HOUSE OF REPRESENTATIVES
150th GENERAL ASSEMBLY

HOUSE BILL NO. 101

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

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

1    Section 1.  Amend Chapter 41, Title 14 of the Delaware Code by making deletions as shown by strikethrough and

2    insertions as shown by underline as follows:

3    § 4126 School-based health centers.

4    (a)  As used in this section:

5    (1) "English Learners" means students with limited English proficiency and who meet the definition of

6    English Learner as that term is defined by the Department of Education rules and regulations.

7    (2) "Low Income Students" means students within the statewide metric determined by the Department of

8    Education utilizing direct certification for Temporary Assistance for Needy Families (TANF) and Supplemental

9    Nutrition Assistance Program (SNAP).

10    (3) "High needs elementary school" means any elementary school either:

11    a.  In the top quartile in 3 or more of the following:

12    1.  Percentage of low-income students.

13    2.  Percentage of English learners.

14    3.  Percentage of students with disabilities.

15    4.  Percentage of minority students.

16    b. Having 90% of its students classified as low-income, English learners, or minority.

17    (a)(b) All public high schools, including vocational-technical schools, but not including charter schools, and high

18    need elementary schools are required to have a schoolbased health center compliant with § 3571G of Title 18 and

19    regulations promulgated thereunder.

20    1. The requirement in subparagraph (b) of this Section does not apply to any of the following:

21    a. charter high schools.

22          b. alternative schools.

23          c. early education schools.

24      2. The requirement in subparagraph (b) of this Section applies to all of the following:

25          a. vocational-technical high schools.

26          b. high needs elementary charter schools.

27          c. high needs elementary schools.

28          d. public high schools

29      (b)(c) The State shall bear the start-up costs for a school-based health center at any public high school or high

30  needs elementary school that lacks such a center as of July 20, 2016 the effective date of this section. The State shall fund

31  such costs for at least 1 high school and 2 high needs elementary school per fiscal year until such a time as all public high

32  schools, other than charter schools, covered under this section are in compliance with this section.

33      (d) High needs elementary schools that have health centers compliant with § 3571G of Title 18 prior to the

34  enactment of this section, shall be permitted to apply to the Department for reimbursement of expenses previously incurred

35  from establishing said health centers. The Secretary may establish and promulgate rules and regulations governing the

36  administration of such reimbursement.

## SYNOPSIS

This Act requires high needs elementary schools, including high needs elementary charter schools, to have school-based health centers. The State will pay the start-up costs for each school-based health center at 2 centers per year until each high needs elementary school has a center. High needs elementary schools are defined as any elementary school in the top quartile of 3 or more in percentage of low-income students, percentage of English learners, percentage of students with disabilities, percentage of minority students, or having 90% of its students classified as low-income, English learners, or minority. This act also allows high needs elementary schools having pre-existing school-based health centers to apply for reimbursement of previously expended funds necessary to establish said health center.