

CHAPTER 397  
FORMERLY  
SENATE BILL NO. 207  
AS AMENDED BY  
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EXCEPTIONAL PERSONS.

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

Section 1. Amend §3122, Title 14 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strike through as follows and by re-lettering the paragraphs accordingly:

“§ 3122. Identification and reporting of child with a disability.

(a) ~~Except as noted in subsection (b) regarding parentally-placed private school children, each~~ Each school district shall be required to identify, locate and evaluate, or reevaluate, any ~~children~~ children with disabilities residing within the confines of that school district, including children with disabilities who are homeless children or wards of the State, regardless of the severity of the disability, and who ~~is~~ are in need of special education and related services.

(b) Each school district, excluding vocational school districts, shall be required to identify, locate and evaluate, or reevaluate, any children with disabilities who are enrolled by their parents in private schools located within the confines of that school district, regardless of the severity of the disability, and who are in need of special education and related services.

Section 2. Amend §3137(d)(1), Title 14 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strike through as follows:

§3137 Hearing Panel

(d) Each panel shall consist of 3 panelists, appointed by the Secretary of Education on a rotating basis, as follows:

(1) One attorney admitted to practice ~~in the State~~ and in good standing with the bar of a state;”

Approved August 13, 2012