



ANALYSIS OF 2025 DELAWARE EDUCATION LEGISLATION CONSIDERED DURING SESSION ENDING JUNE 30, 2025

Editor's Note: Citizens for Delaware Schools (C4DS) offers an independent assessment of several education bills from the perspective of which ones will raise student academic achievement. Readers can find verbatim summaries of the selected bills in the Appendix.

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The House and Senate State Legislature's Education Committees introduced a total of 22 bills ([See listing](#)) in the legislative session that ended June 30. Just two of those 22 bills had an explicit goal of improving academic performance.

Good for students and accountability

Improved transparency of school performance: HB 29 will make it easier for parents to see data about their child's school performance on academics and other key indicators to spur improvement. Parents and school boards will be better able to:

- monitor progress and trends,
- provide parents, educators, families, and citizens with information they can use to make good choices for their children, and
- hold the school district accountable for its performance and cost-effective use of public funds.

Achieving financial literacy with students: HB 203 addresses "real life" skills that will help young adults make good decisions about financial matters. The new law requires

students in all high schools and charter schools to complete a financial literacy course before graduating.

Analysis: This will be welcomed by young people, who already find too much of today's instruction to be irrelevant to their lives. More importantly, research indicates that students who receive financial literacy education are less likely to face financial difficulties in adulthood.

Package of “good governance” school board-related bills includes:

- Enables remote citizen participation in school board meetings (HB 64)
- Requires training of all school board members in meeting best practices (HB 77)
- All public meetings must publish meeting minutes and recordings (HB 82)
- Tightens background checks for both elected and appointed members (HB 85)

Analysis: These bills will ensure that school boards are acting consistently in how they conduct their business and improve transparency of school board business.

Missed opportunity to improve classroom learning

Cell phone restrictions in schools: HB 106 did not pass this session, despite the proven benefit of improving student outcomes. It would have required all public schools to adopt (and post) a clear policy that restricts students' cell phone use at schools.

Analysis: To ensure all schools have an explicit cell phone restriction policy, this bill must be passed in the next session. Research shows that restricting cell phone use during the school day improves classroom learning by removing a major source of distraction, disruption and bullying. Many parents will resist, and schools should develop additional policies to reassure parents that they can go through the school office if they need to reach their child during the school day.

Ideological bills passed with implications for school children

“Providing Open Access to Library Materials”: **HB 119** is a bill promoted by the American Library Association. It says that school library material should not be

excluded, removed, or prohibited due to background or views of creator, partisan, ideological or religious disapproval. Continues process of reframing parental concerns as “book-banning.” The law makes one exception: it does not apply to books that are legally considered obscene. Decision authority is removed from local school boards and placed with an unelected Library Review Board not representative of local community standards.

Analysis: Such decisions are best left to local community representatives such as school boards.

Redefinition of Healthcare Services law includes controversial procedures and provider protections (HB 205): The law redefines “healthcare services” to include controversial procedures like abortion and potentially sterilization related to gender transitions that are viewed as ideological. At its core, the bill removes liability from providers rather than protecting patients, even for procedures that may be dangerous or experimental.

Analysis: While not an education bill per se, it could have implications. With schools beefing up their in-house health and mental health services, parents need to ask their child’s school for a specific list of services provided before opting in and be clear what services they don’t want provided.

Other Notables

“Providing Free School Breakfasts to All Students, Regardless of Household Income”: **HS1 for HB 91** passed after the bill was scaled back from its unaffordable ambition to provide all students with free meals during the entire school day. It removes the income-based eligibility for free breakfasts. It begins with the 2026-27 school year.

Analysis: Children from low-income or unstable home environments benefit by a good breakfast to start their day. The federal government subsidizes the breakfast and lunch meals for them. The state will pay for the other students’ meals.

“Changes To Student Improvement Measures For Teachers”: **SB 165** requires the Delaware Department of Education to pilot a new teacher evaluation component that allows teachers to consider factors that may negatively affect student performance, such as student absences, behavior issues, or a lack of parental involvement. Teacher participants will be held harmless during the pilot. The program will be fully implemented in 2027-2028.

Analysis: The bill’s name is a misnomer because the focus is granting teachers latitude in how student behavior and lack of parent involvement factor into a teacher’s evaluation of student performance. One hopes that this change will not lead to a softening of academic standards or a widening of the equity gap that already exists in Delaware.

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APPENDIX OF SELECT BILL SUMMARIES HIGHLIGHTED IN ANALYSIS

(Descriptions directly from each bill's summary)

HB 203-HA1 REQUIRING 1/2 CREDIT IN FINANCIAL LITERACY FOR HS

GRADUATION: This Act, which may be cited as “The Equity and Inclusion in Financial Literacy for All High School Students in Delaware Act”, requires high schools to provide, at a minimum, a 1/2 credit on financial literacy. And, beginning with students entering grade 9 in 2026 through 2027 school year, successful completion of the credit will be required to obtain a high school diploma.

HB 165 CHANGES TO STUDENT IMPROVEMENT MEASURES FOR TEACHERS:

Like Senate Bill No. 165, this Act requires the Department of Education to pilot a revised student improvement component under the Delaware Performance Appraisal System and Delaware Teacher Growth and Support System beginning in the 2025-2026 school year before implementing it statewide. The revised student improvement component must consider factors such as student absences, mobility, and noncompliance that may adversely affect a student's performance. During the 2026-2027 academic year, the pilot program will expand, allowing for further refinement of implementation and support structures. Participants in the pilot program will be held harmless, so that the revised student improvement component will not factor into overall ratings. The program will be implemented statewide in 2027-2028 for all licensed and certified educators. Senate Substitute No. 1 for Senate Bill No. 165 differs from SB 165 by holding also holding educators harmless during the pilot program and by making the following technical changes: • Using the word “school” to refer to school districts and charter schools because “local education agencies” is not a defined term in the Code. • Clarifying when the pilot program ends. • Reorganizing the provisions to conform to the standards of the Delaware Legislative Drafting Manual.

SB 106 W/ SA2 SCHOOL DISTRICTS REQUIRED TO ESTABLISH STUDENT CELL PHONE POLICY LIMITING USE:

This Act requires each school district and charter school to adopt a policy, with educator input, about cell phone use by students during school hours. Each policy must contain: (1) Clear guidelines about what constitutes acceptable cell phone use at school. (2) A requirement that limits cell phone use during instructional time. (3) The designation of times and places during which students may use their cell phones at school. (4) Guidelines that encourage communication between the schools, parents or guardians, and students about the cell phone use policy. (5) A

system of appropriate consequences for violations of the cell phone use policy. (6) Exceptions that address, and are applicable to, emergency situations and medical or educational accommodations. Each school district and charter school shall

provide the Department with its policy. Each school district and charter school shall post its policy on its website by August 1, 2025. School districts and charter schools are free to amend their cell phone use policies as needed. If a school district or charter school adopts an amended cell phone use policy, it must be provided to the Department and posted on that school district or charter school's website.

SB 29 SCHOOL PERFORMANCE CARD: Each year, the Department of Education (Department) publishes data regarding all Delaware public schools, currently known as School Performance Data Reports (reports). These reports are available on the Department's website as the Delaware Report Card. This Act revises current law to correspond with and codify current Department practices regarding these reports as follows: • Changes the term "Education Profile" to "education-related data" to reflect the broad range of data that the Department publishes, in addition to the annual reports required under existing State and federal law. • Requires that there is a link to these reports on the school choice website. • Requires that these reports continue to include proficiency rates. In addition, this Act requires that the Department do all of the following: • Provide a link to these reports on the home page of the Department's website. • Include a list of career pathways offered at a high school in these reports. This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual which includes revisions to clarify repetitive, confusing, or contradictory language.

HB 119 "PROVIDING OPEN ACCESS TO LIBRARY MATERIALS": This Act establishes the following principles in regards to public library material: (1) Library material is provided for the interest, information, and enlightenment of all persons the library serves; (2) Library material should not be excluded, removed, or prohibited from a catalogue because of the origin, background, or views of a persons who created the material; (3) Material should not be excluded, removed, or prohibited from a library because of partisan, ideological, or religious disapproval.

This Act requires that public libraries adopt a library collection development policy consistent with the foregoing principles. The written policy must include the policy and procedure that libraries will follow when receiving and reviewing objections to library material. It further requires that all library material that is under review due to an objection must remain available for use by library patrons until the review process is concluded. It also prohibits the governing body of a library from suspending, disciplining,

or otherwise retaliating against an employee of a library that acts in accordance with the State principles and media content policy.

This Act also creates similar requirements for school libraries and requires that public schools create policies and procedures for reviewing objections to school library material that conform to the established collection development policy for school libraries. Within these policies and procedures, school libraries must include: (1) a uniform process to submit an objection to material in a school library; (2) a requirement that material under review due to an objection remain available for use by students and school personnel until the review process is concluded; and (3) a reasonable timeline to conduct and conclude the review process. An appeal of a decision determining whether school library material may remain in the school library may be made to the board of the local education agency. A final appeal from the decision of the board of the local education agency may be made to a School Library Review Committee, which is made up of the following individuals or the individual's designee:

- (1) The President of the School Chiefs' Association.
- (2) The State Librarian.
- (3) The Secretary of the Department of Education.
- (4) The President of the Delaware State Education Association.
- (5) The President of the Association of School Administrators.
- (6) The President of the Delaware Association of School Librarians.
- (7) The President of the Delaware Library Association.

EDITOR NOTE: From the American Library Association website: "The American Library Association opposes all attempts to restrict access to library services, materials, and facilities based on the age of library users."

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