



**Kimberly Williams**  
STATE REPRESENTATIVE  
19th District

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

**COMMITTEES**  
Appropriations, Chair  
Joint Finance, Co-Chair  
Education, Chair  
Labor, Vice Chair  
Revenue & Finance

**House Education Committee Meeting Minutes**  
**3.06.24**

[House Committee Recording](#)

Chair Williams called the meeting to order at 3:05 p.m.

Members present:

Rep. Williams, Chair  
Rep. Moore, Vice-Chair  
Rep. Chukwuocha  
Rep. Lynn  
Rep. Morrison  
Rep. Osienski  
Rep. Selby  
Rep. Phillips  
Rep. Neal  
Rep. Romer  
Rep. Collins  
Rep. Jones-Giltner  
Rep. Hensley  
Rep. Hilovsky  
Rep. Shupe  
Rep. Smith  
Rep. Longhurst, Speaker of the House

Chair Williams introduced **HS 1 for HB 5, AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO REIMBURSEMENT OF SCHOOL-BASED BEHAVIORAL HEALTH SERVICES**. *Time Stamp: 3:08*

Speaker Longhurst, sponsor of the bill, explained that the state has provided licensed mental health counselors, psychologists, and social workers in Delaware schools through previous bills. Currently, Delaware allows for Medicaid reimbursement of school-based behavioral health services if the need is documented under an Individualized Education Program (IEP) or an Individualized Family Service Plan (IFSP). This bill would provide for reimbursement if a school-based behavioral health service is considered medically necessary. Due to increased administrative and reimbursement costs, HS 1 for HB 5 would allow the Delaware Department

of Education (DDOE) to retain up to 5 percent of federal reimbursements. The Delaware Department of Health and Social Services (DHSS) is required to submit a state plan amendment to the Centers for Medicare and Medicaid Services by January 1, 2025. Speaker Longhurst is working with the DDOE to update the bill's fiscal note and language.

Sarah Broome, Founder and Executive Director of Thrive Academy, a public charter boarding school in Louisiana, has worked around the country to pursue state legislation for Medicaid reimbursement for behavioral health professionals in schools. In Louisiana, Medicaid expansion allowed her school to provide social workers, nurses, and behavioral health professionals; federal Medicaid money covered 70 percent of that cost because the state had expanded coverage for non-IEP services. This bill allows the state to use more federal dollars to pay for mental health services with no additional state matching dollars needed. Twenty-five states have moved towards this Medicaid expansion.

Rep. Romer asked why the contents of this bill were not part of the DDOE budget request instead.

Kim Klein, Associate Secretary of Operations Support for the Delaware Department of Education, explained that the DDOE would have had to upgrade its cost recovery system, but they have other priorities currently for funding requests for public education; therefore, it was not a budget priority.

Rep. Jones-Giltner asked why behavioral health reimbursement claims are within the scope of the DDOE.

Speaker Longhurst stated that licensed school nurses, counselors, and psychologists are within the DDOE.

Sarah Broome stated that for school-based Medicaid programs, school-based health professionals can provide mental and behavioral health needs during the school day; students can still receive other services outside of school.

Rep. Jones-Giltner asked if it would be more efficient for reimbursement claims to be outsourced or contracted, as the current system seems inefficient.

Kim Klein stated that schools are currently only able to recover half of the cost of IEPs, but this bill would allow for a larger pool of services to allow the state to recover federal dollars.

Chair Williams asked about behavioral health services being covered by third parties and in wellness centers.

Kim Klein said she is unsure about wellness centers, but can provide information at a later date.

Sarah Broome stated that typically, wellness centers have National Provider Identifier (NPI) numbers and bill Medicaid; the schools are billed differently. Both services could take place without them impacting each other.

Rep. Neal commended the bill in their experience as a community-based therapist.

Rep. Hilovsky asked if this bill only covers students eligible for Medicaid, which Speaker Longhurst confirmed.

Rep. Hilovsky asked if there is a way for DDOE systems to be upgraded, or for another agency or organization to process Medicaid claims, and if so, if this would impact the fiscal note.

Kim Klein stated that cost recovery for Medicaid transitioned to the DDOE around 20 years ago, before which it was completed by school districts. DHSS also works in Medicaid billing and that is why the DDOE partners with them. DDOE staff works with schools to understand what IEP services students are eligible for to process for federal recovery. Conversations are occurring about possibilities for upgrading Medicaid claims systems, which could include contracting. Therefore, she cannot say how that would affect the bill's fiscal note.

Chair Williams asked what type of revenue the state will receive from this bill since the state pays for Medicaid.

Kim Klein stated that there will be additional revenue but there are not current estimates. The current process is the funding goes from (DHSS) to the Office of Management and Budget (OMB) to DDOE. The state retains 70 percent of cost recovery, mostly retained under OMB as a revenue stream, and 30 percent is sent to school districts. This bill would allow 5 percent to go to the DDOE for administrative costs.

Alexa Scoglietti, Policy Director for the Delaware House of Representatives Majority Caucus, stated that there would need to be a clarifying amendment so that the state retains 70 percent of the reimbursement, which is the bill's intent.

Rep. Jones-Giltner asked if parents are made aware when students use behavioral health services currently.

Kim Klein stated they are made aware for cost recovery purposes as they must sign a waiver.

Amelia Hodges, Associate Executive Director of the Delaware Association of School Administrators, stated that parents are informed when students need specialized behavioral health services.

Chair Williams opened the floor for public comment.

Members of the public who voiced support of the bill included Christina Bryan (Director of Communications and Policy at the Delaware Healthcare Association), Kristin Dwyer (External Affairs Manager for Nemours Children's Health), Tammy Croce (Executive Director at the Delaware Association of School Administrators), Taylor Hawk (Director of Legislative and Political Strategy at the Delaware State Education Association), Kendall Massett (Executive Director of the Delaware Charter Schools Network), Robert Overmiller (constituent), and Pam Weir (Executive Director of the Governor's Advisory Council for Exceptional Citizens).

A motion was made by Rep. Chukwuocha and seconded by Rep. Morrison to release HS 1 for HB 5 from committee; motion carried. Yes = 16 (Chukwuocha, Collins, Hensley, Hilovsky, Jones-Giltner, Lynn, Moore, Morrison, Osienski, Phillips, Romer, Selby, Shupe, Smith, Williams); No = 0; Not Voting = 0; Absent = 0. The bill was released from committee with a F=3, M=13, U=0 vote.

Chair Williams introduced **HB 306, AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE REGARDING PENALTIES FOR SCHOOL BUS STOP VIOLATIONS AS EVIDENCED BY SCHOOL BUS SAFETY CAMERAS.** *Time Stamp: 3:44*

Chair Williams, sponsor of the bill, explained that HB 120, passed in 2021, established the Red Clay School District Bus Safety Camera Pilot Program. The program is currently working through issues, including unpaid school bus violations. This bill would allow the Delaware Department of Motor Vehicles (DMV) to refuse to renew the registration of a vehicle with unpaid school bus stop violations, to act as a deterrent. The pilot program is in an effort to move statewide in the future.

Rep. Phillips asked how often these violations happen and how many people may be affected.

Chair Williams responded that she does not have data, but the pilot program only involves some Red Clay School District buses that have cameras.

Rep. Phillips asked if there are any other ways to address this issue other than denying vehicle registration renewal.

Chair Williams stated that the intent of the bill is to protect children on buses and to educate the public. This bill creates a mechanism so that fines are paid.

Rep. Morrison asked if a vehicle can be re-registered if fines are paid at the time of re-registration, which Chair Williams confirmed. This penalty only occurs when someone is caught on camera violating a school bus stop sign.

Chair Williams noted that the pilot program is also working on policy alternatives to address out of state school bus stop sign violations.

Rep. Morrison asked why there is a penalty for vehicle registration and not driver's licenses.

Chair Williams stated that she does not want to restrict or revoke driver's licenses; this penalty will allow for education and accountability.

Rep. Morrison voiced that he has some concerns for low-income people with fewer vehicles that might be negatively impacted.

Chair Williams stated that these penalties are already in place for red light cameras.

Rep. Lynn asked if there are already penalties for running a school bus stop sign, and if a driver is subject to a fine and judgement being entered against them if they do not request a hearing in

time. Chair Williams confirmed this. Rep. Lynn asked what court the judgement would be entered in.

Mary Sherlock, Staff Attorney for the Delaware House of Representative, stated that it would likely be Justice of the Peace Court.

Rep. Lynn stated that HB 244 of the 151<sup>st</sup> General Assembly prohibits preclusion of driver's license revocations for those not paying fines or fees. If the resultant effect of this bill is that someone cannot drive, it is akin to revocation of their license. He stated that this undermines the work of HB 244 and he will not support the bill. He asked what efforts are in place to collect civil judgements to ensure compliance.

Chair Williams stated that civil judgements are being collected through the school districts. Red Clay School District sends out reminders and follow ups.

Rep. Lynn asked why there cannot be a request for a wage attachment via Justice of the Peace Court.

Rep. Smith shared that the Red Clay pilot program sent him data demonstrating that from April 2022 to August 2023, there were 1,112 school bus stop violations, with 727 citations, 66 percent of which had fines collected. 8 citations were challenged and 80 percent of those were won by the district. As someone who represents Red Clay, school safety for children is a significant issue.

Rep. Collins asked if the fines for school bus stop violations are different than speeding fines.

Amy Anthony, Director of the Delaware Department of Motor Vehicles, stated that this would be a registration hold only and would not go on a person's driving record, as the driver cannot necessarily be confirmed by the school bus camera.

Rep. Collins asked what is the current penalty for a school bus stop violation.

Amy Anthony stated that the DMV is not involved with the Red Clay pilot program. Throughout Delaware, if law enforcement witnesses a person illegally pass a school bus stop, they receive six points on their license.

Rep. Collins stated that he felt school bus stop violations did not happen often. Chair Williams pointed to the data presented earlier by Rep. Smith.

Rep. Phillips asked what the current fine is for school bus stop violations, and Chair Williams said she would provide a response at a later time.

Rep. Selby voiced concern that school buses do not already have cameras.

Chair Williams stated that these are outside cameras that capture license plates as part of the pilot program.

Rep. Selby asked about a situation where a person commits a school bus stop violation with a car registered to someone else, and if the person the car is registered to would be liable.

Chair Williams confirmed this. She stated that the current penalty for school bus stop violations is \$100 for the first violation and \$500 for the second.

Rep. Morrison asked if the fines accumulate interest or additional fees.

Chair Williams stated that there are some extra fines and fees when the fines are not paid after certain amounts of time.

Rep. Morrison asked if the registration renewal penalty proposed in this bill is the same as the penalty that currently exists for red light cameras. Amy Anthony, Director of the Delaware Department of Motor Vehicles, confirmed this. Only those two violations would carry a registration renewal prohibition.

Rep. Morrison voiced concern about this penalty for only these two violations. Additionally, people would be held accountable at varying times due to the times their vehicle registration must be renewed. This penalty would only be for small group of people; he agreed with Rep. Lynn that registration renewal prohibition is akin to license suspension and lower income families could be disproportionately impacted.

Chair Williams said that the pilot program will run statewide when issues are worked out. Other districts are considering implementing a similar program. Her main concern is creating an accountability mechanism to protect Delaware schoolchildren.

Rep. Morrison asked how this situation differs from other traffic violations that result in deaths.

Chair Williams stated that they are required to provide public transportation for all Delaware schoolchildren. Therefore, school safety issues need to be addressed.

Rep. Romer stated that this bill seems to be more about fine collections than traffic violation prevention. She asked for clarity regarding the situation of the operator not owning the vehicle.

Chair Williams stated that the person who the car is registered to would be responsible for paying the fines.

Rep. Collins was concerned that because it is a pilot program, there are penalties for one school district and not others. He felt that this may not be a deterrent.

Chair Williams noted that if this bill applied statewide, there may be a number of issues. Therefore, the state is working with a district that already had outside cameras on some buses.

Rep. Selby asked how many bus stop violations are committed by people from out of state, which seems to be an issue in her district. Rep. Smith said he did not receive data on that topic, but he can request it.

Rep. Selby noted that because this is a pilot program, she is concerned about the high fines.

Rep. Neal noted that they are hesitant about this bill due to the conversations raised during committee. Some people might not be deterred and may drive their car unregistered. They wanted to explore alternative options for prevention of school bus stop violations such as hiring more crossing guards or other measures.

Rep. Phillips asked when the pilot program ends.

Chair Williams stated that it is permanent.

Rep. Phillips asked if they know the demographics of the areas that have school buses with cameras versus the ones without. Chair Williams stated that there is not currently demographic information.

Chair Williams opened the floor for public comment.

Members of the public who voiced support of the bill included Amelia Hodges (Delaware Association of School Administrators) and Britney Mumford (constituent).

Members who voiced opposition to the bill included Robert Overmiller and Lynne Kielhorn (Network Delaware's Campaign to End Debtors' Prison).

A motion was made by Rep. Smith and seconded by Rep. Morrison to release HB 306 from committee; motion carried. Yes = 7 (Chukwuocha, Jones-Giltner, Hilovsky, Moore, Shupe, Smith, Williams); No = 8 (Collins, Lynn, Morrison, Neal, Osienski, Phillips, Romer, Selby); Not Voting = 0; Absent = 1 (Hensley). The bill failed to release from committee.

Chair Williams introduced **HB 309, AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO SPECIAL EMPLOYMENT PRACTICES FOR HEALTH CARE AND CHILD CARE FACILITIES.** *Time Stamp: 4:29.*

Chair Williams explains that this bill makes a technical change in code.

Chair Williams opened the floor for public comment.

Members of the public who voiced support of the bill included Robert Overmiller (constituent).

A motion was made by Rep. Moore and seconded by Rep. Chuckwocka to release HB 309 from committee; motion carried. Yes = 14 (Chukwuocha, Hilovsky, Lynn, Moore, Morrison, Osienski, Phillips, Romer, Selby, Smith, Williams); No = 2 (Jones-Giltner, Shupe); Not Voting = 0; Absent = 1 (Hensley). The bill was released from committee with a F=2, M=11, U=0 vote.

Chair Williams introduced **SB 188, AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE INTERSTATE TEACHER MOBILITY COMPACT.** *Time Stamp: 4:32*

Chair Williams explained that the bill would help Delaware to recruit teachers moving from another compact state by joining the Interstate Teacher Mobility Compact. A relocating educator with a license from another compact state would receive the closest equivalent license without having to complete extra testing or additional coursework. For the compact to go into effect, ten states had to join; there are now more than ten states and pending legislation in additional states. Delaware would have representation on the compact's commission and would be able to track the number of applicants. Educators from non-compact states could still apply for a Delaware teaching license but may have to complete testing or coursework.

Chair Williams opened the floor for public comment.

Members of the public who voiced support of the bill included Taylor Hawk (Director of Legislative and Political Strategy at the Delaware State Education Association), Tammy Croce (Executive Director of Delaware Association of School Administrators), and Robert Overmiller (constituent).

A motion was made by Rep. Neal and seconded by Rep. Phillips to release SB 188 from committee; motion carried. Yes = 16 (Chukwuocha, Collins, Hensley, Hilovsky, Jones-Giltner, Lynn, Moore, Morrison, Neal, Osienski, Phillips, Romer, Selby, Shupe, Smith, Williams); No = 0; Absent = 0. The bill was released from committee with a F=1, M=13, U=0 vote.

Chair Williams introduced **HB 125, AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FREE SCHOOL MEALS.** *Time Stamp: 4:37*

Vice-Chair Moore, sponsor of the bill, explained that HB 125 allows for all schools to provide free breakfasts and lunches for all Delaware schoolchildren, regardless of income, through a reimbursement program from the Delaware Department of Education. Approximately 13 percent of Delaware residents are experiencing food insecurity and 5.1 percent have extreme food insecurity, which is 1 in 6 Delaware children. This bill allows for better student outcomes and health.

Rep. Neal stated that free meals provided during the COVID-19 pandemic were a way for families, including theirs, to survive. School lunches cost their household \$160 per child per month. Especially as student performance remains an issue, free lunch is a step towards a solution.

Rep Smith said he appreciates the intent of the bill, but believes free meals should be needs-based for the 13 percent that are food insecure. Some families do not need to be provided with free food. He is concerned about taxing people at a higher level. With the current iteration of this bill, he would not support it.

Vice-Chair Moore stated that the Community Eligibility Provision of the United States Department of Agriculture already provides free or reduced meals in schools on a needs basis, but HB 125 expands this. Many middle-class families might be one paycheck away from



poverty. Additionally, salaries are not increasing with inflation and the rising cost of living. Many families may be left behind under the current model.

Rep. Smith asked if this bill was part of the governor's recommended budget.

Rep. Moore stated that it is not.

Rep. Phillips had conversations with high school students experiencing homelessness. They shared that they have to have their parents fill out eligibility forms every year for free breakfast and lunch and they will not be eligible if their parent does not fill out the form.

Vice-Chair Moore stated that some school districts require eligibility forms. Some parents do not fill out the form and there is a stigma around free meals. Therefore, students that may qualify could be left behind currently.

Chair Williams asked if school districts can qualify a student for free or reduced meals.

Aimee Beam, the Education Associate for Nutrition Programs at the Delaware Department of Education, stated that students can be identified as homeless by a homeless liaison and can qualify for free meals without filling out a meal benefit form. That eligibility lasts for the school year and if they are identified as homeless again, it will apply again for the school year. Federal regulations require that individual eligibility does have to be identified on an annual basis. In limited circumstances, a school administrator could fill out a free meal eligibility form for an individual student.

Rep. Phillips asked how they identify homeless students.

Aimee Beam stated that while she does not work with the homeless liaisons, the school nutrition program has a working relationship with the homeless liaisons to provide free meal benefits.

Rep. Morrison thanked Vice-Chair Moore for this bill. As a former educator, he noticed the difference between children who had adequate meals versus those who did not. He also noted the current stigma of students having free and reduced price meals.

Chair Williams stated that free or reduced-price meal eligibility is confidential.

Aimee Beam affirmed that it is confidential and done through electronic point of service systems in most Delaware school districts.

Rep. Morrison stated that students may still be able to know if their peers qualify for free or reduced-price lunch. While there is currently assistance for low-income students, some students are left behind as means-tested programs may not consider a number of factors. Additionally, some students might not have access to healthy food without this program. While the bill might not be in the governor's recommended budget, he believes this is an important use of state funds.

Rep. Romer asked if Title 1 schools, which receive federal funding, would still receive federal funding if this bill is enacted.

Aimee Beam stated that USDA federal nutrition programs would still be fully utilized. The USDA establishes reimbursement rates on an annual basis.

Rep. Romer asked about schools that are eligible for the Community Eligibility Provision (CEP) but do not participate.

Aimee Beam stated that there are 242 schools in Delaware in the school nutrition program, 133 of which participate with CEP. 55 percent is a fairly high rate compared to the CEP adoption rate nationwide. Some Delaware schools have chosen not to participate as their nutrition account cannot support the portion they must cover.

Rep. Romer asked about cost estimates to implement that, as it feels like federal money is underutilized.

Aimee Beam stated that this bill would help cover schools that could choose to adopt CEP. Those schools currently receive federal reimbursement. This bill may bring in more federal reimbursement as meal participation increases when free meal bills are implemented.

Chair Williams asked if there will be lower incentives for schools to seek federal funding if this bill is implemented.

Aimee Beam stated that this is an issue identified by states that have implemented bills similar to HB 125. To maximize the federal programs, families would still have to fill out forms for free and reduced lunch. In other states, they have used media communications to incentivize parents to fill out the forms to continue to receive federal reimbursement in schools; this would still be required if HB 125 is implemented.

Vice-Chair Moore stated that many school districts have issues with getting federal reimbursement forms filled out. School boards and districts may have to explore alternative methods to have families fill out forms for free and reduced lunch.

Rep. Neal noted that these forms are filled out annually and to their understanding, cannot be changed during the school year if circumstances, such as employment status, change.

Aimee Beam clarified that a new form can be filled out during the school year if family circumstances change.

Chair Williams asked about the situation of an increase in family income. Aimee Beam noted that this would not be used to retroactively revoke free or reduced lunch.

Rep. Neal noted that they did not know this information and believe that constituents in their district may also be unaware.

Aimee Beam noted that when families are informed that they may qualify for free and reduced-price meals, that communication includes that they can fill out a new form if circumstances change, but she will note that feedback.

Rep. Jones-Giltner stated that HB 125 is not needed for families that do not need free or reduced lunch. She asked if the qualification cost basis could be changed in this bill. She feels that this wastes resources for those that do not need it.

Rep. Shupe stated that he feels more data is required for some of the statements made. He believes that means testing lowers the cost to the state taxpayer to give resources to families that need it.

Kiley Thomson, Legislative Analyst for the Delaware Controller General's Office, explained that the revised fiscal note for HB 125 reflected increased costs because utilization of free meals increased.

Rep. Shupe noted that free school meals would cost about \$120 million over the first three years. He noted that taxes will have to be raised on the same families that are receiving free meals. He reiterated support for means tested alternatives to reduce potential for taxes on those families.

Vice-Chair Moore stated that means tested programs do not allow every child to receive food.

Rep. Selby stated that she also has concerns about the taxpayer, especially older citizens who may also be food insecure. She stated that there are some families that can pay for school meals. In the current state, she would not be supporting the bill.

Aimee Beam stated that the USDA requires school food authorities have policies in place for school meal debt and each district has their own. No district has a policy where students will not be fed, but instead will be provided a reimbursable meal. They are not required to provide the same exact hot meal; some districts provide the same meal and some districts provide alternative meals for those with school lunch debt.

Rep. Selby stated that she is concerned by the alternative meals for those with school lunch debt and the stigma it creates.

Chair Williams asked if Aimee Beam could provide information on which school districts do not provide the same meal for those with school lunch debt. Beam stated that she could send that information to Chair Williams.

Rep. Phillips stated that the high schoolers she conversed with stated that other students know who is on free or reduced lunch. She had also heard that some districts use wristbands to differentiate and wanted to confirm if that was true.

Aimee Beam stated that districts are not allowed to overtly identify students as being on free or reduced lunch. The point of service system is used instead.

Rep. Phillips thanked Beam for the clarity. However, she stated that high school students say that others know their meal status.

Rep. Morrison stated that there are a multitude of issues with means testing. Every family has different financial circumstances and means testing cannot necessarily account for this. Means testing can cause families to lose healthcare or other benefits when they make a slight salary increase. He also stated that this bill's fiscal note does not say it will be paid for by raising taxes. He also stated that there are also other services provided to all school children regardless of income.

Rep. Lynn felt that while feeding all students could possibly be expensive and raise taxes, it is a risk he is willing to take.

Rep. Chukwuocha stated that there are a number of pressing needs in schools and he does not necessarily see this as a top need. He is also concerned about high levels of food waste in schools.

Rep. Osienski stated that he introduced a bill several years ago to expand free breakfasts for schools with Community Eligibility Provisions for all students within those schools. He voiced support for releasing the bill but does have some concerns about costs and means testing. He felt it may not receive the funding required from the Joint Finance Committee.

Chair Williams stated that, as a member of the Joint Finance Committee, she does have concerns about the bill's cost. She has had conversations with Vice-Chair Moore and has explored possible alternative funding avenues. She agreed with some comments regarding families who are able to pay for their children's meals. She would like to see tax dollars go to other educational needs. If the bill is not released from committee, she would support a bill that addresses similar issues, but will not be supporting this current iteration.

Vice-Chair Moore stated that districts were accruing delinquency for unpaid student meal debt. That money could be used in other high-priority areas for those school districts. She believes all students deserve free meals.

Chair Williams opened the floor for public comment.

Members of the public who voiced support of the bill included Kristin Dwyer (External Affairs Manager for Nemours Children's Health), Coby Owens (Metropolitan Wilmington Urban League), Taylor Hawk (Director of Legislative and Political Strategy at the Delaware State Education Association), Dr. Doris Griffin (National Coalition of 100 Black Women Delaware Chapter), Rebecca Cotto (Young Women's Christian Association of Delaware), Shyanne Miller (Working Families Party of Delaware), Karl Stomberg (Working Families Party of Delaware), Collin O'Mara (public school parent), Marissa McClenton (constituent), Len Damico (constituent), John Reynolds (American Civil Liberties Union of Delaware), Lore Noyes (registered dietitian working in Delaware school-based healthcare), Megan Tucker (American Heart Association), and Hanna Seay (constituent).

Dr. Tammy Croce (Executive Director of the Delaware Association of School Administrators) noted that DASA required more time to understand the financial aspects of the bill but look

forward to working on the issue. Robert Overmiller (constituent) noted that he does not believe the fiscal note attached to the bill is correct.

A motion was made by Rep. Phillips and seconded by Rep. Lynn to release HB 125 from committee; motion carried. Yes = 9 (Chukwuocha, Lynn, Moore, Morrison, Neal, Osienski, Phillips, Romer, Selby); No = 4 (Collins, Jones-Giltner, Hilovsky, Williams); Not Voting = 3 (Hensley, Shupe, Smith), Absent = 0. The bill was released from committee with a F=4, M=5, U=0 vote.

Chair Williams adjourned the meeting at 6:07 p.m.

Respectfully submitted by:

Hannah Rigoglioso

### **Attendance List**

- Amy Anthony, Director of the Delaware Department of Motor Vehicles
- Aimee Beam, Education Associate for Nutrition Programs at the Delaware Department of Education
- Sarah Broome, Founder and Executive Director of Thrive Academy
- Christina Bryan, Director of Communications and Policy at the Delaware Healthcare Association
- Rebecca Cotto, Young Women's Christian Association of Delaware
- Tammy Croce, Executive Director of the Delaware Association of School Administrators
- Len Damico, constituent
- Kristin Dwyer, External Affairs Manager for Nemours Children's Health
- Dr. Doris Griffin, National Coalition of 100 Black Women Delaware Chapter
- Taylor Hawk, Director of Legislative and Political Strategy at the Delaware State Education Association
- Amelia Hodges, Associate Executive Director of the Delaware Association of School Administrators
- Lynne Kielhorn, Network Delaware's Campaign to End Debtors' Prison
- Kim Klein, Associate Secretary of Operations Support for the Delaware Department of Education
- Kendall Massett, Executive Director of the Delaware Charter Schools Network
- Marissa McClenton, constituent
- Shyanne Miller, Working Families Party of Delaware
- Britney Mumford, constituent of District 9
- Lore Noyes, registered dietitian working in Delaware school-based healthcare
- Collin O'Mara, public school parent

- Robert Overmiller, constituent
- Coby Owens, Metropolitan Wilmington Urban League
- John Reynolds, American Civil Liberties Union of Delaware
- Alexa Scoglietti, Policy Director for the Delaware House of Representatives Majority Caucus
- Hanna Seay, constituent
- Mary Sherlock, Staff Attorney for the Delaware House of Representatives
- Karl Stomberg, Working Families Party of Delaware
- Kiley Thomson, Legislative Analyst for the Delaware Controller General's Office
- Megan Tucker, American Heart Association
- Pam Weir, Executive Director of the Governor's Advisory Council for Exceptional Citizens



March 5, 2024

*Brian W. Frazee*  
President & CEO

The Honorable Valerie Longhurst  
Speaker of the House  
Delaware General Assembly  
411 Legislative Ave.  
Dover, DE 19904

*Nemours Children's Health*  
Mark Marcantano, JD  
Regional President,  
Nemours Children's  
Delaware Valley

Dear Madam Speaker,

The Delaware Healthcare Association, representing Delaware's hospitals, health systems, and related healthcare organizations, is pleased to support HS 1 for HB 5.

*Bayhealth*  
Terry Murphy,  
President & CEO

Ensuring access to care is one of DHA's top advocacy priorities for 2024. HS 1 for HB 5 takes steps to support access to care for Delaware students by allowing for reimbursement of medically necessary behavioral health services. Access to mental health services is increasingly important for students. While Delaware hospitals support mental health care in many schools through school-based health centers, it's important that all students have access to these services.

*Beebe Healthcare*  
David A. Tam,  
MD, MBA,  
President & CEO

*ChristianaCare*  
Janice E. Nevin,  
MD, MPH  
President & CEO

Thank you for the opportunity to share DHA's support for HS 1 for HB 5 and for your leadership on this important issue. We look forward to working with you and your colleagues in the General Assembly to advance this legislation.

*TidalHealth Nanticoke*  
Penny Short, MSM, BSN,  
RN  
President & CEO

Sincerely,

*Saint Francis Hospital*  
James Woodward  
President, & CEO  
Trinity Health Mid-Atlantic Region

A handwritten signature in black ink that reads 'Brian Frazee'.

*Delaware Healthcare Association*  
Brian W. Frazee  
President & CEO

Brian Frazee  
President & CEO  
Delaware Healthcare Association



**OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE**  
1500 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-1500

**January 24, 2024**

**Delaware General Assembly  
House Education Committee  
411 Legislative Avenue  
Dover, DE 19901**

**Representative Kimberly Williams, Chairperson**

**Remarks of  
Christopher R. Arnold  
Mid-Atlantic Region Liaison  
United States Department of Defense-State Liaison Office**

**Support of: SB 188 – Interstate Teacher Mobility Compact**

**Testimony**

Madame chair and honorable members of the House Education Committee, the Department of Defense is grateful for the opportunity to support the policies reflected in Senate Bill 188, relating to interstate licensure compacts. These policies meet the Department's fullest intent regarding military spouse employment and economic opportunities.

I am Christopher Arnold, the Mid-Atlantic Region Liaison at the United States Department of Defense-State Liaison Office, operating under the direction of Under Secretary of Defense for Personnel and Readiness. We represent the Department and establish relationships with state leaders across the country who are concerned for troops and their families' welfare by harmonizing state and federal law and regulation on policy problems of national significance. I thank you for the opportunity to address you today and for your support of our service members and their families.

Delaware has taken several important steps toward improving licensure for military spouses. Notably, we see interstate compacts for occupational licensure as an excellent method of assisting all practitioners in addition to providing reciprocity for military spouses.<sup>1</sup>

The Secretaries of the Military Departments have made the importance of military spouse licensure explicitly clear as they consider the availability of license reciprocity when evaluating future basing or mission alternatives. This consideration was codified by Congress as a requirement in the 2020 National Defense Authorization Act.<sup>2</sup> Notably, 10 U.S.C. § 1781(b) note requires the military services to produce annual basing decision scorecards at the state and

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<sup>1</sup> Department of Defense. *Military Spouse Licensure: State Best Practices and Strategies for Achieving Reciprocity*. November 2019. <https://download.militaryonesource.mil/12038/MOS/Reports/military-spouse-licensure-report-2019.pdf>

<sup>2</sup> Public Law No: 116-92, Section 2883.



installation level considering military family readiness issues including participation in interstate licensing compacts.<sup>3</sup>

Congress provided the Department authority to enter into a cooperative agreement with the Council of State Governments to provide grants to professions in order to develop compact law to be approved by States.<sup>4</sup> The Department has provided funding to seven professions, and expects to fund development of three additional compacts under the agreement.<sup>5</sup>

Occupational licensure compacts provide consistent rules for licensed members to work in other states. Common misinformation about compacts is that they either lower or raise the standards for the occupation, when in fact, compact states have the option to issue a “compact license” and also a “State-only license” to maintain their State’s standards. States have committed to using interstate compacts, which establish common understanding of competency and its measurement within the occupation, to resolve the interstate issue of license portability.

The Interstate Teacher Mobility Compact utilizes an equivalent license recognition model that provides compact authorization through a single state license.<sup>6</sup>

In adopting the Interstate Teacher Mobility Compact, Delaware can increase its pool of highly qualified teachers, addressing the documented teacher shortages being experienced within the state, and support learning for all students.

Military spouses are better educated and more trained than their civilian counterparts, yet on average, earn twenty-five percent less than their civilian counterparts.<sup>7</sup> Military spouse teachers holding a compact eligible license can apply for licensure in another member state and receive the closest equivalent license without submitting additional materials, taking state-specific exams, or completing additional coursework.

As our service members and their families move from state to state, obtaining licenses in order to pursue employment is critical. Portable employment opportunities support military spouse career development. Compacts serve to relieve one of the many stressors of a military move.

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<sup>3</sup> *Id.* (h)

The secretaries must consider “*whether the State in which an installation subject to a basing decision is or will be located ... has entered into reciprocity agreements to recognize and accept professional and occupational licensure and certification credentials granted by or in other States or allows for the transfer of such licenses and certifications granted by or in other States.*”

<sup>4</sup> 10 U.S.C. §1784 (Public Law 116-120, Section 575).

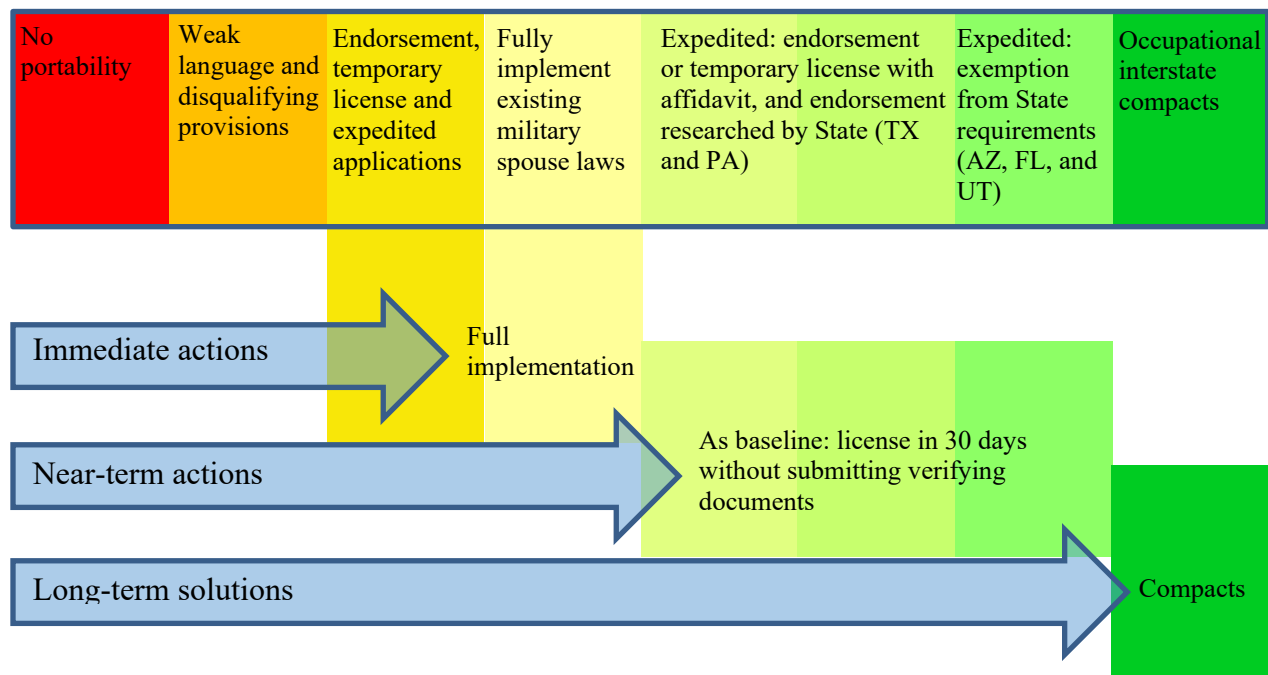
<sup>5</sup> Through a cooperative agreement with the Council of State Governments, grants will allow selected professions to work with CSG’s National Center for Interstate Compacts to develop model interstate occupational licensure compact legislation, addressing license portability affecting transitioning military spouses, along with other practitioners in the profession. The five selected professions are teaching, social work, cosmetology, massage therapy, and dentistry/dental hygiene.

<sup>6</sup> <https://teachercompact.org/>

<sup>7</sup> Hiring Our Heroes. *Military Spouses in the Workplace. Understanding the Impacts of Spouse Unemployment on Military Recruitment, Retention and Readiness.* June 2017.  
<https://www.uschamberfoundation.org/sites/default/files/Military%20Spouses%20in%20the%20Workplace.pdf>

In addition to supporting the drafting of model compacts laws for professions, 10 § U.S.C. 1784(h) authorizes DoD to support professions with developing database systems to make the compacts more efficient and operational. These database systems allow States to share information about practitioners using compact provisions to work in member States.<sup>8</sup>

The Department encourages States to engage in immediate actions to fully implement military spouse licensure laws, near-term actions to at least attain a baseline of getting military spouses a license in thirty (30) days based on minimal documentation, and removing substantially equivalent language; and long-term solutions for reciprocity through compacts:



Delaware has already enacted and joined the Audiology/Speech-Language Pathology Interstate Compact, the Advanced Practice Registered Nurse Compact, the Emergency Medical Services Licensure Compact, the Licensed Professional Counseling Compact, the Nurse Licensure Compact, the Occupational Therapy Licensure Compact, the Physical Therapy Licensure Compact, and the Psychology Interjurisdictional Compact.

In closing, we are grateful for the tremendous efforts that the First State has historically made to support our service members and their families. We appreciate the opportunity to support these policies and grateful to the sponsor, Senator Sturgeon, the many cosponsors, and the members of

<sup>8</sup> The current effort to develop compacts through a cooperative agreement and to approve compacts is a collaboration between the federal government, state governments and non-governmental organizations representing professionals and state licensing boards. Through this collaborative effort, all practitioners within a profession will have greater mobility while sustaining the focus on assuring public safety through licensure. This is significant for the military community in that along with active duty military spouses receiving the benefit of compacts, active duty members, members of the reserve component, reserve component spouses, transitioning Service members and other Veterans benefit from the mobility provided through compacts.

the Education Committee for their leadership and dedication to supporting our service members and their families.

Thank you for taking the time to consider these issues. As always, as Mid-Atlantic Region Liaison, I stand ready to assist and answer whatever questions you may have.

Yours etc.,

**CHRISTOPHER R. ARNOLD**

Mid-Atlantic Region Liaison  
Defense-State Liaison Office



Metropolitan Wilmington  
Urban League



March 6, 2024

The Honorable Kimberly Williams, Chair  
House Education Committee  
Delaware General Assembly  
411 Legislative Avenue  
Dover, DE 19901

**SUBJECT: Support for HB 125 – Healthy School Meals for All**

Dear Chair Williams and Members of the Committee:

We respectfully request that you support HB 125 by Representative Moore and vote to release the bill from committee. Healthy School Meals for All means offering free breakfast and lunch to all students, regardless of their household income, as part of the school day so they can learn and thrive.

Providing access to Healthy School Meals for All supports student well-being, improves learning outcomes, reduces administrative costs, increases investment in food service programs, eliminates unpaid meal debt, removes stigma from the lunchroom, and increases equity in our schools. It is also one of the most impactful and holistic actions we can take to address hunger in Delaware.

The pandemic taught us many important lessons – and with school meals, we learned there is a better way to provide vital nutrition to our children. During the pandemic (March 2020 – June 2022), the USDA provided funding for schools to offer meals free of charge to all students. This effectively served as a successful trial run of a Healthy School Meals for All policy. Regrettably, the federal pandemic waivers expired prior to the start of the 22-23 school year and school meal programs are once again operating under a tiered payment system of free, reduced-price, or full-price meals depending on family income eligibility.

**It is time for Delaware to lead and ensure our children are hunger-free and ready to learn.** With continued inaction at the federal level, states are stepping up to fill the gap. **Eight states have already made Healthy School Meals for All permanent including: Maine, California, Minnesota, Colorado, New Mexico, Massachusetts, Michigan, and Vermont.** Serving school meals to all students at no cost on a permanent basis would be a gamechanger for students, families, and schools in our state.

**Children and teens cannot learn on an empty stomach.** Sadly, there are students in every community in our state in need of a nutritious breakfast and lunch at school who do not qualify for free or reduced-price school meals. As high food prices continue to take a toll on both low-income and moderate-income

families in Delaware, school meals are an important source of nutrition and are a safeguard against chronic food insecurity. Food insecurity can lead to a variety of negative health conditions, including diet-related diseases, and has severe consequences on a child's future health. Healthy School Meals for All will benefit thousands of students each day and be a major step forward in eliminating health and education inequities.

**The current policy for school meals, whereby some children are expected to pay while others receive their meals for free, creates stigma and shame for students that rely on school meals for their basic needs,** and serves as an inequitable barrier for students who are not eligible but are still experiencing food insecurity. The current system is antiquated and broken. Delaware's education and school nutrition professionals are committed to their mission of keeping kids fed, healthy, and ready to learn, but we must support and invest in our schools to do better for our children.

**School meals are an integral part of the school day and a contributor to student success, and should be no different than textbooks, technology, transportation, access to school nurses, and other services provided to all students in public schools without cost.** Universal school meals incentivize greater participation in the school meals program and allow schools to better invest in equipment, staff training, and initiatives such as farm-to-school that focus on scratch cooking.



#### **BENEFITS OF PROVIDING HEALTHY SCHOOL MEALS FOR ALL**

- Reduces the prevalence of child hunger and food insecurity.
- Ensures all students are well-nourished and ready to learn.
- Supports student well-being.
- Improves learning outcomes.
- Improves attendance rates.
- Reduces stigma associated with eating school meals.
- Ends the problem of unpaid school meal debt.
- Eases administrative burden for schools.
- Supports school nutrition finances and operations.

**Please support HB 125 to ensure ALL Delaware children can thrive and succeed.** The budget needed to support this initiative could be minimized if the state required that school districts maximize access to federal funds by participating in the Community Eligibility Provision, known as CEP, or other federal options.

Please do not hesitate to reach out if you have any questions or would like additional information. Thank you for your consideration.

Sincerely,

American Cancer Society Cancer Action Network  
American Heart Association  
Delaware State Education Association  
League of Women Voters of Delaware  
Metropolitan Wilmington Urban League  
Nemours Children's Health  
YMCA of Delaware

***Point of Contact:***

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STATE OF DELAWARE  
**OFFICE OF THE LIEUTENANT GOVERNOR**  
TATNALL BUILDING, THIRD FLOOR  
150 MARTIN LUTHER KING, JR., BOULEVARD SOUTH  
DOVER, DELAWARE 19901

**BETHANY A. HALL-LONG**  
LIEUTENANT GOVERNOR

(302) 744-4333  
LTGOV.DELAWARE.GOV

March 6, 2024

**RE: House Bill 125 – Universal Free Breakfast and Lunch in Delaware Schools**

Members of the House Education Committee:

I'm writing to you in my capacity as chair of the Behavioral Health Consortium and the Lieutenant Governor's Challenge, a career educator and a public health nurse to lend my support to House Bill 125, which will require all schools to offer all students free breakfast and lunch every school day.

We all believe no child should go hungry in our schools. Too many children come to school hungry, and the evidence shows that that has a significant impact on learning. Students who are hungry have more difficulty concentrating, perform worse academically and have increased behavioral issues.

We have made great strides in this field in recent years. Rep. Ed Osienski's "Breakfast After the Bell" law – which I supported in the Senate – created alternatives to the traditional breakfast program and increased opportunities for students to receive a healthy breakfast.

Rep. Rae Moore's House Bill 125 takes this effort to the next logical step. By implementing universal breakfast and lunch for every student, we will ensure that no student in the state's care misses an opportunity to have nourishment while also removing the stigma of some students being on the free and reduced lunch program. This in turn will produce more positive, healthy outcomes for students, both in the classroom and in life.

I recognize there are budget constraints at this time, but I have faith that you will look for solutions to this challenge. Our leaders of tomorrow are sitting in our classrooms today. I ask that you release HB 125 and continue working on funding solutions and alternatives to ensure that all Delaware students receive healthy meals every day. The best ideas sometimes require persistent work. This is one of those ideas. Thank you.

Sincerely,

Bethany A. Hall-Long, Ph.D., RN  
Lieutenant Governor of Delaware

Dear Education Committee,

My name is Brianna Saxton and I am from the Appoquinimink School District. I am writing today to express my support for HB 125 and share my personal testimony.

As a student in Delaware, this bill is important to me because it allows me to not have to worry about having breakfast or lunch, because I know I will be able to get it for free at school. My freshman year, breakfast and lunch was free. I actually ate breakfast before school and had much more energy in my classes because I ate. Not having to worry about finding something to pack for lunch in the mornings before school made going to school much less stressful and enjoyable. While some kids may not qualify for free or reduced lunch, their parents may not pay for their school lunch. This results in debt for the student and can cause them to miss out on school activities due to debt. Overall, free student lunches will result in well-fed kids, which will help students' ability to learn and perform on standardized tests. I believe that making lunch and breakfast free will show when it comes to grades and test results, as well as students overall wellbeing.

Sincerely,

Brianna Saxton



Dear Education Committee,

My name is Nataliya and I am from the Appoquinimink School District. I am writing today to express my support for HB 125 and share my personal testimony.

As a student in Delaware, this bill is important to me because student's should be able to have a free lunch at school, especially considering their situations at home. Even if some students aren't struggling with income in their household, not everyone brings lunch to school. Some students just forget to pack one or simply don't want to. In these circumstances, if they don't have any money in their account they're pretty much left hungry for the rest of the school day. Overall, regardless of a family's home situation, students should be able to come to school and not have to worry if they have money in their account, or being in debt for wanting to eat.

Sincerely,

Nataliya Dungee

Dear Education Committee,

My name is Paige and I am from the Appoquinimink School District. I am writing today to express my support for HB 125 and share my personal testimony.

As a student in Delaware, this bill is important to me because I buy lunch almost everyday and the price can add up. Even though my family makes more money than the minimum income to be eligible, my parents are putting 3 kids through college and they shouldn't have to worry about extra money on the side for something that I should be getting for free. If lunches were free, or at least cost less, it would be one less thing my parents have to worry about, expense wise.

Sincerely,  
Paige Lockwood

Dear Education Committee,

My name is Sheldon Thompson and I am from the Colonial School District. I am writing today to express my support for HB 125 and share my testimony.

As a student in Delaware, this bill is important to me because I understand what it means to be viewed as an outsider. Born in Jamaica, moving to the United States at the age of nine presented unique identity challenges from this cultural shift. I looked and spoke differently. Different, in and of itself, is by no means unhealthy. However, in stages of high vulnerability and unclear identity, differences can, and have, in my experience been a force against growth. This idea dates back to our tribal instinct of emphasizing acceptance over all other things as a means for our survival. With this understanding, if we were to cast emotionally developing students into the peer-pressure wilderness, does this not decrease their odds of soaring someday as resilient lions and lionesses?

As I reflect on my own experiences navigating the challenges of being perceived as an outsider, I recognize the impact that fostering acceptance can have on an individual's emotional growth. This realization aligns with the ethos behind HB 125, a bill that strives to create a more inclusive environment for students. I remember vividly, a time when I altered my appearance, my behavior, and my identity, for the sake of avoiding alienation. In hindsight, it is tempting to dismiss these experiences as mere teenage occurrences, but in truth, these were the phases that largely shaped my character today. Being at least somewhat socially accepted was pivotal, and provided me with a sense of confidence that any ostracization would have considerably nullified.

In the case of HB 125, this same rationale stands. Though I was never a victim of lunch stigmatization, I had the opportunity to be in schools with an all-student lunch approach and others, with an opposing strategy. During my time in both schools, I observed the behaviors of my peers regarding the differences in programs that isolated them from the population. I found that with an all-student approach, lunch was never a factor in social exclusion. On the contrary, schools with targeted lunch support in many cases hurt students who were still finding their identity. The emotional fragility grew among my peers after taunting from their classmates of being 'less than' financially. This underhanded bullying resulted in some peers choosing to take leftovers from students rather than be exposed as 'impoverished'.

In conclusion, the impact of HB 125 reaches far beyond the lunchroom, resonating with the very essence of students' emotional well-being and personal development. By fostering inclusivity and eliminating the divisive practices associated with targeted lunch support, this bill has the potential to create an environment where students can thrive without the weight of societal judgment. Let us embrace a future where every student is free to grow as their authentic selves, unburdened by the constraints of external perceptions and prejudices.

Sincerely,

*Sheldon Thompson*

Dear Education Committee,

My name is Kyle Gesner and I am from the Appoquinimink School District. I am writing today to express my support for HB 125 and share my personal testimony.

As a student in Delaware, this bill is important to me because a lot of families were and still are impacted by the COVID-19 pandemic. Even though it has been almost 4 years after the pandemic started, a lot of families lost their jobs and still are having trouble providing for their family. Families with low incomes have a hard time being able to feed their families at home and a lot of students have to skip eating lunch just because they cannot afford it. Even families with higher incomes still have trouble feeding their kids, there could be a number of things going on within their family, a family member could be sick, having to pay for medication or sports that require a lot of equipment. This bill has the ability to help families that are in tough places and I hope that it will be considered

Sincerely,

Kyle Gessner

Dear Education Committee,

My name is Sophie Douglas and I am from the Appoquinimink School District. I am writing to express my support for HB 125 and share my personal testimony.

Growing up, my mother and her family had very little money. There were times where she would go hungry constantly because there was not enough money to put food on the table. My mother would tell me stories of how holidays were always difficult due to their lack of funds and how her family would portion their already small amounts of food and fight over the remaining turkey leg. Even though both of her parents worked, there were still many nights where she went to bed hungry. That was 40 years ago.

As prices of food and everyday goods and services continue to increase drastically, the number of children going to bed hungry or not having any food at all throughout the day is also increasing. In Delaware, approximately 1 in 7 children face hunger. To put this into perspective, I want to share information regarding my school, Appoquinimink High School. One of my smallest classes contains about 15 students while my largest class contains 35 students. In my smallest class, at least 2 children have the potential to be facing hunger. In my largest class, that number doubles. If we consider my entire school of about 1800 students, those numbers drastically increase.

At my school, I've witnessed students beg others for food because they do not have enough money in their school lunch account. I have overheard conversations like, "Do you have any food? I don't have enough money in my account so would you be willing to go buy lunch for me? No? Ok, I just won't have anything for lunch today. Thanks though." No student should go hungry at school, especially because it may be the only chance they get a meal throughout the day.

During my freshman year, school breakfast and lunch was free, and it was absolutely incredible. Parents no longer had to be concerned with another financial burden during very difficult times. More students actually ate food and were able to thrive because of it. As a student during that time, I vividly remember the relief my mother felt after she picked up our free meals for us (since we were strictly on Zoom that year).

Providing free school breakfast and lunch also reduces the stigma around receiving free meals. Receiving free meals is typically looked down on and I've seen some students be shamed for it. However, there is absolutely nothing wrong with receiving free meals. If all students regardless of their parent's income status received free breakfast and lunch, this stigma would be non-existent. Thus, reducing bullying within schools and providing an even safer learning environment.

One of the primary purposes of school is to provide for students and teach them necessary skills to prepare them for the future. Currently, we are not doing enough to provide for our students. Providing for our students includes ensuring their health and well-being, by making sure they are well-fed and healthy. Instead of spending their time hungry or worrying about their next meal, students would feel energized and engaged in learning and excelling in school.

This bill is one of the most important, if not the most important, bill simply because of how much it provides for our students and the future generations. No child should go to bed hungry and frantically worry about when they might get their next meal. Children should be children and should be making the most out of their school experience.

This bill will improve the lives of many students and families across Delaware, and I truly hope it gets passed.

Sincerely,  
Sophie Douglas