

STATE OF DELAWARE



EXECUTIVE DEPARTMENT DOVER

EXECUTIVE ORDER
NUMBER NINETY-TWO

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES
RE: ESTABLISHMENT OF THE CAPITAL CONSTRUCTION
EQUALIZATION EVALUATION TASK FORCE

WHEREAS, major and minor capital improvement funding for regular school construction has historically been funded on a 60/40 state/local basis; and

WHEREAS, major and minor capital improvement funding for vocational school districts and special education schools has historically been funded on a 100% state basis; and

WHEREAS, these funding practices do not take into account the ability of a local district to generate its share of construction costs; and

WHEREAS, the need to provide quality instructional facilities for the public school students of this state is essential to our continued economic stability and progress; and

WHEREAS, the quality of educational facilities should not vary based solely on the wealth or ability of local districts; and

WHEREAS, Senate Bill No. 460 of the 134th General Assembly, if enacted, would have established minimum local contributions that in some cases were unjustifiably low and as a result would not have provided for an appropriate level of local effort; and

WHEREAS, the hold-harmless provisions included in said Senate Bill No. 460 would have maintained a minimum 60% state share despite the fact that applying the ability indexes established in the bill to several of the districts with larger and more diversified tax bases would have required larger local cost shares; and

WHEREAS, said Senate Bill No. 460 did not address the equity issues associated with 100% state financing of vocational school districts and special education schools; and

WHEREAS, equalizing the costs of capital improvements will have a substantial impact on future bond bills; and

WHEREAS, the Delaware General Assembly recently enacted new Debt Affordability legislation that did not contemplate increased state funding for school districts.

NOW, THEREFORE, I, MICHAEL N. CASTLE, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby declare and order that:

1. The Capital Construction Equalization Evaluation Task Force is hereby created and is to be composed of the following persons:
 - a. one member of the State Board of Education to be appointed by the President of the Board and who shall serve as the chairperson of the Task Force;
 - b. one member of the Senate appointed by the President Pro-Tempore;
 - c. one member of the House of Representatives appointed by the Speaker of the House;
 - d. four local school district superintendents, including one from each county and one from a vocational district, to be appointed by the Governor;
 - e. the Secretary of Finance;
 - f. the Director of the Office of the Budget;
 - g. the Director of the Delaware Development Office;
 - h. two public members to be appointed by the Governor.
2. The Capital Construction Equalization Evaluation Task Force is charged with the following responsibilities:
 - a. To develop a plan to address the inequities that exist in the current system so as to assure that the ability of poorer school districts to finance needed capital costs is not precluded;
 - b. To recommend whether or not vocational school districts and special education schools should be included in a capital equalization program;
 - c. To develop appropriate recommendations for maximum and minimum state contributions for all public education capital improvements;

- d. To conduct a thorough analysis of the potential impact various alternatives will have on the state's capital budget given anticipated or desirable construction needs and existing limitations on bonded indebtedness; and
 - e. To make such other recommendations regarding public education construction financing as the Task Force deems appropriate for consideration including recommendations as to a reasonable implementation date or dates recognizing the need to balance equity issues and the state's current fiscal condition.
3. The Committee shall report its findings to the Governor by June 10, 1991.

APPROVED this 15th
day of April, 1991.

Michael N. Castle
Governor

ATTEST:

[Signature]
Secretary of State

