



LAWS OF DELAWARE
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CHAPTER 329
153rd GENERAL ASSEMBLY
FORMERLY
SENATE BILL NO. 303

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE PUBLIC EDUCATION FUNDING COMMISSION.

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

Section 1. Amend Chapter 17, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1727. Public Education Funding Commission.

(a) The Public Education Funding Commission (Commission) is established to review public education funding policies and formulas on a regular basis and make recommendations on how public education funding policies and formulas can be improved for all students and communities served by public schools, including charter schools (schools).

(b) The Commission is comprised of the following 33 members:

(1) The following members who serve by virtue of position:

- a. The Secretary of the Department of Education, or the Secretary may designate the Deputy Secretary.
- b. The Controller General, or the Controller General may designate the Deputy Controller General.
- c. The Director of the Office of Management and Budget, or the Director may designate the Deputy Director.
- d. The Chair of the Senate Education Committee.
- e. The Chair of the House Education Committee.
- f. The student member of the Delaware State Board of Education. If the student does not choose to be a member of the Commission, the State Board of Education shall select the student member.

(2) The following members who serve by virtue of position, or a designee selected by the member serving by virtue of position:

- a. The President of the Delaware State Education Association.
- b. The Executive Director of the Delaware Association of School Administrators.
- c. The President of the Delaware Association of School Administrators' Delaware Association of School Principals.
- d. The President of the Delaware Association of School Administrators' Delaware Chief School Officers Association.
- e. The Executive Director of the Delaware School Boards Association.

(3) The following members, appointed by the President Pro Tempore of the Senate (President Pro Tempore), as follows:

- a. A member of the minority caucus of the Senate.
- b. Two school principals, representing geographical diversity, as follows:
 1. One principal must be from an elementary school and 1 must be from a secondary school.
 2. Each must be the principal of a school that has a high percentage of students who are multilingual or low-income, or both.
 3. The President Pro Tempore may consider potential nominees from a list provided by the Delaware Association of School Administrators' Delaware Association of School Principals.
- c. Three professional educators, representing geographical diversity, as follows:
 1. One or more professional educators must be a specialist.
 2. The President Pro Tempore may consider potential nominees from a list provided by the Delaware State Education Association.
- d. A representative of a community organization that serves students who live in households with incomes below the poverty level.
- e. A representative of a community organization that services students who are multilingual learners because they are learning English.

f. A representative of an education policy organization who has special knowledge of education finance or other expertise to contribute to Commission discussions.

g. A member of the community who has knowledge of education funding policy.

h. A representative of a parent advocacy organization who has knowledge of special education policies and practices.

(4) The following members, appointed by the Speaker of the House of Representatives (Speaker), as follows:

a. A member of the minority caucus of the House of Representatives.

b. Three members who are school financial officers, representing geographical diversity. The Speaker may consider potential nominees from a list of names provided by the Delaware Association of School Administrators' Delaware Association of School Business Officials.

c. A charter school administrator who is responsible for the school's finances.

d. Three education support professionals, representing geographical diversity as follows:

1. One or more of the education support professionals must be a paraprofessional.

2. The Speaker may consider potential nominees from a list of names provided by the Delaware State Education Association.

e. A special education director employed by a school. The Speaker may consider potential nominees from a list of names provided by the Delaware Association of School Administrators' Delaware Association of Special Education Professionals.

f. A representative of the Vision Coalition. The Speaker may consider potential nominees from a list of names provided by the Vision Coalition.

g. A representative of the Special Education Strategic Plan Advisory Council. The Speaker may consider potential nominees from a list of names provided by the Special Education Strategic Plan Advisory Council.

(c)(1) A member appointed under paragraphs (b)(3) or (b)(4) of this section serves a term of 2 years and may serve 1 additional term, as follows:

a. Each term expires on the date specified in the appointment. Notwithstanding this paragraph (c)(1) of this section:

1. An individual may continue to serve as a member until a replacement is appointed.

2. The member serves at the pleasure of the individual in the position that makes their appointment.

b. The President Pro Tempore or the Speaker may appoint a member for a term of fewer than 2 years so that members have staggered terms. If a member is appointed for a term of fewer than 2 years, the term of fewer than 2 years is not counted toward the member's term limit.

c. After a member serves 2 terms under this paragraph (c)(1), the individual is eligible for membership 3 years after the member's second term expires under paragraph (c)(1)a. of this section.

(2)a. An organization with a member of the Commission under paragraph (b)(2) of this section must provide written notice to the chair when the member serving by virtue of position changes.

b. A member of the Commission under paragraph (b)(2) of this section with the ability to designate another individual to attend a meeting, must select the designee from that member's organization and provide the designation in writing to the chair. An individual attending a meeting for a member as a designee has the same duties and rights as the member.

c. A designee appointed by a member under paragraph (b)(2) of this section serves at the pleasure of that member.

(d)(1)a Every 2 years, the Commission shall elect a chair and vice-chair from among its members.

b. The Secretary of the Department of Education serves as the temporary chair until a chair is elected or if the positions of chair and vice-chair become vacant at the same time.

(2) The Commission must meet 2 or more times each calendar year.

(3)a. The Commission may adopt rules necessary for its operation, including for the creation of working subcommittees that include individuals who are not members of the Commission.

b. If the Commission does not adopt rules or the adopted rules do not govern a given situation, Mason's Manual of Legislative Procedure controls.

(4) The chair of the Commission may invite individuals with relevant expertise to participate in the Commission's discussions.

(5) The Department of Education shall provide reasonable and necessary technical support for the Commission, including staff.

(e)(1)a. A quorum of the Commission is a majority of the members. A vacancy on the Commission is not counted for quorum.

b. A quorum of the Commission must be present to conduct official business.

c. Official action by the Commission requires the approval of a quorum of the Commission.

(2) A member receives no compensation but may be reimbursed for the member's actual and necessary expenses incurred in the performance of the member's official duties.

(f) The Commission shall review the public education funding system to ensure that the public education funding system does all of the following:

(1) Maintains funding stability and predictability.

(2) Supports all of the following goals, with strategies based on research:

a. Student achievement.

b. Student and educator well-being.

c. The recruitment and retention of educators.

d. Equitable funding for students, across school districts and charter schools.

(3) Provides adequate funding to do all of the following:

a. Address student needs.

b. Provide positive classroom conditions and conducive learning facilities.

c. Recruit and retain educators.

d. Address wealth disparities that exist between schools.

(4) Provides flexible funding to meet student needs.

(5) Ensures that a minimum, state-appropriated share of teacher compensation is guaranteed for all schools and that educators are paid in accordance with the findings and recommendations of the Public Education Compensation Committee.

(6) Addresses any other goals, problems, or disparities that the Commission identifies.

(g) The Commission's work under this section must include all of the following:

(1) Public input, including input from educators, parents, school administrators, school district boards, and representatives from higher education.

(2) Review of public school appropriations in the annual budget appropriation bill under Chapter 64 of Title 29 and consideration of where specific appropriations can be consolidated or revised to provide greater flexibility and to meet the goals under subsection (f) of this section.

(3) Review of how schools spent state appropriations for the current and previous fiscal years, including in regard to all of the following:

a. All required accountability reports and measures.

b. The educational outcomes achieved as a result of these funds.

(4) Review of this State's laws and regulations that impact education funding to identify conflicting mandates or the inconsistent allocation of resources.

(h) The Commission shall make recommendations regarding changes to the public education funding system that would better meet the goals under subsection (f) of this section, including in regard to all of the following:

(1) The amount of this State's appropriations to schools.

(2) This State's laws and regulations.

(3) Improvements to the equalization formula so that schools receive equitable funding regardless of the value of real property in each school district.

(4) The identification of changes needed as part of local funding reform.

(i) The Commission must provide an annual report containing a summary of the review conducted under this section and recommendations for improvements to the chairs of the House and Senate Education Committees, the Governor, and the Director and the Librarian of the Division of Legislative Services.

Section 2. This Act is effective immediately and must be implemented as follows:

(1) The President Pro Tempore of the Senate and the Speaker of the House of Representatives must make their appointments under § 1727(b)(3) or § 1727(b)(4) of Title 14 no less than 30 days after [the effective date of this Act].

(2) Notwithstanding § 1727(d)(2) of Title 14, the Commission must meet 1 or more times in 2026.

Approved June 30, 2026