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HOUSE OF REPRESENTATIVES
145th GENERAL ASSEMBLY

HOUSE BILL NO. 347

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE MANDATORY REPORTING OF SCHOOL CRIMES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend §4112(a)(4), Title 14 of the Delaware Code by striking the language “under 18 years of
2 age” as the same appears after the word “student” and before the period “.” at the end of the paragraph.

3 Section 2. Amend §4112(a)(7), Title 14 of the Delaware Code by striking the language “18 years of age or
4 older” as the same appears after the word “persons” and before the word “hired”.

5 Section 3. Amend §4112(a)(8), Title 14 of the Delaware Code by striking the language “in the State” that
6 appears after the word “event” and before the period “.” at the end of the paragraph.

7 Section 4. Amend §4112(a)(10), Title 14 of the Delaware Code by striking the language “18 years of age or
8 older” that appears after the word “person” and before the word “who” in the first sentence of the paragraph.

9 Section 5. Amend §4112(b)(2), Title 14 of the Delaware Code by striking the number 9 wherever it appears
10 therein and substituting the number “12” in lieu thereof.

11 Section 6. Amend §4112(b)(3), Title 14 of the Delaware Code by striking the language “under the age of
12 18” as the same appears after the word “student” and before the word “has” in first sentence of the paragraph.

13 Section 7 Amend §4112(b)(4)d., Title 14 of the Delaware Code by striking the number 9 where it appears
14 therein and substituting the number “12” in lieu thereof.

SYNOPSIS

This Act implements recommendations of the Legislative Subcommittee of the School Discipline Task Force created by House Resolution No. 22 of the 145th General Assembly. Under current Delaware law, school officials have a mandatory obligation to report to the police and, in certain instances, initiate criminal prosecution of specific misdemeanor offenses (Assault in the 3rd Degree, Unlawful Sexual Contact in the 3rd Degree, Offensive Touching and Terroristic Threatening) committed by students over the age of 9. This Act would raise the age to 12. School officials would still be required to file a written report of the incident with the District superintendent, who in turn must file a written report with the Department of Education. This act also removes references to “under the age of 18” when referring to students and also makes other minor technical changes recommended by the Task Force.