

KIMBERLY A. WILLIAMS
STATE REPRESENTATIVE
19th District



HOUSE OF REPRESENTATIVES
STATE OF DELAWARE
411 LEGISLATIVE AVENUE
DOVER, DELAWARE 19901

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House Education Committee Meeting Minutes 3.24.21

Chair Williams called the virtual meeting to order at 3:03 p.m. She stated that the meeting was planned in accordance with HCR 1 and took the roll call of the committee's members. Members present included Vice-Chair Chukwuocha and Reps. Matthews, Heffernan, Lynn, Morrison, Osienski, Bush, Hensley, Briggs King, Collins, Postles, Ramone, and Shupe.

Chair Williams announced that Reps. Bolden, Kowalko, Smith, and Ramone were absent due to their participation in another committee meeting.

Chair Williams introduced **SB 56, AN ACT TO AMEND THE DELAWARE CODE RELATING TO EDUCATIONAL OPPORTUNITY FUNDING**. Senator Sturgeon, the Senate prime sponsor of the bill, introduced the bill, stating that students who are English language learners (ELLs) face many educational challenges. SB 56 aims to expand and make permanent the Opportunity Fund, incrementally raising the fund to a new threshold of \$60,000,000 by 2025.

Rep. Ramone voiced his support of the bill. Rep. Briggs King did the same, stating that her district is home to a large number of ELL students, and that this bill allows districts to draw from the Opportunity Fund for their ELL population instead of taking money from other areas.

Since there were no questions from committee members, Chair Williams opened the floor to public comment. Dr. John Marinucci of the Delaware School Board Association (DSBA) voiced his support. LaRetha Odumosu of the Charter School of New Castle stated that her school serves a large number of ELLs and that this bill is necessary and welcome. Kristen Dwyer of the Delaware State Educators Association (DSEA) gave her support, as did Dr. Tammy Croce of the Delaware Association of School Administrators (DASA).

Charito Calvachi-Mateyko from the Delaware Hispanic Commission offered her support, as did Kendall Massett of the Delaware Charter School Network. Kim Stock of the McKean High School in the Red Clay Consolidated School District (RCCSD) voiced her support, and Dr. Oribel McFann-Mora of the Governor's Advisory Council on English Language Learners and teacher in the Caesar Rodney School District expressed support for the bill because, without the Opportunity Fund, she would not be able to serve her students because her position is paid for by the Fund. Dan Shelton, Superintendent of the Christina School District, added his support and that of the Christina School Board.

A motion was made by Rep. Heffernan and seconded by Rep. Shupe to release SB 56 from committee. The motion carried. Yes = 15 (Chair Williams, Vice Chair Chukwuocha, Reps. Matthews, Heffernan, Lynn, Morrison, Osienski, Bush, Briggs King, Hensley, Collins, Postles, Ramone, Shupe, Smith); No = 0; Absent = 3 (Reps. Bolden, Kowalko, Moore). The bill was released from committee with a F=10, M=2, U=0 vote.

Next, Chair Williams introduced **HB 110, AN ACT TO AMEND TITLE 14 RELATING TO TRANSPORTATION OF PUPILS**. Rep. Matthews sponsored the bill and stated that this is the same bill from the last General Assembly, but with an altered timeline. The goal of HB 110 is to make equal the distance at which 7th and 8th grade students receive bussing to school with that of younger students (Kindergarten through 6th grade) so that students who are attending the same schools have equal access to safer transportation.

There were no questions from committee members so Chair Williams opened public comment on the bill. Robert Overmiller opposed the bill, saying that the 7th and 8th grade students in question should be able to walk because they are physically able to do so. Dr. John Marinucci of DSBA voiced his support of the bill, saying that it equalizes transportation and cuts down on the number of cars in car drop-off lines at schools.

At the conclusion of public comment, Representative Matthews indicated that districts could implement these changes immediately if they are able, but have until 2023 to comply if the bill is signed into law.

A motion was made by Rep. Briggs King and seconded by Rep. Bush to release HB 110 from committee. The motion carried. Yes = 13 (Chair Williams, Vice Chair Chukwuocha, Reps. Matthews, Heffernan, Lynn, Morrison, Osienski, Bush, Briggs King, Hensley, Collins, Postles, Ramone, Shupe, Smith); No = 0; Absent = 4 (Reps. Bolden, Kowalko, Moore, Smith). The bill was released from committee with a F=7, M=5, U=0 vote.

Chair Williams then introduced **HS 1 for HB 54, AN ACT TO AMEND TITLE 14 RELATING TO TRANSPORTATION OF PUPILS**. Bill sponsor Rep. Chukwuocha explained that this bill created an optional mid-year count for school districts on January 30th of each school year (current count would be kept in place on September 30th) for the purpose of redistribution or increase of revenue according to student enrollment. He indicated that this bill would allow schools and districts to keep class sizes smaller by allowing more funding according to enrollment changes.

In response to a question posed by Rep. Heffernan, expert witness Jill Floore (RCCSD Chief Financial Officer) indicated that students who are included in the September 30th count who are identified as needing services after September 30th would be re-classified in the mid-year count. Ms. Floore also indicated that schools would not lose funding as a result of the mid-year count if their attendance decreases. District funding will only have the possibility of increasing under this bill and they could opt to not participate if they believe their count has been stable or has decreased.

Rep. Briggs King stated that, as a former teacher, this bill is needed in order to equalize funding and indicated her support for the bill.

Since there were no questions, Chair Williams opened the floor to public comment. Kendall Massett of the Delaware Charter School Network voiced her support because it helps schools to better meet student needs. Dr. Tammy Croce of DASA thanked Rep. Chukwuocha for his work on this bill and gave her support. Superintendent Bob Fulton (Cape Henlopen School District) and Dr. John Marinucci (DSBA) voiced their support, and Kathie Cherry of the Governor's Advisory Council on Exceptional Citizens did the same. Robert Overmiller expressed his support of the bill, as did Superintendent Matt Burrows of the Appoquinimink School District.

A motion was made by Rep. Briggs King and seconded by Rep. Bush to release HS 1 for HB 54 from committee. The motion carried. Yes = 12 (Chair Williams, Vice Chair Chukwuocha, Reps. Matthews, Heffernan, Lynn, Morrison, Osienski, Bush, Briggs King, Collins, Postles, Ramone, Shupe); No = 0; Absent = 4 (Reps. Bolden, Kowalko, Moore, Smith, Hensley). The bill was released from committee with a F=8, M=4, U=0 vote.

Chair Williams then introduced **HB 47, AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FAMILY LEAVE**. Bill sponsor Rep. Briggs King stated that a previous form of this legislation for state employees neglected to include the state's teachers, and HB 47 will correct that omission. This bill will give teachers an additional six weeks to recover from difficult pregnancies after hospitalization if their Family and Medical Leave Act (FMLA) allowance is exhausted during pregnancy.

As there were no questions from committee members, Chair Williams opened the floor to public comment. Kristen Dwyer of DSEA voiced her support, as did Robert Overmiller.

A motion was made by Rep. Bush and seconded by Rep. Lynn to release HB 47 from committee. The motion carried. Yes = 12 (Chair Williams, Vice Chair Chukwuocha, Reps. Matthews, Heffernan, Lynn, Morrison, Osienski,

Bush, Briggs King, Hensley, Collins, Postles, Ramone, Shupe); No = 0; Absent = 4 (Reps. Bolden, Kowalko, Moore, Smith, Hensley). The bill was released from committee with a F=9, M=3, U=0 vote.

Chair Williams asked for a motion to adjourn the meeting. Rep. Osienski made the motion which was seconded by Rep. Briggs King. The meeting was adjourned at 4:15 p.m.

Speaker List

Dr. John Marinucci, Delaware School Board Association (DSBA)
LaRetha Odumosu, Charter School of New Castle
Kristen Dwyer, Delaware State Educators Association (DSEA)
Dr. Tammy Croce of the Delaware Association of School Administrators (DASA).
Charito Calvachi-Mateyko, Delaware Hispanic Commission
Kendall Massett, Delaware Charter School Network
Kim Stock, McKean High School in the Red Clay Consolidated School District (RCCSD)
Dr. Oribel McFann-Mora, Governor's Advisory Council on English Language Learners and Caesar Rodney School District
Dan Shelton, Superintendent of the Christina School District
Superintendent Bob Fulton (Cape Henlopen School District)
Kathie Cherry of the Governor's Advisory Council on Exceptional Citizens did the same.
Superintendent Matt Burrows, Appoquinimink School District.

Submitted Public Comment

AAUW Delaware supports SB 56, an act that makes permanent Delaware's Opportunity Funding Program. The weighted funding program provides direct, classroom-based support for low-income students and English learners. AAUW believes that high-quality public education is the foundation of a democratic society and the key to improving economic prosperity and gender equity. We advocate equitable access to education for all students in Delaware. In Delaware, child poverty has increased over the past decade as has the number of children needing special education. Resources are not distributed effectively among the schools or school districts. Some Delaware schools have concentrations of low-income students approaching 100% including schools in the city of Wilmington, Dover and some schools in Sussex County. Data from The Rodel Foundation states that ELs are the fastest growing student population. They are enrolled in every district and charter in the state. From 2015 to 2016, ELs grew 15%, while the entire Delaware student population only grew 1%. According to the Delaware Department of Education website, Governor Carney initiated Opportunity Funding for the 2019-2020 school year, to target resources toward Delaware's most disadvantaged students. "For the first time in Delaware, this program will provide weighted funding for every low-income and English learner student. Every Delaware school district will receive a per-pupil appropriation for each English learner and low-income student." Feedback from school districts and the community has all been very positive. The Opportunity Funding targets dedicated per-pupil funding for English learners and low-income students, which now helps the most vulnerable students help succeed. AAUW Delaware supports advocating for changes in the current educational funding system to meet the needs of all children in Delaware. SB 56 makes the Opportunity Funding permanent, ensuring the opportunity for student success is permanent here in Delaware. AAUW is proud to support SB 56.

The League of Women Voters of Delaware supports passage of HB 86 to provide supplemental funding for students with basic special education needs in grades K - Three. This aligns with the League's position supporting access to a high-quality education for all students. As we know, supplemental funding for children in the "basic special education" category doesn't begin until fourth grade. The probable reason for excluding those early grades from such supplemental funding many years ago was probably because screening tools to identify children who could benefit from specialized intervention --but who were not severely disabled -- were ineffective. Such children could not be singled out; thus, there seemed no need for a specific funding unit for them. However, over time, diagnostic methods have improved significantly, and it is now possible to pin point youngsters with mild delays or deficits. Supplementing what the Districts can do to intervene with these children in their early years will allow many of them to overcome their deficits and move into the mainstream. Research funded by the National Center for Educational Evaluation and Regional Assistance (January 2010) found that of those special needs students identified for supplemental services in Kindergarten or First Grade, 49% no longer needed services by third grade.¹ Students with the least severe deficits were the ones who benefited the most, and that is the group HB 86 targets. This research took place some time ago, but the findings remain true. Intervention in these early years, requiring modest expenditures, makes good sense, not only leading to significant savings of tax dollars in the long run but also providing these youngsters the opportunity to reach their fullest potential

Respectfully submitted by: Val Gould