



SPONSOR: Rep. Barbieri & Rep. J. Johnson & Rep. Schooley

HOUSE OF REPRESENTATIVES
145th GENERAL ASSEMBLY

HOUSE RESOLUTION NO. 22

CREATING A TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS FOR IMPROVING DELAWARE'S LAWS, REGULATIONS AND SCHOOL DISTRICT POLICIES RELATING TO SCHOOL DISCIPLINE AND VIOLATIONS OF SCHOOL CODES OF CONDUCT.

1 WHEREAS, it the intent of the House of Representatives that all Delaware school children have the opportunity to
2 learn in a safe school environment, free of crime and violence; and

3 WHEREAS, it also the intent of the General Assembly that all school children facing suspension or expulsion as a
4 result of an arrest or violation of a school code of conduct be treated fairly and equitably with appropriate consideration
5 being given to their age and development; and

6 WHEREAS, although Federal and State laws and regulations mandate suspension or expulsion in certain very
7 serious instances, in most school discipline proceedings the local school board has a substantial degree of discretion; and

8 WHEREAS, the House of Representatives believes that "zero tolerance" policies, which require suspension or
9 expulsion of a student regardless of their age or the circumstances of their violation, should be reserved only for the most
10 serious violations of a school's code of conduct; and

11 WHEREAS, in order to make sanctions imposed in school discipline proceedings more uniform and consistent, the
12 House of Representatives believes it is appropriate to create a Task Force to study Delaware laws, regulations and school
13 district policies relating to school discipline and violations of school codes of conduct.

14 NOW THEREFORE:

15 BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware that
16 a Task Force be created for the purpose of studying and making recommendations for improving Delaware's laws,
17 regulations and school district policies relating to school discipline and violations of school codes of conduct.

18 BE IT FURTHER RESOLVED that the Task Force shall be comprised of the following members:

- 19 1. Two members of the House of Representatives, to be appointed by the Speaker of the House;
- 20 2. The Attorney General or of the Attorney General's designee;
- 21 3. The Public Defender or the Public Defender's designee;
- 22 4. The Chief Judge of the Delaware Family Court or the Chief Judge's designee;

23 5. Two representative(s) from the Department of Education, one of whom shall have experience in school climate
24 and discipline and one of whom shall have experience in services for children with disabilities, to be designated by the
25 Secretary of Education;

26 6. The Secretary of Department of Health and Social Services or the Secretary's designee;

27 7. The Secretary of the Department of Services for Children, Youth and their Families, or the Secretary's
28 designee;

29 8. One School District Superintendent, or their designee, from each County, to be appointed by the Speaker of the
30 House;

31 9. One member of the Delaware School Boards Association;

32 10. One member of Delaware State Education Association;

33 11. One member of the Delaware Association of School Administrators;

34 12. One school resource officer from each county, to be designated by the Superintendent of the Delaware State
35 Police; and.

36 13. One member of the Delaware Center for Justice, to be designated by the Executive Director.

37 BE IT FURTHER RESOLVED that the Speaker shall designate one of the House members to serve as
38 Chairperson of the Task Force;

39 BE IT FURTHER RESOLVED that the Chairperson of the Task Force shall be responsible for guiding the
40 administration of the Task Force by, at a minimum:

41 1. setting a date, time and place for the initial organizational meeting;

42 2. supervising the preparation and distribution of meeting notices, agendas, minutes, correspondence, and reports
43 of the Task Force; and

44 3. ensuring that the final report of the Task Force is submitted to the Speaker of the House of Representatives, the
45 Director of the Division of Research of Legislative Council and the Delaware Public Archives.

46 BE IT FURTHER RESOLVED that the Task Force shall submit a report of its findings and recommendations on
47 or before January 15, 2010.

SYNOPSIS

This House Resolution creates a Task Force to study Delaware's laws, and regulations and school district policies relating to school discipline and violations of school codes of conduct. The Task Force shall prepare a report of its findings and recommendations by January 15, 2010.