



SPONSOR: Rep. Hensley & Sen. Poore
Reps. Baumbach, Brady, Briggs King, Collins, Dukes,
Gray, Jaques, K. Johnson, Osienski, Postles, D. Short,
Michael Smith, Smyk, Spiegelman, Yearick; Sens.
Delcollo, Hansen, Lawson, Pettyjohn, Townsend

HOUSE OF REPRESENTATIVES
150th GENERAL ASSEMBLY

HOUSE CONCURRENT RESOLUTION NO. 47

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

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 2018–2019 school year, there were 22,474 students eligible to receive special education and
11 related services in Delaware schools; and

12 WHEREAS, students eligible for special education represent approximately 16% 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 150th 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 whose primary responsibility is special education,
28 appointed by the Secretary of the Department of 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, one middle school, one elementary, and one early childhood school special education
33 coordinator appointed by the President of the Delaware Administrators of Special Education Programs.
- 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 appointed by the
43 Delaware Association of School Business Officers.
- 44 16. A member of the Delaware Administrators of Special Education Programs appointed by the President of that
45 association.
- 46 17. A member of the Special Education Strategic Plan Council appointed by the co-chairs of the council.
- 47 18. A member of the School Boards Association appointed by the President of the School Boards Association.
- 48 19. An IDEA part C representative of the Department of Health and Social Services who has specific knowledge
49 about special education and early identification appointed by the Secretary of the Department of Health and Social
50 Services.
- 51 20. A parent of a child receiving services under IDEA part C appointed by the Chair of the Governor's Advisory
52 Council for Exceptional Citizens.

53 21. A representative of the Division of Health with knowledge of the impact of in-utero exposure to Opioids,
54 alcohol and other addictive substances on the development of children and youth appointed by the Secretary of the
55 Department of Health and Social Services.

56 22. A representative of the Department of Services for Children, Youth and their Families with responsibility for
57 youth in foster care and who has familiarity with Delaware's youth detention system appointed by the Secretary of the
58 Department of Services for Children, Youth and their Families.

59 23. An educational surrogate parent who has served in that role for children in both foster care and Delaware's
60 youth detention system appointed by the Parent Information Director.

61 24. A representative of a Delaware statewide program for students with disabilities appointed by the Secretary of
62 the Department Education.

63 25. A representative of the Office of Early Learning appointed by the Secretary of the Department of Education.

64 26. A representative of the Department of Services for Children, Youth and their Families who has specific
65 knowledge about special education and early identification appointed by the Secretary of the Department of Services for
66 Children, Youth and their Families.

67 27. A representative of the Office of Management and Budget appointed by the Director of the Office of
68 Management and Budget.

69 BE IT FURTHER RESOLVED that this Task Force shall:

70 (1) Define the reasons behind the dramatic recent rise in special education units and funding;

71 (2) Study issues related to the funding of special education programs for district and charters schools;

72 (3) Recommend strategies to improve efficiencies and outcomes associated with special education and related
73 services, so that savings from this improved efficiency can be redirected to provide more efficient and complete services
74 and education for students with disabilities; and

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

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

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

80 BE IT FURTHER RESOLVED that the Task Force report its findings and recommendations to the members of the
81 Delaware General Assembly by no later than April 1, 2020.

SYNOPSIS

This concurrent resolution establishes a Task Force to investigate the cost of special education to include recommending strategies to improve cost efficiencies and outcomes for special education.