



SPONSOR: Rep. Shupe & Sen. Pettyjohn & Sen. Walsh  
Reps. Briggs King, Collins, Hilovsky, Michael Smith,  
Yearick; Sens. Lawson, Wilson

HOUSE OF REPRESENTATIVES  
152nd GENERAL ASSEMBLY

HOUSE SUBSTITUTE NO. 1  
FOR  
HOUSE BILL NO. 167

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL RESOURCE OFFICER FUNDING.

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

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

3 § 1716H. School resource officer unit.

4 (a) For purposes of this section:

5 (1) "Charter school" means a public school established under Chapter 5 of this title.

6 (2) "School district" means a clearly defined geographic subdivision of this State organized for the purpose of  
7 administering public education in that area and includes a district specifically created to administer a system of  
8 vocational or technical education.

9 (3) "School resource officer" means a contractor, subcontractor, or employee of a school district or charter  
10 school who is also any of the following:

11 a. A sworn law enforcement officer as defined in § 9200(b) of Title 11.

12 b. A constable commissioned under Chapter 56 of Title 24.

13 (b) Each school district and charter school shall receive a school resource officer unit for employment of a school  
14 resource officer as follows:

15 (1) For a school district, each school in the school district shall receive the following:

16 a. One school resource officer unit for each school in the school district.

17 b. An additional school resource officer unit for every 1,000 full-time equivalent students in the school  
18 over 1,000 full-time equivalent students.

19 c. A fractional school resource officer unit equivalent to the percentage of full-time equivalent students in  
20 the school over 1,000 full-time equivalent students but insufficient to meet the threshold for an additional school  
21 resource officer unit under paragraph (b)(1)b. of this section.

22 (2) For a charter school, the charter school shall receive the following:

23 a. One school resource officer unit for the charter school.

24 b. An additional school resource officer unit for every 1,000 full-time equivalent students in the charter  
25 school over 1,000 full-time equivalent students.

26 c. A fractional school resource officer unit equivalent to the percentage of full-time equivalent students in  
27 the charter school over 1,000 full-time equivalent students but insufficient to meet the threshold for an additional  
28 school resource officer unit under paragraph (b)(2)b. of this section.

29 (c) Each student counted in establishing a school resource officer unit under subsection (b) of this section may be  
30 counted only once in a school district or charter school.

31 (d) Funding for a school resource officer unit or fractional school resource officer unit must be shared between  
32 State and local funds. The State shall pay a maximum of 70% of the annual salary rate and other employment costs for a  
33 school resource officer. The remaining percentage of the annual salary and other employment costs for a school resource  
34 officer must be paid by local funds.

35 (e)(1) A school district or charter school eligible to receive a school resource officer unit must use the funding  
36 appropriated for the school resource officer unit to employ a school resource officer.

37 (2) A school district or charter school eligible to receive a fractional school resource officer unit may do one  
38 of the following:

39 a. Combine fractional school resource officer units to fund a school resource officer.

40 b. Elect to take a cash option for fractional school resource officer units up to 30% of a school resource  
41 officer unit. A school district or charter school making the election under this paragraph (e)(2)b. shall use the  
42 funding on items authorized under § 4140(b) of this title.

43 (f) A school district or charter school eligible to receive school resource officer funding may decline the funding.

44 (g) A school resource officer funded under this section shall comply with the training requirements under §  
45 4112F(d) of this title.

46 (h) The Department of Education may, with the approval of the State Board of Education, adopt regulations to  
47 implement, administer, and enforce this section.

### SYNOPSIS

This Act is a substitute for House Bill No. 167. Like House Bill No. 167, this Act establishes school resource officer units to fund school resources officers in all Delaware public schools. Specifically, this Act funds at least 1 school resource officer in each charter school and in each school in a school district, regardless of enrollment, and provides for additional school resource officers for schools with over 1,000 students.

This Act differs from House Bill No. 167 by defining "school resource officer" to include constables commissioned under Chapter 56 of Title 24 of the Delaware Code.