

CHAPTER 262
FORMERLY
HOUSE BILL NO. 314

AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATEWIDE PROGRAMS FOR THE DEAF, HARD OF HEARING AND DEAF-BLIND INCLUDING THE DELAWARE SCHOOL FOR THE DEAF.

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

Section 1. Amend §1331, Title 14 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strike through as follows:

§ 1331 ~~Margaret S. Sterek School~~ Statewide Programs for the Deaf, Hard of Hearing and Deaf-Blind including the Delaware School for the Deaf; special staff.

(a) In addition to staff otherwise authorized, the ~~Sterek~~ Delaware School for the Deaf may employ supportive staff as follows:

(1) Specialist. -- Resource teacher for a period of 10 months at the rate of 1 for each 60 children enrolled in the ~~Sterek~~ Delaware School for the Deaf;

(2) Interpreter/tutors for a period of 10 months at the rate of 1 for each 4 pupils enrolled in the ~~Sterek~~ Delaware School for the Deaf and served in the regular education classroom.

(3) Specialist. -- Literacy (English and American Sign Language) for a period of 10 months at the rate of 1 for every 60 children enrolled in the ~~Sterek~~ Delaware School for the Deaf.

(b) Interpreter/tutors are to be certified according to standards prescribed by the Department with the approval of the State Board of Education and paid according to the salary schedule contained in § 1305(a) of this title.

(c) In addition to subsection (a) of this section, the ~~Sterek School~~ Statewide Programs for the Deaf, Hard of Hearing and Deaf-Blind may employ a early intervention teacher who will work with parents and families in New Castle, Kent and Sussex Counties.

(1) The teacher shall be a certified teacher of the deaf/hard of hearing.

(2) Provision for salary of the teacher and for expenses required for this job shall be made a part of the appropriation for the ~~Sterek~~ Delaware School for the Deaf.

(d) In addition to staff otherwise authorized, the Statewide Programs for the Deaf, Hard of Hearing and Deaf-Blind ~~Sterek School for the Hearing Impaired Deaf~~ may employ the following:

(1) Director;

(2) Statewide coordinator;

(3) Dean of students (assistant principal rank);

(4) One elementary school leader and one secondary school leader compensated at the assistant principal rank (in lieu of a principal allocated pursuant to § 1307(2) of this title);

(5) Educational audiologist;

(6) Speech therapist (in addition to those employed pursuant to [former] paragraph (a)(1) of this section [repealed]);

(7) Residential advisors not to exceed 6;

(8) Residential monitoring aides not to exceed 4.

These shall be considered state unit positions and paid according to this title, with appropriate local supplement.

Section 2. Amend §7503, Title 29 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strike through as follows

§ 7503. Matching funds.

(a) Except in the case of a school district for which a local share is not required by any school construction bond authorization act, the state share apportioned to a school district by such school construction bond authorization act shall not be expended unless the local share for such school district shall have been deposited with the State Treasurer not later than 2 years after the effective date of a school construction bond authorization act.

(b) The local share for each school construction project, excluding minor capital improvement projects, which is contained in a school construction bond authorization act, shall be computed as specified in this subsection. A local share ratio shall first be computed for each school district, including vocational districts, and 1 for each county, for each fiscal year and shall be used in computing the local share of funding for that school district for each school construction project contained in the school construction bond act for that fiscal year. In the event that the funding of a project is spread over more than 1 school construction bond authorization act, the local share ratio which applies to that project in the school construction bond authorization act in which it first appears shall apply to all subsequent school construction bond authorization act allocations for that project. The local share ratio shall be computed by multiplying the school district ability index for the school district, or in the case of vocational schools or special schools, the county wide ability index, as defined in § 1707 of Title 14, by .40, providing, however, that the product shall not exceed .40 or be less than .20 for any school district. The local share ratio shall be rounded to the nearest one-hundredth and the result multiplied by the total cost of the school construction project in order to determine the local share.

The local share for each school construction project may include an additional amount, not to exceed 15% of the local cost as calculated in the preceding paragraph, to match additional state funds that may be appropriated to address increases in the cost of school construction projects. Provided the district receives referendum approval for this additional amount and the State appropriates additional funds subsequent to referendum passage, the district may increase its local share in accordance with the local share ratio for the project and the approved referendum subject to local school board approval.

Inclusion of a project and designation of a local share for a vocational school in a school construction bond authorization act shall be considered authorization for the vocational district to establish a tax rate sufficient to pay the principal and interest on the bonds for the local share of the project.

For the statewide autistic program, the ~~Margaret S. Sterek School~~ Delaware School for the Deaf, the John G. Leach School, the Kent County Community School, the John S. Charlton School, the Sussex Consortium, Sussex County Orthopedic School and the Howard T. Ennis School, construction shall be 100% State-funded.

Inclusion of a project and designation of a local share for a special school shall be considered authorization for the school district administering the special school to obligate itself for the required bonds and for the school district to collect the revenues required to pay the principal and interest on those bonds through tuition payments authorized in § 602 of Title 14. The school district collecting the tuition for payment of bonds and interest shall maintain such debt service receipts in a separate account for the special school.

(c) The provisions of subsection (b) of this section to the contrary notwithstanding, for the fiscal years ending June 30, 1992 through June 30, 1994, the local share ratio for reorganized school districts with ability indices less than 1.0 shall be computed as follows:

FY'92: [Ability Index X .40] + 3/4 [.40 -- (Ability Index X .40)]

FY'93: [Ability Index X .40] + 1/2 [.40 -- (Ability Index X .40)]

FY'94: [Ability Index X .40] + 1/4 [.40 -- (Ability Index X .40)]

For purposes of this subsection the value of the ability index used in these calculations for any school district shall not be less than .50. This subsection shall not apply to vocational-technical school districts or to special schools.

Approved June 19, 2012