



SPONSOR: Sen. Townsend & Sen. Sturgeon & Rep. K. Williams & Rep. S. Moore & Rep. Bush  
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DELAWARE STATE SENATE  
151st GENERAL ASSEMBLY

SENATE BILL NO. 100

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE PUBLIC EDUCATION COMPENSATION COMMITTEE.

1 WHEREAS, educators are responsible for teaching students and contributing to their learning development; and  
2 WHEREAS, according to the Economic Policy Institute, K-12 education ranked second to the leisure and  
3 hospitality industry in job losses during the pandemic, amounting to a 4.7% drop in employment nationally as of December  
4 2021; and  
5 WHEREAS the pandemic having come on the heels of the Great Recession, the Economic Policy Institute  
6 reported that as of December 2021, K-12 public education employment is down 432,000 or 5.3% from September 2008;  
7 and  
8 WHEREAS, the Economic Policy Institute has recorded a 20.3% loss in educational staffing in Delaware from  
9 2008 to 2021 and specifically a 1.9% loss in educational staffing from 2019-2021; and  
10 WHEREAS, according to Join Delaware Schools, as of May 2, 2022, there are 637 vacant educational staffing  
11 positions statewide; and  
12 WHEREAS, according to the National Education Association's Rankings of the States in 2020-2021, the  
13 Delaware average salary for instructional staff and teachers ranks 16<sup>th</sup> in the country; and  
14 WHEREAS, according to the National Education Association's Rankings of the States in 2020-2021, Delaware  
15 teacher pay when adjusted for inflation from 2019 to 2021 decreased by over 2.9%; and  
16 WHEREAS, according to the National Education Association's Rankings of the States in 2020-2021, the  
17 Maryland average salary for instructional staff ranks 8<sup>th</sup> in the country and 9<sup>th</sup> for teachers; and  
18 WHEREAS, according to the National Education Association's Rankings of the States in 2020-2021, the  
19 Pennsylvania average salary for instructional staff ranks 12<sup>th</sup> and 11<sup>th</sup> for teachers; and

20 WHEREAS, according to the National Education Association’s Rankings of the States in 2020-2021, the New  
21 Jersey average salary for instructional staff ranks 4<sup>th</sup> and 7<sup>th</sup> for teachers; and

22 WHEREAS most teachers and specialists hold a master’s degree or higher; and

23 WHEREAS, according to the Delaware Department of Education, in 2020-2021 the average student debt amongst  
24 educators who qualified for Delaware’s High Needs Student Loan Repayment Program was \$52,406.42; and

25 WHEREAS the Economic Policy Institute reports public school teachers are paid 19.2% less than similar workers  
26 in other occupations; and

27 WHEREAS, nationally, 41% held more than one job in 2019. More than a quarter (27%) held two jobs, about 10%  
28 held three jobs, and 5% held four or more jobs. Among teachers with two or more jobs, well over half (62%) worked on  
29 weekdays during the academic year, after classes ended for the day; and

30 WHEREAS, according to a national report on hiring and retaining teachers conducted by Emma García and Elaine  
31 Weiss, teachers who quit the profession were more likely to have earned more pay outside of the school system than those  
32 who remained in teaching; the report further found that when teachers must explore outside options to supplement low  
33 teaching pay, they may find something they would rather pursue full time; and

34 WHEREAS the Economic Policy Institute’s research identifies three primary factors driving the teacher shortage:  
35 (1) challenging work environments or “school climates”; (2) inadequate or uneven professional supports for teachers; and  
36 (3) low pay relative to peers in other professions with similar credentials and experience; and

37 WHEREAS, according to Delaware educators who are dual certified in special education and general education,  
38 they can no longer manage the paperwork and other regulatory requirements of being both the teacher of record and a  
39 special education case manager, especially without additional pay or support; and

40 WHEREAS, the National Education Association has reported that massive staff shortages in America’s public  
41 schools are leaving educators increasingly burned out, with an alarming 55% of educators now indicating that they are  
42 ready to leave the profession they love earlier than planned.

43 NOW, THEREFORE:

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

45 Section 1. Amend Chapter 13, Title 14 of the Delaware Code by making deletions as shown by strike through and  
46 insertions as shown by underline as follows:

47 § 1337. Public Education Compensation Committee.

48 (a) The Public Education Compensation Committee (hereinafter “Committee”) is hereby convened to review

49 Delaware’s educator compensation structure and its ability to compete with regional school districts, Delaware’s private

50 business sector, and other governmental agencies, in recruiting and retaining qualified and diverse educators, and to  
51 develop recommendations to establish a new compensation structure for educators in Delaware, including the following:

52 (1) Make recommendations that strengthen Delaware’s ability to compete with regional school districts in  
53 recruiting and retaining qualified and diverse educators.

54 (2) Make recommendations for competitive base pay for educators at all steps in the compensation  
55 structure.

56 (3) Make recommendations for achieving competitive career level earnings in fewer, more meaningful  
57 steps.

58 (4) Specify how educators can achieve additional opportunities for career advancement, which must be  
59 based in part on years of experience but must otherwise be based on acquisition of relevant degrees, certifications,  
60 and competencies, the acceptance of leadership responsibilities, and must fairly compensate for additional  
61 professional responsibilities.

62 (5) Make recommendations that include approaches to the acquisition of skills and knowledge that are  
63 timely, relevant, and affordable. Recommendations shall include access to additional compensation that may vary  
64 depending on the degree, certification, or competency achieved. The Committee must also consider how additional  
65 compensation under this section will be approved and administered.

66 (6) Provide recommendations on the creation of leadership roles through which educators will receive  
67 additional compensation for assuming leadership responsibilities. Recommendations should also allow school  
68 districts flexibility to determine the number and type of leadership roles. The Committee should consider positions  
69 that: (1) have meaningful adult leadership responsibilities in the areas of curriculum, casework, instruction, student  
70 support, family and community engagement, and professional development; (2) maintain a meaningful connection  
71 to student learning; and (3) are supported by classroom or office coverage during times when the educator is away  
72 from the classroom or students. Recommendations should include language indicating educators serving in  
73 leadership roles shall not be assigned additional responsibilities that are not substantially related to their leadership  
74 roles and classroom or professional obligations.

75 (7) Make recommendations for a process that provides additional compensation for professional  
76 responsibilities that are not generally required in the classroom, including special education casework. The  
77 Committee shall discuss and make recommendations regarding the types of responsibilities that could qualify for  
78 additional compensation. The Committee must also consider how additional compensation under this section will  
79 be approved and administered.

80                   (8) Make recommendations regarding the applicability of the new system, which would apply to all  
81                   educators as defined by Chapter 1202(6) of this title or person paid under §§ 1305, 1306, 1307, 1310 and 1321 of  
82                   this title. The Committee should provide a timeline and mechanism for transition and implementation.

83                   (9) Review and provide recommendations to increase base levels of pay for education support staff as  
84                   defined by §§ 1308, 1311, 1322, and 1324 of this title that shall be competitive with other districts in the region.

85                   (10) Identify and consider adopting state pay scales for job categories where one does not exist, including  
86                   bus drivers and information technology employees.

87                   (b) The Committee shall present its recommendations, including a fiscal note and implementing legislation, to the  
88                   Governor no later than November 15, 2023, so that its recommendations may be considered for inclusion in the Governor's  
89                   recommended budget for fiscal year 2025 to be presented to the General Assembly in January 2024.

90                   (c) The Committee shall consist of the following members: the Secretary of Education; the Controller General; the  
91                   Director of the Office of Management and Budget; the President of the Delaware State Education Association; the  
92                   Executive Director of the Delaware Association of School Administrators; an educator appointed by the Senate President  
93                   Pro Tempore; two school financial officers appointed by the Governor; one school superintendent appointed by the  
94                   Governor; a charter school administrator appointed by the Speaker of the House; a representative of the Office of the  
95                   Governor; the Chair of the House Education Committee; and the Chair of the Senate Education Committee. The Committee  
96                   will elect a chair from amongst the membership.

97                   (d) The Committee shall seek input from others including educators, parents, school administrators, local school  
98                   boards, and higher education representatives. The Committee shall hold public meetings in person or virtually to  
99                   specifically gather input from educators.

100                   (e) The Department of Education shall provide staff assistance to the Committee and shall convene the first  
101                   meeting no later than August 1, 2022.

#### SYNOPSIS

This Act establishes a Public Education Compensation Committee for the purpose of reviewing Delaware's educator compensation structure and its ability to compete with regional school districts, Delaware's private business sector, and other governmental agencies and to develop recommendations to establish a new compensation structure for educators in Delaware.

The Committee will consist of 13 members, including the Secretary of the Department of Education, the Controller General, the Director of the Office of Management and Budget, the Executive Director of the Delaware State Education Association, the Executive Director of the Delaware Association of School Administrators, an educator, two school financial officers, one school superintendent, a charter school administrator, a representative of the Office of the Governor, and the Chairs of the House and Senate Education Committees. The Act requires the Committee to present its recommendations to the Governor no later than November 15, 2023, so that the recommendations may be included in the Governor's recommended budget for fiscal year 2025.

Author: Senator Townsend