



SUPPORT SENATE BILL 56 TO SECURE THE OPPORTUNITY FUNDS AND ENSURE STUDENTS WHO ARE LOW-INCOME, ENGLISH LEARNERS, AND LIVING WITH DISABILITIES ARE PRIORITIZED AND SUPPORTED.



Opportunity funding is **a path toward equity in education** in Delaware.

SB 56 was introduced to:

- establish **parameters for how the funding will be distributed** to school districts and charter schools
- **make the opportunity funds permanent**, so the funds can continue to support vulnerable student populations for the long-term¹

2018

DEO AND NAACP FILE LAWSUIT

In 2018, the Delawareans for Educational Opportunity (DEO) and the NAACP of Delaware sued the state of Delaware declaring, "Delaware fails to provide all low-income children, children with disabilities, and children whose first language is not English...with a meaningful opportunity to obtain an adequate education, one that will enable them to participate as active citizens in a democracy, to be employed in a modern economy, and to enjoy the benefits of our country's social and cultural life."²

2018

OPPORTUNITY FUNDING PILOT

Delaware Governor John Carney introduced opportunity funding as a three-year pilot program. Opportunity funds are an additional source of funding for Delaware public school students who are low-income and who are English Learners (ELs). Over the course of the three-year pilot program, opportunity funds intended to provide \$60 million additional dollars for EL students and students who are low-income, as well as \$15 million in mental health and reading support.

2020

DEO AND NAACP REACH AGREEMENT WITH STATE OF DELAWARE

\$25 million in Opportunity Funding (instituted on a temporary basis after the lawsuit) will become permanent and more than double to \$60 million by the 2024-2025 school year. After, \$60 million will increase proportionally with student growth.³

Resources will be allocated specifically to schools serving English Language learners and low-income students, in proportion to the # of students at each school. \$15 million is reserved for mental health and reading support in schools with highest concentrations of low income and ELs.⁴



ADDITIONAL RESOURCES

- Delaware Education Funding Lawsuit Settlement Minimum State Actions Needed for Compliance⁵
- From 1973-2017, Delaware was one of the few states where no equity or adequacy litigations were filed in the state courts. Review some of the other school funding litigation cases⁶
- Implementing the opportunity funds could be a step towards Delaware shifting to a weighted funding system. In a weighted funding model, also called a foundation formula, districts receive a base amount of funding per student with additional money or weights added to meet the needs of high-need student populations. Learn more about different funding models⁷ and see how Delaware compares.⁸

¹<https://legis.delaware.gov/BillDetail?LegislationId=48348>

²https://www.aclu-de.org/sites/default/files/field_documents/deo_v_carney_complaint_final.pdf

³<https://www.aclu-de.org/en/cases/aclu-de-challenges-states-allocation-resources-schools>

⁴<https://www.aclu-de.org/en/cases/aclu-de-challenges-states-allocation-resources-schools>

⁵<https://cpb-us-w2.wpmucdn.com/sites.udel.edu/dist/7/3504/files/2021/03/education-settlement-time-line-020921.pdf>

⁶<https://edlawcenter.org/news/archives/school-funding-national/school-funding-litigation-from-coast-to-coast.html>

⁷<https://www.ecs.org/50-state-comparison-k-12-funding/>

⁸<https://internal-search.ecs.org/comparisons/k-12-funding-01>