

LAWS OF DELAWARE
VOLUME 83
CHAPTER 408
151st GENERAL ASSEMBLY
FORMERLY
SENATE BILL NO. 291

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO POLICY REGARDING APPROPRIATE RELATIONSHIPS WITH STUDENTS.

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

Section 1. Amend Title 14 of the Delaware Code by adding a new Chapter 43 and by making deletions as shown by strike through and insertions as shown by underline as follows:

Chapter 43. Adult Sexual Misconduct in Schools Policy.

§ 4301. Adult sexual misconduct in schools policy. – Each school district and charter school shall establish a policy which shall require, at a minimum, all of the following:

(1) A provision establishing appropriate and inappropriate interactions between adult employees, contractors, coaches, and volunteers and students.

(2) A provision prohibiting adult sexual misconduct in schools which shall apply to employees, contractors, coaches, and volunteers.

(3) A provision prohibiting any sexual relationship between a student, even if the student is an adult, and a school district or charter school employee while the student is a current student.

(4) A provision emphasizing the mandatory reporting requirements of § 903 of Title 16.

(5) A procedure for notifying the Department of Education and law enforcement of suspected adult sexual misconduct.

(6) A provision delineating preferred and prohibited methods of electronic communications between school employees, contractors, coaches, and volunteers and students.

(7) A provision that substantiated incidents of adult sexual misconduct will be reported in future reference checks for employment or volunteer work.

(8) A provision requiring the development of hiring practices to screen for adult sexual misconduct in school employees, contractors, coaches, and volunteers.

Section 2. This Act takes effect for the 2023-2024 school year.

Approved August 19, 2022