



SPONSOR: Rep. Chukwuocha & Rep. S. Moore & Rep. K. Williams
& Sen. Sturgeon
Reps. Baumbach, Heffernan, Hensley, K. Johnson,
Lambert, Minor-Brown, Michael Smith; Sen. Hansen

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE SUBSTITUTE NO. 1
FOR
HOUSE BILL NO. 54

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. Amend 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) The Department of Education shall conduct an “optional mid-year unit count” on the last day of January for all
5 school districts and charter schools. The “optional mid-year unit count” will identify school districts and charter schools
6 that experience unit growth during the school year but after the actual unit count as described in § 1704 of this chapter has
7 been certified and reported. The “optional mid-year unit count” shall be conducted in accordance with § 1703 of Title 14 to
8 calculate any units generated in addition to the total district units on the last school day in September, as certified in the
9 actual unit count as required in § 1704.

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. The Department of Education shall promulgate rules and regulations necessary to
12 implement § 1704A to include use of the state pupil and accounting system enrollment information as the basis of the
13 calculations.

14 (c) School districts and charter schools that elect to participate in the optional mid-year unit count shall receive
15 state financial support for each additional unit, or fraction thereof, in an amount determined by the annual Appropriations
16 Act. The state financial support may be used for any Division I, II, or III purpose. The optional mid-year unit count may not
17 be utilized to reduce or rescind units or funding previously earned or allocated through the actual unit count to any school
18 district.

19 (d) Funding associated with the additional units generated by the optional mid-year unit count shall be utilized
20 only in schools which experienced unit growth between the last school day in September and the last school day in January.

21 Section 2. Amend § 1710, Chapter 17, Title 14 of the Delaware Code by making deletions as shown by strike
22 through and insertions as shown by underline as follows:

23 § 1710. Certification of number of units by Secretary of Education. ---The number of units in each school district
24 as calculated under § 1704 and § 1704A of this title shall be certified by the Secretary of Education as soon as such
25 calculations are completed.

26 Section 3. This Act shall become effective July 1, 2021.

SYNOPSIS

 This Act establishes an optional mid-year unit count and associated funding provisions. School districts and charter schools that elect to participate in the optional mid-year unit count shall receive state financial support for each additional unit, or fraction thereof, in an amount determined by the annual Appropriations Act.