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What is a VSA?

Voluntary School Assessment (VSA) is a fee paid by residential developers in New Castle County to the Department of Education (DOE), on behalf of an impacted school district, when there is not sufficient capacity in the school district to serve additional students that would result from additional residential development. Upon receipt, the VSA funds are made available to the impacted school district, to help pay for construction projects that increase school capacity.

What Delaware Code sections apply to VSA?

[14 Del. C. §103 \(c\)](#); [9 Del. C. §2661 \(c\)](#); [22 Del. C. §842](#)

What can VSA funds be used for?

VSA funds can be used for school construction activities which increase school capacity. House Bill 325 of the 152nd General Assembly (Fiscal Year 2025 Bond and Capital Improvements Act) allows the use of VSA funds for minor capital projects.

How are VSA funds assessed?

The first step in the process is to determine if VSAs are applicable. The developer must submit a request for certification of school district capacity to DOE. DOE must then communicate with the impacted school district to determine if the schools serving the location (feeder pattern schools) have available capacity for the proposed development. If any of the schools in the feeder pattern exceed a capacity of 85 percent, the determination is that the school district does not have capacity. If the school district has capacity, VSAs are not applicable. If capacity is not sufficient, DOE notifies the developer that a VSA agreement is necessary. The VSA agreement is voluntary because the developer has the choice to provide the school district with land in an equal value or pay the per residential unit assessment. Land donations must be approved by the school district and DOE. Exclusions from VSA exist for age 55+ and low income housing communities. VSA is limited to 5% of construction cost, not including land purchase and site work, for each unit. The VSA fee is calculated by DOE annually per 14 Del. C. §103(c) based on the following formula:

Average cost per student for a new school

* School district local share percentage for major capital projects

* 0.50 representing the average number of children per household

VSA fee per residential unit

The developer has the option to pay the applicable VSA fee or receive a credit for the fair market value of land donated to the school district. An agreement is drafted and signed by the Secretary of Education and the developer and filed with New Castle County.

How are VSA funds collected?

The developer will pay the VSA fee to DOE once the residential unit is completed and receive a receipt. The developer is required to provide the VSA receipt in order to obtain the certificate of occupancy from New Castle County. DOE tracks the funds received for each school district and retains the funding in separate account in First State Financials.

How are VSA funds disbursed?

The school district must provide an expenditure plan approved by the local school district board to initiate a request for funding. DOE will review, approve and prepare the transfer for approval by the Co-Chairs of the Joint Committee on Capital Improvements, Director of the Office of Management and Budget, and Controller General. When approval is granted, the transfer will be processed by OMB.

What are the current VSA fees?

The VSA fees for Fiscal Year 2025 are provided below. Those fees are effective through June 30, 2025 and are assessed per residential unit. Fees are reviewed each spring, and updated if necessary, for a July 1st effective date.

Appoquinimink	\$9,002
Brandywine	\$15,655
Christina	\$15,655
Colonial	\$15,655
Red Clay	\$15,655

How often are VSA fees changed?

While the VSA fees are reviewed annually, the fee assessed to each development is based on the fiscal year in which the first permit is issued. This fee is fixed for five years from the date of issuance of the first permit and may be recalculated thereafter.

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