



TERESA L. SCHOOLEY
STATE REPRESENTATIVE
Twenty - Third District

HOUSE OF REPRESENTATIVES
STATE OF DELAWARE
LEGISLATIVE HALL
DOVER, DELAWARE 19901

COMMITTEES
Education, Chair
Capital Infrastructure
Health & Human Development
Veterans Affairs

Education Committee
Meeting Minutes
May 5, 2010

Chair Schooley called the meeting to order at 2:30 pm. Members present were Representatives Barbieri, Jaques, Q. Johnson, Walls, Briggs-King, Miro, Blakey, Kovach and Vice Chair Scott. For a list of guests present, please see attached.

Chair Schooley began the meeting by introducing Rep. Q. Johnson who then introduced **HOUSE BILL 386, AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL BOARDS.** Rep. Q. Johnson commented that this bill requires school board members to receive training on due process. He stated that board members should be knowledgeable on this process. He brought up that an issue going to due process is rare, but they can be very costly. Training members on this process will help cut costs during the due process procedure.

Chair Schooley then asked if there were any questions from the committee. Vice Chair Scott then commented that board members are busy and that Rep. Q. Johnson should take this into consideration when trying to schedule training time. He then brought up that there should also be something implemented to track actual participation in this training.

Rep. Q. Johnson then stated that he agrees that board members have a lot of responsibilities and that being on the board is on a volunteer basis, but this is important training. He commented how there is already orientation for board members, and he would like this training to be easily accessible for the board members. Rep. Q. Johnson brought up that maybe requiring only one member of each board attend this training would make it easier for the board members. Then that member would educate the other members on the process.

Chair Schooley asked for any questions from the public. Seeing none, she asked for a motion. Rep. Scott motioned to release the bill from committee; Rep. Miro seconded the motion. HB 386 was released from committee on a 0-9-0 vote.

Chair Schooley then once again called on Rep. Q. Johnson to introduce his next bill, **HOUSE BILL 387 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION.** Rep. Q. Johnson stated that the bill provides a systematic approach for due process to notify the school board members and parents. A notice will be signed by the school board president. After that, the members and parents will be informed and the due process will continue. If a district would like to appeal to

due process, there will have to be a majority vote by the board members. He then brought up how there should be a notification process, but currently nothing is in place.

Chair Schooley then asked for questions. Susan Francis, of the Delaware School Board Association, commented to the committee that the association members believe that there is not adequate communication between some school boards but would like to keep this a local control issue and would not like to see state legislation mandating it. Rep. Scott then asked Ms. Francis if she would like school boards to have flexibility for a superintendant to make the notification. She stated that they do not believe that the superintendant should have that responsibility and that they do go along with the intent of this bill. They just do not want to see state legislation. She then said that she fears that this legislation will add to more filings.

Rep. Q. Johnson then commented that he has a background in due process and special education. He then stated that if the Delaware School Board Association agrees with the intent, he sees no difference of whether or not it is a state mandate. He commented that if the outcome is the same, what is the difference if there is state legislation. He then commented on the issue of more filings happening because of this bill. He stated that this process happens after the file for due process is made, so he does not see how this will add to more filings. Rep. Q. Johnson then stated that Ms. Francis actually helped write this bill. Through Rep. Q. Johnson and Ms. Francis's collaborative effort, they came to a compromise and that is HB 387

Chair Schooley asked for any more comments. Seeing none, she then asked for a motion. Rep. Jaques motioned to release the bill from committee; Rep. Scott seconded the motion. HB 387 was released from committee on a 0-10-0 vote.

Chair Schooley then turned the committee over to Vice Chair Scott, who then asked Rep. Schooley to introduce her bill, **HOUSE BILL 379 AN ACT TO AMEND TITLE 14 AND TITLE 21 OF THE DELAWARE CODE RELATING TO SCHOOL BUSES**. She stated that this bill includes many revisions relating to school buses that were brought up by the Department of Education. She brought up that the DMV has taken over the regulations involving many school bus issues. The bill takes out a lot of outdated sections like chains on tires and adds in other safety regulations.

Vice Chair Scott asked for any questions or comments from the committee. Rep. Q. Johnson commented that he has dealt with many busing issues where the DMV had one set of regulations and the DOE had a completely different set. He stated that this bill will help clarify any bus-related complications.

Vice Chair Scott asked for any more questions or comments. He then asked for a motion. Rep. Walls motioned to release the bill from committee; Rep. Q. Johnson seconded the motion. HB 379 was released from committee on a 0-9-0 vote.

The meeting adjourned at 2:50 pm.

Respectfully submitted by,

Trevor Felix