



KIDS COUNT in Delaware Legislative Wrap-Up



Highlights of the 147th Delaware General Assembly July 2014

Delaware’s Legislature is made up of the Senate and the House of Representatives. Both bodies are composed of elected officials, whose districts are determined based on population. In order to be a member of the Delaware Legislature, a person must be a US citizen, have been a Delaware resident for three years and have lived in their home district for a minimum of one year preceding the election. Additionally, there are minimum age requirements for serving in office: Senators must be at least 27 and Representatives must be at least 24. All of Delaware’s elected legislators serve on a part-time basis and most of Delaware’s elected legislators have other employment.

The Delaware Senate has 21 members who are elected to staggered 4-year terms.

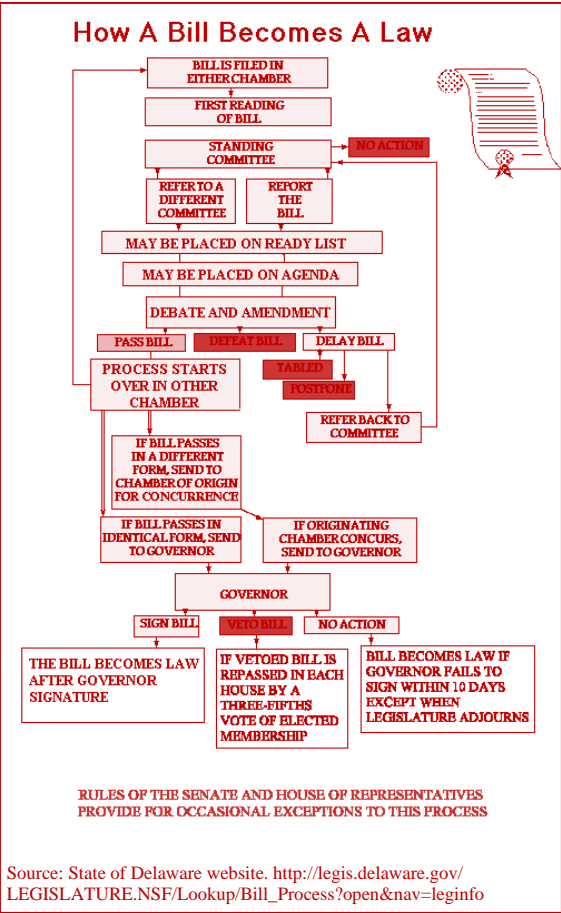
The Delaware House of Representatives has 41 members who each must stand for election every 2 years.

Legislative Sessions in Delaware... After each general election concludes in Delaware, a new General Assembly is established for the following two years. Legislation introduced but not acted upon during the first year is carried over into the second year. Legislation introduced but not acted on by the end of the second year dies. In other words, it does not get carried over into the next General Assembly.

Delaware’s Kids Caucus

The Delaware Legislative Kids Caucus enjoys bipartisan support with members from both the Senate and House of Representatives. The Kids Caucus believes that all children deserve:

- ★ to be free from hunger and preventable disease and to receive regular health care,
- ★ a safe and nurturing start in the first 3 years of life, including access to quality early child care,
- ★ an education that prepares them to meet the future and inspires them to achieve their potential,
- ★ to grow up free from abuse, violence and the devastation of alcohol and other drugs,
- ★ a secure future and to grow up in an economically stable family and
- ★ to live in a community that provides a clean, safe environment with economic opportunities for all.





Selected Legislation Affecting Children Approved in FY 2014

Health

Tobacco Substitutes: defines tobacco substitute to include e-cigarettes. Prohibits selling/distributing tobacco substitutes to minors and minors from purchasing/receiving tobacco substitutes.

HB 241

Emergency Medication in Schools: ensures emergency medications are available for administration by the School Nurse or Trained Person to individuals showing symptoms of a life-threatening allergic or asthmatic reaction.

SB 246 w/SA 1

School Nurses: allows districts to hire qualified school nurses in a timely and appropriate manner.

SB 247 w/SA 1

Student Athletes: outlines procedures for dealing with Sudden Cardiac Arrest in student athletes.

SB 205 aka Grace Firestone Act

Down Syndrome: requires hospitals, physicians and health professionals to provide information, resources & link to support groups to parents who have received a diagnosis of Down Syndrome.

HB 214 w/ HA 1

Mentally Ill: based on recommendations made by the HJR 17 Study Group, includes substantive changes to modernize procedures, provide better civil rights protections to patients and add due process protections for youth.

HB 346 w/HA 1 + SA 1

Vaccinations: establishes value of vaccinations as a public health tool and encourages utilization to promote health across all age groups.

SCR 66

Treatment of Drug Overdose: allows peace officers who have completed a DHSS approved training course to receive, carry and administer the drug Naloxone in order to counteract the effects of an opioid-related overdose.

HB 388 w/HA 1 + SA 1 + HA 2

Treatment of Drug Overdose: increases the amount of the drug Naloxone in the community, targeting those most likely to discover and administer to someone who has suffered an opioid-related overdose, in order to counteract effects while waiting for first responders to arrive.

HB 388 w/HA 1 + SA 1 + HA 2

Education

Child Care: allows a licensee or potential licensee of Child Care to appeal a decision by the Secretary of DSCYF to revoke, suspend or deny their application for a license.

HB 366 w/HA 1, HA 1 to HA 1

Good Cause: amends the definition of good cause to include reported and recorded acts of Bullying.

SB 218 w/SA 1

School Safety: amends the Omnibus School Safety Act to require schools be in compliance by September 2014 instead of September 2017.

HB 340

Assessment: provides for the transition of the state's standardized assessments to the Smarter Balanced Assessment System.

HB 334

Students with Disabilities: permits state's most severely cognitively disabled students, with consent of parents, IEP teams and school districts—to receive special exemptions from taking DE's standardized assessments. Requires interventions be provided for targeted young students to ensure necessary assistance in learning to read.

SB 229 w/SA 2, SA 3 + HA 1

Educator Evaluations: allows Local Education Agencies to develop alternative educator evaluation systems.

SB 168

Educator Compensation: establishes parameters for an improved educator compensation system.

SB 254 w/HA 1



Selected Legislation Affecting Children Approved in FY 2014

School Choice: promotes uniformity in timing of application process for districts, charters, magnets and career/technical education schools.

HB 337 w/HA 1

Charter Schools: requires DOE further define the meaning and process for consideration of impact in charter school application review process.

SB 209 w/SA 1

Scholarship Awareness: requires public middle & high schools include information on SEED & Inspire scholarship programs in all printed and electronic communications about school activities.

HB 267 w/HA 1

Child Welfare

Sexual Predator Protections: specifies that a person commits the offense of Sexual Solicitation of a Child or Promoting Sexual Solicitation of a Child through any method of electronic communications and defines child to include those who represent themselves to be younger than 18, those who the person believes to be younger than 18 and those who are younger than 18.

HB 256 w/ HA 1 + SA 1 + HA 2

Human Trafficking: seeks to prevent and penalize the criminal conduct—trafficking, forced labor and sexual servitude—at the core of human trafficking; provides essential protections for human trafficking victims; promotes partnerships in the fight against human trafficking, elevates public awareness and fosters development of coordinated victim services.

SB 197 w/SA 2

Child Protection Accountability Commission: expands the Child Protection Accountability Commission from 20 to 24 members.

SB 230

Child Protection Registry: requires a hearing and appointment of counsel for every child prior to placement on the Child Protection Registry; sets

criteria for Court to consider for early removal from registry; provides mechanism for removal from registry if person was placed on as a child; adds new child abuse crimes to registry.

SB 181 w/SA 2

Protective Orders: removes 6-month limitation on extension of Family Court Protective Orders when there is additional domestic violence since entry of original order, violation of order has occurred, respondent consents or good cause shown.

HB 382

Protecting Delaware's Children Fund: creates check box for donations to Protecting Delaware's Children Fund on individual income tax return.

SB 182

Protecting Delaware's Children Fund: creates a "Stop Child Abuse" license plate, with proceeds going to the Protecting Delaware's Children Fund.

HB 253 w/HA 1

Guardianship: clarifies that permanent guardianship meets the goals of permanency.

HB 223

Guardianship: clarifies circumstances under which a parent may not consent to guardianship, when guardianship may be rescinded, and clarifies standard under which the Family Court must determine competing guardianship petitions.

HB 251

Guardianships: modifies current requirement to appoint a guardian in all cases involving minors who receive money/property.

HB 227

Sentencing: gives Family Court discretion in sentencing a child for delinquency to waive or suspend fines, court costs or penalty assessments.

HB 290 w/ HA 1

Juvenile Probation Officers: clarifies training requirements of Juvenile Probation Officers in the Serious Juvenile Offender unit.

HB 226 w/ HA 1



Selected Legislation Affecting Children Approved in FY 2014

Child Abuse: clarifies duties of the Investigation Coordinator in the child protection system.

HB 376

Child Support: amends Uniform Interstate Family Support Act relating to registration of child support orders and/or income-withholding orders from other states.

HB 407 w/HA 1

Community Gardens: requests DNREC, DOT and Ag form a group to identify opportunities to expand community gardens on state-owned property and fashion a plan for implementation.

HR 40

People First Language: specifies that the order of terms used to describe any individual places the person first and the description of the person second. This effort was initiated during the 146th General Assembly and this bill continues process of making additional PFL changes to Code.

HB 416 w/HA 1

Economic Well-Being

Minimum wage: increases minimum wage to \$7.75 per hour effective July 1, 2014 and \$8.25 per hour effective July 1, 2015.

SB 6 w/SA 2 + HA 1

Pregnancy: addresses pregnancy accommodations and clarifies that prohibitions against sex discrimination in employment includes pregnancy.

SB 212 w/SA 1, SA 2

Worker's Compensation: amends Title 18 and 19 of Delaware Code designed to control the level of workers' compensation premiums in Delaware.

HB 373 w/HA 1, HA 2

Misc.

Conditional Licenses: allows for conditional license to attend school or job training for those with drug offense conviction revoked license.

HB 229 w/HA 1

Cell Phone and Seatbelt Violations: adds cell phone & seatbelt violations to list of offenses where arrest is permissible when observing officer relays violation information to another officer and is able to verify appropriate vehicle was stopped.

HB 280

Crafting Effective Policy

Intensive work goes into crafting effective policy solutions for Delaware's children. An important component in this process is for creation of a structured body to analyze/recommend potential actions. To this effect, resolutions were passed which establish new Task Forces focused on kids in the areas of:

- ★ Statewide services for the deaf, hard of hearing and deaf-blind. (HR 42)
- ★ Autism Education (SCR 65)
- ★ Alternative solutions to school retention and social promotion (HR 23)
- ★ Delaware's public school Individualized Education Plan (IEP) process (SCR 63 w/ SA 1)
- ★ Low wage service workers (SCR 60)

Additionally, \$1.3 million in support was added to the FY15 budget for home visiting work in DE.

***Children are 26% of our population
But 100% of our future.***

KIDS COUNT in Delaware is housed in the University of Delaware's Center for Community Research and Service and led by a board of child and family advocates. KIDS COUNT in Delaware thanks the Annie E. Casey Foundation, the University of Delaware and the State of Delaware for ongoing support.

KIDS COUNT in Delaware would like to thank the many Delawareans involved in our state's political process. From advocates and lobbyists to staff members and legislators— it takes everybody working together to make a positive change for Delaware's kids!