION NO. 17

AFFIRMING THE DECISION OF THE STATE BOARD OF EDUCATION TO APPROVE THE PLAN OF THE WILMINGTON EDUCATION IMPROVEMENT COMMISSION AND AUTHORIZING CONTINUED WORK BY THE COMMISSION.

WHEREAS, the Wilmington Education Improvement Commission (the "Commission") was created and empowered by House Bill No. 148, as amended, to plan, recommend, and implement improvements to the quality and availability of public education in the City of Wilmington; and

WHEREAS, Senate Bill No. 122, passed in the first half of the 148th General Assembly, made amendments to § 1026 of Title 14 of the Delaware Code, and authorized the State Board of Education to 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; and

WHEREAS, in compliance with § 1026(d)(2) of Title 14, the Commission held 6 public hearings, including at least 1 public hearing in each of the affected school districts and at least 2 in the City of Wilmington; and

WHEREAS, the Commission presented to the Board of Education a plan for redistricting dated December 15, 2015, and revised on March 14, 2016, including an addendum thereto dated February 11, 2016, (the "Plan") which addresses all provisions identified in §§ 1026(d)(3) and 1008(g) of Title 14 and also describes the ways in which redistricting will lead to higher-quality schools and improved student outcomes; and

WHEREAS, the State Board of Education approved the Plan at a meeting of the Board on March 17, 2016; and

WHEREAS, the Plan is conditioned upon the allocation of necessary and sufficient funding, including resources to support affected school districts and eventual extension of those resources statewide, and the Plan is designed to be suspended for a year in the absence of an appropriation of said necessary and sufficient funding; and

WHEREAS, the General Assembly will not be able to allocate necessary and sufficient funding in a manner consistent with the Plan for the State fiscal year ending June 30, 2017, and therefore it is recognized that the Plan will be suspended; and

WHEREAS, the General Assembly affirms the State Board of Education's approval of the Plan and desires that the Commission continue to develop additional specificity in the Plan, including working with the Christina School District and Red Clay Consolidated School District to include assessment of facilities, possible grade configurations, transportation feeder patterns, transition support for students and schools, and the reallocation of State units of funding.

NOW, THEREFORE:

BE IT RESOLVED by the Senate and the House of Representatives of the 148th General Assembly of the State of Delaware, with the approval of the Governor, that the General Assembly and Governor affirm the decision of the State Board of Education to approve the Plan, and authorize continued work by the Commission and others in additional development of details of implementation of the Plan.

BE IT FURTHER RESOLVED that the support of the General Assembly and the Governor for the Plan, including the alteration of school district boundaries, remains conditioned upon the allocation of necessary and sufficient funding; however, nothing in this Joint Resolution obligates the General Assembly to any action with respect to financing, property reassessment, or taxation.

BE IT FURTHER RESOLVED that the General Assembly and the Governor recognize that necessary and sufficient funding for the Plan is not provided in the Fiscal Year 2017 budget, and therefore the General Assembly and the Governor do not intend that this Joint Resolution fulfill the condition of § 1026(d)(1) of Title 14 and do not intend that this Joint Resolution constitute final approval for purposes of § 1008(g) of Title 14, but the General Assembly and the Governor anticipate that a joint resolution fulfilling those conditions be further considered after additional development of the details of implementation of the Plan.

Ssynopsis

This Senate Joint Resolution affirms the decision of the State Board of Education to approve the Wilmington Education Improvement Commission's Plan ("the Plan") and supports the continued work of the Commission in developing details of implementation of the Plan.

It also recognizes that the Plan will require necessary and sufficient funding to achieve the goals laid out in the Plan for redistricting and improving student outcomes.

In the absence of necessary and sufficient funding support for the Plan in the Fiscal Year 2017 budget, this Senate Joint Resolution does not fulfill the condition of § 1026(d)(1) of Title 14 that the General Assembly pass and the Governor sign a joint resolution supporting the proposed changes to school district boundaries in New Castle County and does not constitute final approval of the transition and resources plan required under § 1008(g) of Title 14. The General Assembly and the Governor anticipate that a joint resolution fulfilling those conditions be further considered after additional development of the details of implementation of the Plan.

Author: Sen. Blevins