

# DELAWARE

(Law passed in 1995; last amended in 2011; 18th strongest of the nation's 42 charter laws)

22 schools serving 9,816 students.

4 charter schools closed as of December 2011.

## NOTEWORTHY

Prestige Academy, Delaware's first same-sex public school, only opened after a change to the state law allowed for same-sex schools and mandated that an all-girls school also be created (REACH Academy for Girls, which opened in 2010). Ninety percent of the students at Prestige Academy are minority, 69 percent are at-risk, and in 2010 the school received a "Superior" academic rating from the state. Prestige Academy's strict behavioral standards help prepare young men for college and life beyond school.

## INDEPENDENT OR MULTIPLE AUTHORIZERS - YES (2)

APPROVAL	School boards or the State Department of Education.
APPEAL	None.

## OPERATIONAL AUTONOMY

STATE	Yes. Blanket waiver from most rules and regulations governing traditional public schools. The Department of Education has the authority to create additional rules and regulations at will. Virtual schools are not allowed. Management contracts with ESPs are not restricted.
LOCAL	Limited. School district has some control over a charter's budget and funding decisions.
TEACHER FREEDOM	Yes. Teachers are not covered by the district bargaining agreement and may negotiate as a separate unit, or work independently. Charter schools are not required to participate in state's retirement system.

## NUMBER OF SCHOOLS ALLOWED

CAP	While there is no cap, the law permits any local board or state Department of Education, with approval from State Board to at will limit their number of approvals or refuse to accept applications, imposing a moratorium.
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# DELAWARE

(Continued)



## EQUITY

STUDENT FUNDING	<p>Funds pass from the state and district to the school. State monies are based on unit funding formula and local funding amount based on previous years per pupil expenditure (in students' district of residence). Districts do not always pass full funding to the charter.</p> <p>“Charter schools shall be eligible for public funds under procedures established by this section. Notwithstanding that this Code may establish procedures for the funding of a public school choice program and that such program may include charter schools among those schools which students may choose, funding for charter schools shall be as provided in this section.” [14 Del. C. § 509.]</p>
FACILITIES FUNDS	No Additional Funds.

## IMPLEMENTATION POINTS

- 2	Two points are deducted because the state has imposed a de facto cap by not encouraging or working to improve charter environment.
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[LINK TO THE DELAWARE CHARTER SCHOOL LAW](#)