



Kimberly Williams
STATE REPRESENTATIVE
19th District

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

COMMITTEES
Education, Chair
Labor, Vice Chair
Joint Finance
Revenue & Finance
Appropriations

Education Committee Meeting Minutes

5.10.23

This committee meeting has been recorded and may be accessed via legis.delaware.gov

Chair Williams called the meeting to order at 3:00 p.m. Members present included Vice Chair Moore, and Reps. Chukwuocha, Hensley, Hilovsky, Lynn, Morrison, Neal, Osienski, Phillips, Parker Selby, Romer, Collins, Postles, Shupe. For a list of guests present, please see the attendance list below.

Chair Williams introduced **HB 3, AN ACT TO AMEND TITLE 14 RELATING TO SCHOOL ATTENDANCE.**

Rep. Longhurst, prime sponsor of the bill, said HB 3 allows students to take up to two days of excused absences citing mental health. If the student is absent for more than two days, he or she must be referred to a behavioral health specialist in the school. Rep. Longhurst said this bill works to lower the stigma associated with mental health and helps to identify students struggling with such issues. She said she is working with the Department of Education (DOE) and Dr. Tammy Croce, Executive Director of the Delaware Association of School Administrators (DASA), on an amendment clarifying the logistics with the code.

Rep. Collins raised concerns about legislating around behavioral health issues. He mentioned that a lack of discipline is one of the biggest problems in school today. He commented that establishing a task force to further research this issue might be more beneficial.

Chair Williams said behavioral health is not related to discipline.

Rep. Longhurst clarified that the terms mental health and behavioral health are synonymous. Students may have underlying conditions that make school difficult for them, which is not related to discipline.

Rep. Collins commented that research should always precede legislation. He asked if school district representatives are present in committee.

Rep. Longhurst replied they are present and will be testifying. She said she served on a nationwide mental health taskforce, collaborating with multiple organizations, to research mental health policy. This bill is part of a larger mental health package that was formed from her time with the taskforce.

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Rep. Collins raised concerns about whether this committee was the right governing body to legislate on this issue.

At the request of the Chair, Mark Holodick, Secretary of the Department of Education, said the most common mental health issue he notices is anxiety, which impacts the students' level of engagement at school and in the classroom. He said this bill will have positive impacts as students already take absence due to mental health issues, and under this legislation, they will not be penalized for doing so. They may also be identified in the system, which would allow the school to provide students with help and resources.

Rep. Romer asked who would be able to see a student's referral to a behavioral health specialist. She commented that there is a difference between a mental health issue and an acute event happening in the student's life causing him or her distress.

Rep. Longhurst said the student is referred to a school based behavioral health specialist and only the person referring and the behavioral health specialist is privy to the referral information.

Chair Williams questioned whether parents or guardians should be notified of the referral.

Rep. Longhurst said school based behavioral health specialists must determine whether to contact parents or guardians.

Chair Williams asked who tracks a student's absences and refers him or her to the specialist.

Rep. Longhurst said she did not specify a designated position in the bill as every school takes student attendance differently and should have the flexibility to create their own system. She also noted that including protocol specifications in the bill could lead to more challenges for the districts.

At the request of the Chair, Mr. Holodick confirmed that every school handles attendance slightly differently. He said it can vary from elementary, middle, and high school, with high schools typically having a designated attendance taker. He agreed with Rep. Longhurst that adding in specifications for this position would complicate the bill.

Chair Williams asked if a child is not identified in the system but harms himself or herself would the school be liable.

Rep. Longhurst said school districts have insurance. She stated someone else may be more qualified to answer Chair William's question.

Rep. Chukwuocha said he oversees a program that places social workers in schools. He said, in the schools he is involved in, if a student is absent for a couple of days the school social worker is contacted. The social worker then determines whether the student would benefit from seeing a mental health professional within the school. He noted that the student needs to cite mental health as the reason for absence or be identified somehow as facing mental health concerns for this system to work. The identification process is slightly different in all schools.

Rep. Chukwuocha recalled his time as a social worker, sharing a story about a student who witnessed her brother's murder. He said the traumatic incident changed the student's demeanor and participation in school. He recited a poem he wrote for this student:

Everyday I live in the world full of gray
Beneath the fog of disbelief of haze of dark days full of grief,
and grays my mind replaced with my heart can't delete
I can't sleep, I just keep seeing my brother there lying in the street.
My mom is depressed and always upset and stressed and no matter what it is,
She's just sick of her mess and she's been like this ever since my brother's death.
I'm from my home that's severely broken,
where words are vomited rather than spoken,
trauma masked by hurtful emotions.
I look in my mother's face and I see pain all over the place.
Sometimes some emotions are left best unexpressed,
so I sit in silence, sad music in the air.
My auntie said that my mom needs to go talk to somebody,
but my mom said she don't want to talk to nobody,
She just doesn't feel like going back to work,
so she's behind on all the bills falling deeper into depression.
Now she's back to taking those pills. I look in my mother's eyes,
and I see a face I no longer recognize.
I live days where laughter no longer exist,
and I know as an honor roll student I'm supposed to be stronger than this,
but as my smiles disappeared so did my strength.
But they want me to show up to school like everything is cool,
but my bus stop is right up the block from where my brother was shot,
so by the time I get there I'm just not in the mood.
No matter what they say they're just going to light my fuse,
so I'm staying home again, another day unexcused.
Things have been wrong for so long I doubt they will ever get right.

See this is the impact that gun violence has had on my life.

Chair Williams thanked Rep. Chukwuocha for sharing with the committee.

Rep. Morrison said mental health issues impact the LGBTQ+ students at higher rates than their hetero-counterparts. He shared that he received a constituent call about a nonbinary student being bullied and taking days off due to mental health, which now can be excused.

Rep. Hilovsky commented this bill will help identify people falling behind due to mental health issues.

Rep. Shupe shared that his children have also been absent from school due to mental health related reasons. He looks forward to the change this bill will spur.

Rep. Neal said she included mental health days in her children's IEP plans. She said her son, who graduated with honors, thanked her for including those days in his plan.

Vice Chair Moore said, as an educator, she sees students dealing with mental health issues often. She asked how will the students who do not cite mental health as the reason for absence but are struggling with issues be identified. She also asked how parents will be educated on mental health and school resources, so that they are explicit in stating the reason for their child's absence.

Rep. Longhurst said the mental health crisis is a multifaceted issue that will not be solved overnight by one bill. She said she hopes this bill will break down some stigma and promote education on mental health to parents.

Chair Williams shared her children have also taken days off from school due to mental health reasons.

Rep. Parker Selby said she saw signs of mental health duress in her students when she was an educator as well. She also noted that school shooting perpetrators have been known to face mental health issues.

Chair Williams opened the floor for public comment.

Taylor Hawk, Director of Legislative and Political Strategy at Delaware State Education Association (DSEA), voiced support for the bill. She said students will get the time they need to rest, while being connected to mental health resources.

Christina Bryan, Director of Communications and Policy at the Delaware Healthcare Association (DHA), expressed support for HB 3 and the entire mental health bill package.

Dr. Tammy Croce, Executive Director of the Delaware Association of School Administrators (DASA), said she looks forward to working with the prime sponsor on an amendment to the bill to ensure the bill meets its intended goals.

Sarah Stowens, Manager of Delaware Policy and Advocacy at Christiana Care, expressed support for the bill. She emphasized mental health is equally as important as physical health.

Kristin Dwyer, External Affairs Manager for the Nemours Children's Hospital, supported the bill. She said the bill will identify students when they need help the most.

Robert Overmiller voiced opposition to the legislation.

Ann Slease, a former classroom teacher and mental health advocate, spoke in support of the bill. She said she is speaking as a parent of a student with mental health issues who could not access the resources he needed. She emphasized early intervention is key to recovery.

A motion was made by Vice Chair Moore and seconded by Rep. Hensley to release HB 3 from committee; motion carried. Yes = 14 (Collins, Hensley, Hilovsky, Moore, Lynn, Morrison, Osienski, Neal, Phillips, Postles, Romer, Parker Selby, Shupe, Williams); Absent = 1 (Smith); Absent when voting = 1 (Chukwuocha). The bill was released from committee with a F = 10, M = 4, U = 0 vote.

Chair Williams introduced **HB 4, AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO MENTAL HEALTH SERVICES FOR SCHOOL TRAUMA.**

Rep. Longhurst, the prime sponsor of the bill, said she worked on suicide prevention with an earlier bill that mandates training to detect warning signs for all school employees. This bill, also referred to as Nolan's Law, was formed after meeting with Wendy Eastburn-Teal after her son, Nolan Witman's, death. Schools handle traumatic events differently. This bill standardizes public and charter school protocol in the aftermath of a traumatic event, such as a student's or teacher's death. She said she intends to work with the Department of Education (DOE) to make a list of required best practices related to after-trauma care. There will be a reporting system established, through which schools will be held accountable.

Chair Williams opened the floor for public comment.

Sarah Stowens said Christiana Care supports Nolan's Law. She said offering students the time and resources to heal in the aftermath of a traumatic event is critical.

Secretary Holodick expressed support for the bill. He said it is imperative Delaware schools know how to respond to traumatic events.

Taylor Hawk voiced support for the bill. She said devastating loss impacts students' ability to engage with school. They need support and resources to navigate that difficult time.

Christina Bryan said DHA supports this bill.

Dr. Croce said DASA supports this bill and looks forward to working with the sponsor regarding its implementation.

Kirsten Olsen, CEO of Children and Families First, voiced enthusiastic support for Nolan's Law, saying traumatic events in school affect larger communities.

Wendy Eastburn-Teal said this bill was formed from the events after her son's death. She shared Nolan committed suicide at the age of 18 as a senior high school student at Charter School of Wilmington. She said her son's death affected many schools in New Castle County and Sussex

County. Students dealing with grief did not receive the help and closure they needed from school administrators. She said loving educators were paralyzed by fear and moved into inaction, with the administration denying any way to celebrate Nolan. She said unhandled grief leads to long-term mental health issues and the committee owes students the care they deserve in the wake of death.

Robert Overmiller voiced his opposition to the legislation.

Ann Sleese expressed support for the bill. She said all individuals who have been impacted by traumatic events need a comprehensive response in the short and long term.

A motion was made by Vice Chair Moore and seconded by Rep. Neal to release HB 4 from committee; motion carried. Yes =13 (Hensley, Hilovsky, Moore, Lynn, Morrison, Osienski, Neal, Phillips, Postles, Romer, Parker Selby, Shupe, Williams); Absent = 1 (Smith); Absent = 1 (Smith); Absent when voting = 2 (Chukwuocha, Collins). The bill was released from committee with a F = 9, M = 4, U = 0 vote.

Chair Williams introduced **HB 137, AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PUPIL AND STUDENT IDENTIFICATION CARDS.**

Rep. Griffith, the prime sponsor of the bill, said HB 254, passed during the 151st General Assembly, required certain crisis lines to be written on student identification cards. HB 137 will update the National Suicide Prevention call line to its current number. The bill will also correct a couple typographical errors.

Chair Williams said HB 254 from last session had positive impacts.

Chair Williams opened the floor for public comment.

Robert Overmiller said he supports the bill.

A motion was made by Rep. Hensley and seconded by Rep. Shupe to release HB 137 from committee; motion carried. Yes = 13 (Hensley, Hilovsky, Moore, Lynn, Morrison, Osienski, Neal, Phillips, Postles, Romer, Parker Selby, Shupe, Williams); Absent = 1 (Smith); Absent when voting = 2 (Chukwuocha, Collins). The bill was released from committee with a F=, M=, U= vote.

Chair Williams introduced **HS 1 for HB 66, AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO DELAWARE PUBLIC EDUCATION PROFILES.**

Rep. Shupe, the prime sponsor of the bill, said this bill creates a more transparent education system by providing publicly available data points related to all schools and school climates in a more manageable form on one page on the DOE website. He thanked his fellow sponsors and the DOE for collaboration on the bill.

Chair Williams appreciated the dialogue she had with the prime sponsor on this bill.

Rep. Hilovsky thanked the prime sponsor for bringing this legislation forward.

Chair Williams opened the floor for public comment.

Brittany Mumford, Executive Director of DelawareCAN, thanked Rep. Shupe for the bill and his commitment to data transparency for families.

Dr. Croce voiced support for the bill and thanked Rep. Shupe for including DASA in early conversations on the bill.

Robert Overmiller said he supports the bill.

Secretary Holodick thanked Rep. Shupe for collaborating with the DOE and other organizations to bring a bill that enhances transparency.

A motion was made by Rep. Romer and seconded by Rep. Phillips to release HS 1 for HB 66 from committee; motion carried. Yes = 14 (Collins, Hensley, Hilovsky, Moore, Lynn, Morrison, Osienski, Neal, Phillips, Postles, Romer, Parker Selby, Shupe, Williams); Absent = 1 (Smith); Absent when voting = 1 (Chukwuocha). The bill was released from committee with a F = 5, M = 8, U = 0 vote.

Chair Williams introduced **HB 138, AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TEACHER APPRENTICESHIPS.**

Chair Williams, the prime sponsor of HB 138, said this bill establishes an educator apprenticeship program that will be developed by the DOE and DOL (Department of Labor). The model will build off the Grow Your Own Educator Program. Chair Williams stated she collaborated with multiple agencies and organizations on this bill, including the Rodel Foundation, and DASA. She stated Appoquinimink School District and Wilmington University will pilot this program in the 2023-2024 school year, which will be funded through the US DOL State Apprenticeship Expansion Grant.

At the request of the Chair, Dr. Michael Saylor, Director of Educator Excellence at DOE, said the US DOL approved the teacher occupation as eligible for apprenticeships in November 2021. He said HB 430, passed in the 151st General Assembly, recommended an exploration of teacher apprenticeship programs. Since then, the DOE and DOL have been working with the Rodel Foundation and the National Center for Grow Your Own to form this model. The DOE will serve as the sponsor, holding responsibility for the program's design, implementation, and ongoing administration. The district or charter school is the employer, with the apprentices being employed as paraprofessionals. The DOL is the registration agency, and this model's application is currently up for approval. Apprentices will have to complete an already approved educator preparation program through Wilmington University.

Chair Williams thanked Dr. Saylor for his continuous work on the program.

Rep. Parker Selby asked if the preparation program is like the student-teacher program.

Dr. Saylor replied they are similar.

Rep. Parker Selby said this program is critical as it can draw more educators to the under-staffed teaching field.

Chair Williams opened the floor for public comment.

Dominic Banks, HR Supervisor for Recruitment and Retention for the Appoquinimink School District, expressed support for the bill and looks forward to the pilot program. He said this model will be a vital tool to strengthen the teacher pipeline.

Taylor Hawk voiced support for HB 138 as it will strengthen teacher recruitment.

Dr. Tammy Croce said she supports the bill. She commented that every action taken to assuage the teacher retention and recruitment issue significantly helps schools.

Robert Overmiller said he supports this bill. Secretary Holodick commented that the DOE supports this program and appreciated the collaboration between all parties involved.

Robert Rescigno, Assistant Vice President of Academic Affairs at Wilmington University, looks forward to implementing this bill.

A motion was made by Vice Chair Moore and seconded by Rep. Shupe to release HB 138 from committee; motion carried. Yes = 14 (Collins, Hensley, Hilovsky, Moore, Lynn, Morrison, Osienski, Neal, Phillips, Postles, Romer, Parker Selby, Shupe, Williams); Absent = 1 (Smith); Absent when voting = 1 (Chukwuocha). The bill was released from committee with a F = 8, M = 3, U = 0 vote.

Chair Williams adjourned the meeting at 4:32 p.m.

Respectfully submitted by:

Sana Nangia, Legislative Fellow

Attendance List

- Mark Holodick
- Taylor Hawk
- Christina Bryan
- Dr. Tammy Croce
- Sarah Stowens
- Kristin Dwyer
- Robert Overmiller
- Ann Slease
- Kirsten Olsen
- Wendy Eastburn-Teal
- Brittany Mumford
- Dr. Michael Saylor
- Dominic Banks
- Robert Rescigno

The Delaware Association of School Psychologists (DASP) supports HB4. We agree that guidelines outlining school crisis response, including the provision of mental health supports, should be developed. We are thankful to be named in the bill and are eager to help the Department of Education develop guidance, best practices, and written resources for schools. School psychologists are uniquely positioned and trained to assist in the development and implementation of evidence-based interventions following traumatic events. Specifically, we recommend the [PREPaRE curriculum](#) which is described below; as noted, prevention and school safety should also be incorporated into any crisis response planning and supports.

“The PREPaRE curriculum has been developed by the National Association of School Psychologists (NASP) as part of NASP’s decade-long leadership in providing evidence-based resources and consultation related to school crisis prevention and response. PREPaRE training is ideal for schools committed to improving and strengthening their school safety and crisis management plans and emergency response. PREPaRE is featured in the Best Practices Registry of the Suicide Prevention Resource Center.” (NASP, 2023).

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