



SPONSOR: Rep. Jaques & Rep. Chukwuocha & Sen. Sturgeon  
Reps. Baumbach, Briggs King, Collins, Hensley,  
K. Johnson, Q. Johnson, Ramone, Shupe, Michael Smith,  
K. Williams; Sens. Delcollo, Hansen, Lockman

HOUSE OF REPRESENTATIVES  
150th GENERAL ASSEMBLY

HOUSE SUBSTITUTE NO. 1  
FOR  
HOUSE BILL NO. 238

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO OPTIONAL MID-YEAR UNIT  
COUNT.

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

1 Section 1. Chapter 17, Title 14 of the Delaware Code by making deletions as shown by strike through and  
2 insertions as shown by underline as follows and redesignating accordingly:

3 § 1704A Optional mid-year unit count.

4 (a) A reorganized school district which experiences enrollment growth during the school year but after the actual  
5 unit count as described in § 1704 of this chapter has been certified and reported, may at its option participate in an “optional  
6 mid-year unit count” on the last school day of January. The “optional mid-year unit count” shall be the number calculated  
7 by multiplying the total actual unit count certified under § 1704, by the ratio of the total district enrollment of students not  
8 included in the actual unit count by any reorganized school district, vocational-technical school district, or charter school in  
9 the State on the last school day in January to the total district enrollment on the last school day in September.

10 (b) The Department of Education shall annually (after January 31) certify and report the “optional mid-year unit  
11 count” as required in § 1710 of this title. Reorganized school districts shall qualify only for the following state financial  
12 support for each additional unit generated by the optional mid-year unit count.

13 (c) Additional units generated by the optional mid-year unit count shall be utilized only in schools which  
14 experienced enrollment growth between the last school day in September and the last school day in January.

15 The optional unit count shall be done in accordance with § 1703 of this title, and certified and reported by the  
16 Department of Education under § 1710 of this title. School districts shall qualify for one-half of the value of the Division I  
17 and Division II state financial support per unit for each additional unit generated by the optional unit count. The optional  
18 unit count must not be utilized to reduce or rescind units or funding previously earned or allocated through the actual unit  
19 count to any school district.

### SYNOPSIS

This Act permits a school district to conduct on the last day of January an optional unit count of pupils who enrolled after the actual unit count was conducted and certified by the Department of Education. A school district will qualify for one-half of the value of the Division I and Division II state financial support for each additional unit under the optional unit count.