



SPONSOR: Rep. K. Williams & Sen. Blevins
Reps. Baumbach, Bolden, Q. Johnson, Keeley, Kowalko,
Lynn, Paradee, Potter; Sens. Ennis, Hall-Long, Hocker,
Poore, Richardson

HOUSE OF REPRESENTATIVES
148th GENERAL ASSEMBLY

HOUSE BILL NO. 250

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL BULLYING.

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

1 Section 1. Amend Chapter 4, Title 14 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 402. Definitions.

4 For the purposes of this chapter, the following terms shall have the following meanings:

5 (2) "Good cause" shall mean a change in a child's residence due to a change in family residence, a change in the
6 state in which the family residence is located, a change in a child's parent's marital status, a change caused by a
7 guardianship proceeding, placement of a child in foster care, adoption, participation by a child in a foreign exchange
8 program, a reported, ~~and recorded,~~ and substantiated instance of "bullying" against their child as defined in § 4112D of this
9 title, or participation by a child in a substance abuse or mental health treatment program, or a set of circumstances
10 consistent with this definition of "good cause."

11 § 407. Duration of enrollment in receiving district.

12 (a) (2) A pupil accepted for enrollment in a school or program pursuant to this chapter shall remain enrolled
13 therein for a minimum of 2 years unless, during that 2-year period,

14 g. The pupil's parents or guardians wish to terminate the agreement due to a reported, ~~and recorded,~~ and
15 substantiated instance of "bullying" against their child as defined in § 4112D of this title.

16 Section 2. Amend Chapter 5, Title 14 of the Delaware Code by making deletions as shown by strike through and
17 insertions as shown by underline as follows:

18 § 506. Restrictions.

19 (d) A pupil accepted for enrollment in a charter school pursuant to this chapter shall remain enrolled therein for a
20 minimum of 1 year unless, during that 1-year period, good cause exists for the failure to meet this requirement. For
21 purposes of this section only, "good cause" shall be defined as a change in a child's residence due to a change in family

22 residence, a change in the state in which the family residence is located, a change in the marital status of the child's parents,
23 a change caused by a guardianship proceeding, placement of a child in foster care, adoption, participation by a child in a
24 foreign exchange program, participation by a child in a substance abuse or mental health treatment program, a reported, ~~and~~
25 recorded and substantiated instance of "bullying" against their child as defined in § 4112D of this title, mutual agreement
26 by the board of directors of the charter school, the board of the receiving district and the parent or parents or guardian of
27 such child to the termination of such enrollment, or a set of circumstances consistent with this definition of "good cause."

SYNOPSIS

In 2014, the Legislature passed a bill adding instances of "reported and recorded" bullying to the list of reasons why a child could be withdrawn from a choice or charter school before the expiration of the statutory minimum enrollment period or why an application for admission or withdrawal could be accepted outside of the statutory timeframe for submission. This bill seeks to clarify and strengthen that law by adding a requirement that the instance of bullying must also be substantiated. This will ensure the integrity of the law by limiting its exploitation by persons who wish to change schools for unrelated reasons, but preserving the exception for children truly in need of special consideration due to school bullying.