



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES
MARGARET M. O'NEILL BUILDING
410 FEDERAL STREET, SUITE 1
DOVER, DE 19901

VOICE: (302) 739-3620
TTY/TDD: (302) 739-3699
FAX: (302) 739-6704

MEMORANDUM

DATE: April 30, 2014

TO: All Members of the Delaware State Senate
and House of Representatives

FROM: Ms. Daniese McMullin-Powell, Chairperson
State Council for Persons with Disabilities

RE: H.B. 263 (School District Nurse Funding)

The State Council for Persons with Disabilities (SCPD) has reviewed H.B. 263, which authorizes districts to apply for supplemental State funds subject to annual appropriations. The bill also authorizes a district which receives the supplemental State funds to increase its local tax to pay for the local share of employment costs without referendum. See line 11 and Title 14 Del.C. §1902(b).

This legislation was introduced on March 18, 2014. As of April 3 it remained in the House Appropriations Committee. The attached fiscal note reflects a State cost of \$1,169, 647 in FY15.

As background, the attached Title 14 Del.C. §1310 currently authorizes school nurse funding for districts based on 1 nurse per 40 state units of pupils. Districts are also required to have "at least 1 school nurse per facility". If the "1-40" funding formula is insufficient to provide for 1 nurse per facility, the districts are directed to use either Division III equalization funds (§1707), academic excellence funds (§1716), or discretionary local operating expense funds to make up the shortfall. The implication of the synopsis to H.B. No. 263 is that some public schools lack a nurse despite the statutory requirement.

SCPD endorses the proposed legislation. The availability of school nurses has several salutary effects. First, it promotes inclusion of students with disabilities who may require some nursing services to be successful in integrated settings. Second, it facilitates screening of students for health problems. Third, it facilitates quick response in the event of a student injury or emergency (e.g. seizure).

Thank you for your consideration and please contact SCPD if you have any questions regarding our observations on the proposed legislation.

cc: Mr. Brian Hartman, Esq.
Governor's Advisory Council for Exceptional Citizens
Developmental Disabilities Council

HB 263 school district nurse funding 4-30-14

147TH GENERAL ASSEMBLY

FISCAL NOTE

BILL: HOUSE BILL NO. 263
SPONSOR: Representative Jaques
DESCRIPTION: AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL NURSES.

ASSUMPTIONS:

1. Effective upon signature of the Governor.
2. Delaware Code requires at least one school nurse per facility where state funding is provided at a rate equal to 1 nurse for each 40 state units of pupils. School districts and charter schools also qualify for partial funding for nurses at the rate of 30% of the fractional part of 40 state units of pupils. This formula does not sufficiently provide the full state share of funding to support at least one school nurse per facility, and when this occurs, districts are directed to meet the requirement through discretionary local operating funds or state equalization or academic excellence funds.
3. This legislation will provide the appropriate state share of funding for school districts and charter schools when the existing state funding formula does not provide for the requirement of one school nurse per facility. School districts that receive such state funding will be able to provide the local funding through the match tax pursuant to 14 Del. C. §1902(b).
4. This legislation will generate an additional 17.73 state units of funding for nurses at an average state share of salary of \$41,835 and an average local share of salary of \$24,268. Other employment costs are equal to 30.44% and health insurance costs at \$11,400 per employee.
5. Overall salary and employment costs are assumed to grow 3% annually.

Cost:

	State Share	Local Share
Fiscal Year 2015:	\$1,169,647	\$561,243
Fiscal Year 2016:	\$1,204,737	\$578,080
Fiscal Year 2017:	\$1,240,880	\$595,423

Office of Controller General
March 19, 2014
MJ: MJ
0271470015

(Amounts are shown in whole dollars)

§ 1310 Salary schedules for school nurses.

(a) All nurses who hold appropriate certificates shall be paid in accordance with § 1305 of this title effective July 1, 1979.

(b) A reorganized school district may employ personnel to be paid for 10 months per year from state funds pursuant to this section in a number equal to 1 for each 40 state units of pupils, except that in schools for the physically handicapped within the district the allocation shall be in accordance with the rules and regulations adopted by the Department with the approval of the State Board of Education; provided further, that each reorganized school district shall ensure that it has at least 1 school nurse per facility. To the extent that the funding formula outlined above does not provide for 1 school nurse per facility, each reorganized school district shall meet this requirement out of funding provided under § 1707 or § 1716 of the title, or out of discretionary local current operating expense funds. Districts shall qualify for partial funding at the rate of 30% of the fractional part of 40 state units of pupils.

46 Del. Laws, c. 48, § 3; 47 Del. Laws, c. 195, § 1; 48 Del. Laws, Sp. Sess., c. 489, § 3; 14 Del. C. 1953, § 1310; 50 Del. Laws, c. 261, § 4; 50 Del. Laws, c. 602, § 1; 52 Del. Laws, c. 344, § 8; 54 Del. Laws, c. 43, § 6; 55 Del. Laws, c. 409, § 4; 56 Del. Laws, c. 143, § 3; 56 Del. Laws, c. 292, § 13; 56 Del. Laws, c. 470, § 3; 57 Del. Laws, c. 333, § 8; 58 Del. Laws, c. 189, § 3; 58 Del. Laws, c. 305, §§ 3, 8, 9; 58 Del. Laws, c. 553; 59 Del. Laws, c. 34; 60 Del. Laws, c. 31, § 1; 61 Del. Laws, c. 407, § 3; 61 Del. Laws, c. 409, § 106; 62 Del. Laws, c. 36, § 1; 62 Del. Laws, c. 68, §§ 42(e), 105; 62 Del. Laws, c. 86, § 39; 70 Del. Laws, c. 118, § 317; 70 Del. Laws, c. 210, § 90; 70 Del. Laws, c. 290, §§ 38, 39; 71 Del. Laws, c. 180, § 68; 75 Del. Laws, c. 350, § 382.;