



SPONSOR: Rep. Hensley & Sen. Poore
Reps. Briggs King, Collins, Dukes, Hudson, Kenton,
Osienski, Outten, D. Short, Spiegelman, Yearick; Sens.
Delcollo, Lawson

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE SUBSTITUTE NO. 1
FOR
HOUSE CONCURRENT RESOLUTION NO. 34

ESTABLISHING A TASK FORCE TO INVESTIGATE THE COST OF SPECIAL EDUCATION AND MAKE
RECOMMENDATIONS RELATED TO COST EFFICIENCY.

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

1 WHEREAS, students with disabilities in Delaware are eligible for specialized services and educational supports to
2 ensure that they have access to and make meaningful progress in the general education curriculum; and

3 WHEREAS, district and charter schools design special education and related services to meet the unique needs of
4 each student; and

5 WHEREAS, Delaware is subject to the regulations and guidelines set forth by the federal Individuals with
6 Disabilities Act (IDEA) of 2004 and enhancements to those requirements in Delaware Code; and

7 WHEREAS, IDEA states that district and charter schools are obligated to ensure that students with disabilities are
8 appropriately identified and have access to a free and appropriate public education (FAPE) in the least restrictive
9 environment (LRE); and

10 WHEREAS, for the 2017–2018 school year, there were 21,296 students eligible to receive special education and
11 related services in Delaware schools; and

12 WHEREAS, students eligible for special education represent approximately 14% of the statewide school
13 population; and

14 WHEREAS, since 2012, the number of special education units has increased at a faster rate than traditional units;
15 and

16 WHEREAS, special education represents a growing financial commitment by school districts as the need for
17 services increases.

18 NOW, THEREFORE:

19 BE IT RESOLVED by the House of Representatives of the 149th General Assembly of the State of Delaware, the
20 Senate concurring therein, that the Task Force be created to study and make findings and recommendations regarding the
21 cost of special education in the state of Delaware.

22 BE IT FURTHER RESOLVED that a Task Force be composed of the following members:

- 23 1. A member of the Delaware House Majority Caucus, appointed by the Speaker of the House.
- 24 2. A member of the Delaware House Minority Caucus, appointed by the House Minority Leader.
- 25 3. A member of the Senate Majority Caucus, appointed by the President Pro Tempore.
- 26 4. A member of the Senate Minority Caucus, appointed by the Senate Minority Leader.
- 27 5. One representative of the Delaware Department of Education, appointed by the Secretary of the Department of
28 Education.
- 29 6. One superintendent, appointed by the President of the Chief School Officers Association.
- 30 7. One elementary school principal appointed by the Delaware Association of School Administrators.
- 31 8. One high school principal appointed by the Delaware Association of School Administrators.
- 32 9. One high school special education coordinator appointed by the Delaware Association of School
33 Administrators.
- 34 10. One charter school leader, appointed by the Delaware Charter Schools Network.
- 35 11. One representative of the Delaware State Education Association, appointed by the President of the Delaware
36 State Education Association.
- 37 12. One representative of the Governor's Office, appointed by the Governor.
- 38 13. One representative of the Governor's Advisory Council for Exceptional Citizens, appointed by the Council
39 Chair of the Governor's Advisory Council for Exceptional Citizens.
- 40 14. Three parents or guardians of a public school student receiving special education services, appointed by the
41 Delaware Parent Teacher Association.
- 42 15. One District CFO who has a deep understanding of the special education funding system.
- 43 16. A member of the Special Education Directors Association appointed by the chair of that association.
- 44 17. A member of the Special Education Strategic Plan Council appointed by the co-chairs of the council.
- 45 18. A member of the School Boards Association.
- 46 BE IT FURTHER RESOLVED that this Task Force shall:
- 47 (1) Define the reasons behind the dramatic recent rise in special education units and funding;
- 48 (2) Study issues related to the funding of special education programs for district and charters schools;

49 (3) Recommend strategies to reduce the costs associated with special education and related services, so that
50 savings from this improved efficiency can be redirected to provide more efficient and complete services and education for
51 students with disabilities; and

52 (4) Study and recommend standards and oversight to ensure that programs and services are delivered in a cost
53 efficient manner.

54 BE IT FURTHER RESOLVED that the staff support for the Task Force shall be provided by the Delaware
55 Department of Education.

56 BE IT FURTHER RESOLVED that the Task Force shall select a chairperson from among its members.

57 BE IT FURTHER RESOLVED that the Task Force report its findings and recommendations to the members of the
58 Delaware General Assembly by no later than April 1, 2019.

SYNOPSIS

This concurrent resolution establishes a Task Force to investigate the cost of special education and make recommendations related to cost efficiency.