



SPONSOR: Rep. K. Williams & Sen. Sokola
Reps. Baumbach, Bentz, Jaques, Keeley, Mitchell; Sens.
Marshall, Poore, Townsend, Walsh

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE SUBSTITUTE NO. 1
FOR
HOUSE BILL NO. 85

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS.

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

1 Section 1. Amend § 506, Title 14 of the Delaware Code by making deletions as shown by strikethrough and
2 insertions as shown by underline as follows:

3 § 506. Restrictions.

4 (b) Preferences in student admissions may be given to:

5 (3) Students enrolling in a ~~new~~ (nonconverted) charter school may be given preference under the following
6 circumstances as long as the school has described its preferences in the school's charter:

7 a. ~~Students residing within a 5-mile radius of the school.~~ In the case of any charter school located within a
8 regular district comprised of one or more non-contiguous areas, students residing in that area of the regular school
9 district in which the charter school is located.;

10 b. Students residing within the regular school district in which the school is located;

11 c. Students who have a specific interest in the school's teaching methods, philosophy, or educational
12 focus;

13 d. Students who are at risk of academic failure;

14 e. Children of persons employed on a permanent basis for at least 30.0 hours per week during the school
15 year by the charter school.

16 Section 2. This Act takes effect upon enactment. For any charter school currently exercising a preference
17 eliminated by this Act, the school shall remove such preference from its charter prior to beginning the enrollment process
18 for the 2018-2019 school year. The school may replace the 5-mile preference with the new preference articulated in Section
19 1 of this bill (14 Del C. § 506(b)(3)a.) at the same time. Notification by the school to the authorizer of the removal of the 5-

20 mile preference, and replacement with the new preference where desired, shall constitute an agreement between the school
21 and authorizer to so modify the charter without need for further proceedings.

SYNOPSIS

This bill eliminates the use of an enrollment preference for students living within a 5-mile radius of a charter school. This change was supported by a majority vote of the Enrollment Preferences Task Force established by House Bill No. 90 of the 147th General Assembly. The Act will take effect immediately. For any charter school using the 5-mile preference at the time of enactment, the school is required to eliminate the preference through notification to the authorizer prior to the 2018-2019 school year. The bill allows a new preference for students located in the portion of the regular school district that is geographically contiguous with the location of the charter school.