SPONSOR: Sen. Marshall
Sens. Henry & Winslow; Reps. Scott, Williams & Plant

DELAWARE STATE SENATE

141st GENERAL ASSEMBLY

SENATE BILL NO. 295

AN ACT TO AMEND SUBCHAPTER II, CHAPTER 2, TITLE 14 OF THE DELAWARE CODE RELATING TO NEIGHBORHOOD SCHOOLS.

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

WHEREAS, major educational reform effort in Delaware is to improve student academic achievement;

WHEREAS, the Neighborhood Schools Law was created to ensure children be assigned to schools closest to home and that no account for race, ethnicity, gender, religion or creed be taken into consideration when making such assignments;

WHEREAS, the latest preliminary Neighborhood School plans to implement the Neighborhood Schools Law in Northern New Castle County will create high-poverty schools;

WHEREAS, the high-poverty schools will be concentrated in the City of Wilmington;

WHEREAS, the latest educational research indicates that students in high poverty schools do not perform as well as students in diverse income schools;

WHEREAS, the latest educational research indicates that significant additional financial resources are needed to provide necessary support to schools that are defined as high-poverty;

WHEREAS, the preliminary financial estimates indicate that implementation of the Neighborhood School plans will cost millions of dollars for the construction of additional schools and for additional operating expenses;

WHEREAS, the State of Delaware and the nation is in the midst of an economic recession;

WHEREAS, the potential economic and educational implications for students based on the preliminary Neighborhood Schools plan are so significant that additional research and evaluation are necessary to avoid unintended negative consequences;

NOW, THEREFORE;

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

Section 1. Amend §223(d), Title 14 by deleting the subsection in its entirety and substituting the following in lieu thereof:

"The school board of each district shall submit its plan to the State Board of Education by November 15, 2001 for its review. The State Board of Education will review the plans and no later than August 15, 2002 report to the Neighborhood Schools Commission. The report shall include an analysis of the submitted plans including, but not limited to, the potential operating and capital costs associated with implementation of the plans at the state and local level, the implications of the creation of high-poverty schools, and the most efficient utilization of school facilities."

Section 2. Amend Subchapter II, Title 14 of the Delaware Code by adding thereto a new section as follows:

"§224. Neighborhood Schools Commission.

(a) The Neighborhood Schools Commission shall consist of fifteen members as follows:

1. One member designated by the President Pro Tempore of the Senate;
2. One member designated by the Speaker of the House of Representatives;
3. One member designated by Mayor of Wilmington;
4. One member designated by the business community;
5. One member designated by the Metropolitan Wilmington Urban League;
6. One member of State Board of Education;
7. Secretary of Education or thee Secretary's designee;
8. State Budget Director or the Director's designee;
9. One member from each of the four school boards with such persons serving from a Wilmington nominating district; and
10. Three members appointed by the Governor.

(b) The Neighborhood Schools Commission shall receive the report of the State Board of Education pursuant to subsection 223(d) of this Subchapter. The Commission shall study the Neighborhood Schools Plan submitted and the report of the State Board of Education. The Commission shall make recommendations by July of 2003 to members of the General Assembly and the Governor concerning the most appropriate, effective and equitable process for students to attend schools in their neighborhoods while still receiving the highest quality education."

Section 3. Amend §223 of Title 14 by deleting therefrom subsections (e), (f), (g), and (h) in its entirety.

Section 4. This Act is effective upon the signature of the Governor.

SYNOPSIS

This Act delays implementation of the Neighborhood Schools Law and establishes a Neighborhood Schools Commission to make recommendations regarding a process by which students can attend schools in their neighborhoods while still receiving the highest quality education.

Author: Senator Marshall

SD : XXX : kbs
4981410319