



Arnold & Porter



PRESS RELEASE:

Monday, February 1, 2021

CONTACT:

Morgan Keller, Communications Director, ACLU-DE, 302-654-5326 ext 109, mkeller@aclu-de.org

Richard Morse, Senior Counsel, CLASI, 302-365-0480

Issara Baumann, Senior Media Relations Manager, Arnold & Porter, 202.942.6682

New Castle County Settles in Reassessment Track of Delaware Public Schools Litigation

WILMINGTON—The ACLU of Delaware, Arnold & Porter, and Community Legal Aid Society, Inc. (CLASI) along with their clients Delawareans for Educational Opportunity and the NAACP of Delaware, are excited to announce a resolution has been reached with New Castle County in the public schools litigation, setting the stage for county-wide property tax reassessment.

The agreement, which is another historic step toward ensuring greater equity in public education, promises that New Castle County will complete tax property reassessment by fiscal year 2024. Currently, the counties' outdated property assessments violate the Delaware Code and the State's Constitution by collecting taxes based on property values from the 1970s and 80s. This violation results in a constant funding crisis for schools whose tax base has remained stationary for decades. It also interferes with the effective operation of the state's "equalization funding" which is supposed to partially compensate for differences in property wealth between school districts.

"Tax reassessment is critical as we work to give Delaware's children a more equitable education," said Jea Street, on behalf of Delawareans for Educational Opportunity. "The quality of a student's education should never be determined by their zip code."

The resolution between Delaware's northernmost county and the plaintiffs will modernize the outdated property tax issue by reassessing taxes based on current property values and set the stage for regular, periodic assessments moving forward. The agreement will also help to correct the disproportionate tax burden that owners of lower-valued properties have carried by requiring owners of higher-valued properties to pay taxes based on their properties' true value.

Dr. Freeman Williams, on behalf of the NAACP of Delaware, said "Over 66 years after the milestone *Brown v. Board of Education* decision, the fight for education equity continues. This resolution is an important piece of moving that fight forward in Delaware."



Arnold & Porter



“The agreement we reached with New Castle County is a solid plan,” said Peta Gordon, counsel at Arnold & Porter. “Investing resources into updating the tax assessment process is the most effective step that each county can take to provide the resources Delaware’s schools need — especially for the state’s high-poverty schools.”

As the Delaware public schools litigation continues to move ahead, the attorneys and plaintiffs look forward to working with county and state officials to ensure that every step forward in this case is a step in the right direction for education equity in Delaware.

The ACLU of Delaware and CLASI would like to extend a special thank you to the team at Arnold & Porter, who continue to be indispensable allies on this case.

This press release can be found online here:

<https://www.aclu-de.org/en/news/press-release-settlement-county-track-public-schools-litigation>

The proposed agreement order can be found online here:

https://www.aclu-de.org/sites/default/files/judgereviewed_74278775_deo-ncc-remedy-stipulation-and-order-final.pdf

###