



Capital School District

Board of Education Policy

Section: Home, School and Community
Title: School Choice Policy
Policy #: 400-02
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I. ESTABLISHMENT AND STATEMENT OF PURPOSE

The Capital School District supports the concept of choice and welcomes parents, guardians, or relative caregivers to apply to any of the schools in the District. This policy was revised in accordance with DE Code, Title 14, Chapter 4 (§401-414), School District Enrollment Choice Program. The General Assembly of the State of Delaware enacted the enrollment choice program effective July 1, 2013 to increase access to educational opportunity for all children throughout the State regardless of where they may live and maximize parental choice in obtaining access to educational opportunities for their children.

II. APPLICATION PROCEDURE FOR CHOICE WITHIN THE DISTRICT

- A. Any parent of a school age child may apply to enroll in a school or program in the District by submitting a Delaware Standard Application for Educational Options. Applications may be obtained from the District Office, District website, District Choice Office, or the main office of any school in the District.
- B. School Choice Applications must be submitted to the receiving district and to the district of residence after the first Monday in November and on or before the 2nd Wednesday in January for enrollment during the following school year for grades 1-12 or on or before the first day of the school year for enrollment in a kindergarten program during that school year.
- C. If a parent of a school age child fails to file an application by the established deadlines and Good Cause exists for the failure to meet the deadline, the receiving district and the district of residence shall accept and consider the application in the same manner as if the deadline had been met.
- D. A separate application must be submitted for each student; one application for each student and for each district.
- E. Only one application may be submitted for each student, and must be limited to three (3) choice schools or programs.
- F. An application must be submitted for the sibling of a student already enrolled in a District school. A sibling is not granted automatic approval to attend a choice school.
- G. Non-resident students currently attending Capital School District schools by special permission must also submit an application.
- H. Parent, guardian or Relative Caregiver acceptance of an invitation to enroll in a school of your choice commits the student to remain in that school for two years or until the program or grade level configuration is completed, unless released by the district, or earlier terminated pursuant to the provisions of Title 14, §407.
- I. A new Choice Application must be submitted prior to the completion of grades 4, 6, and 8 for Out of District students wishing to continue his/her education in the Capital School District.

III. WITHDRAWAL OF APPLICATION

The parent of a school age child may withdraw their choice application at any time prior to action on the application by the Board of Education, by giving written notice to the Board of Education and the Board of Education of the District of Residence.

IV. PROCEDURES FOR PROCESSING AN APPLICATION

- A. Within 10 working days of an application deadline, the receiving district shall transmit a notice to the district of residence that it has received the application.
- B. Grade 1-12 Applications:
1. The Capital Board of Education will consider applications before the end of February of the school year preceding enrollment. Applicants will be notified about the school board's action within five working days of the board meeting. The response will include one of three answers: (1) invited to enroll, (2) placed on a waiting list, or (3) not accepted.
 2. All applicants are required to submit a completed Capital School District Registration Form and provide all supporting registration documents with the Choice Application. It is the responsibility of the applicant to get copies from the present school and attach it to the application. The application will not be considered without this information.
 3. Initial invitations must be accepted or rejected by the applicant in writing. Responses must be received by the District Choice Office on or before the third Friday in March. If no response is received from the applicant, the invitation will be considered to be rejected.
 4. As openings in a school and grade become available, applicants who are on the waiting list may be invited.
 5. Invitations to waiting list applicants who live in another school district will be accepted by written confirmation and received by the District Choice Office no later than April 15.
 6. Invitations for specific schools and specific grades – if a student is not promoted he/she may not be eligible to enroll in the choice school because of space limitations. If this happens, immediately contact the District Choice Office.
- C. Kindergarten Applications:
The Capital Board of Education will consider applications before June 15, or within 45 days of receipt. Applicants will be notified about the school district's action within five (5) days of the board meeting. The response will include one of three answers: (1) invited to enroll, (2) placed on waiting list, (3) not accepted. The student must have had his/her fifth (5th) birthday on or before August 31.

V. CRITERIA FOR CONSIDERATION AND APPROVAL OF APPLICATIONS,

- A. When space is available in a school, applications will be considered according to the following criteria in the order listed:
1. Returning students who continue to meet the requirements for the school and/or program, including students graduating from one school to another within a single program.
 2. Students who meet the requirements for the program or school and who seek to attend based upon the residence of their parent within the designated feeder pattern, if any, for the school.
 3. Siblings of students already enrolled in the school who will be returning to the school for the following academic year, provided that any sibling seeking priority meets the requirements for the program or school. Priority may be given to the siblings of students who live in the District over siblings who do not live in the District.
 4. Students who reside within Capital School District as long as they meet the criteria of the program or school.
 5. Children of Capital School District employees as long as they meet the criteria of the program or school.
 6. Students whose daycare providers are located in the Capital School District.

After the District has admitted all qualifying students, a lottery process will be used to admit additional students and generate a ranked waiting list, which may be verified by the Department of Education for randomness.

VI. CRITERIA FOR DISAPPROVAL OF APPLICATION

- A. Disapproval of applications may be on the basis of any of the following:
 - 1. Capacity of the affected school building, class size, program requirements and the projected enrollment for the next school year as determined by the district. Students who meet the acceptance criteria within this policy but who are not selected due to lack of capacity in the school or program will be placed on a ranked waiting list until June 30.
 - 2. If the student who has made application has been suspended or has been absent from school without a valid excuse for more than 15 school days during a school year, in the district of residence, the Capital School District Board of Education may in its sole discretion, refuse to consider the application, refuse to approve the application, or refuse to enroll the student until reinstated by the district of residence, provided, however that nothing is construed to enlarge upon the authority of any district to accept for reenrollment any student who has been expelled from a school district in this state, as such authority is limited by the provision of §4130 of Title 14. "Valid Excuse" shall have the same meaning as in §2721 of Title 14.
 - 3. If a student is not promoted, he/she may not be eligible to enroll in the previously accepted Choice school the following year.

VII. CAPACITY AND DISTRICT CHOICE OPPORTUNITIES

- A. No later than November 30 of each year, the Capital Board of Education shall transmit to the Department of Education notice of the capacity of each school in the district for the following academic year and the projected enrollment for the following academic year. The capacity and projected enrollment figures may be revised until January 30.
- B. No later than October 31 of each year, Capital School District shall hold a public information session about choice opportunities available in schools and programs within the district for the coming academic year.

VIII. DURATION OF ENROLLMENT IN THE CAPITAL SCHOOL DISTRICT

- A. A pupil accepted for enrollment in a school or program pursuant shall be entitled to remain enrolled therein until graduation from the school or completion of the program provided that the pupil continues to meet the requirements for such school or program, provided however, that upon the concurrence of the boards of both the district of residence and the receiving district, a pupil's right to remain enrolled may be terminated prior to graduation from or completion of the program where such termination is based upon the pupil's:
 - 1. Failure to continue to comply with the receiving district's requirements for attending school or class, or
 - 2. Multiple violations of, or one or more serious violations of, the receiving district's student success guide.
- B. A student accepted for enrollment in a District school or program may remain enrolled for a minimum of two (2) years unless, during the two-year period, the student graduates from the school or completes the program, the student's parent(s) cease to be residents of the student's original District of Residence, at the conclusion of any academic year during the two-year period, the student ceases to meet the academic requirements of the school or program, daycare was indicated on the relevant choice application as a reason for seeking enrollment, daycare was

a reason for granting priority to consideration of or granting of the relevant choice application, the provider of daycare services to the pupil ceases doing business or relocates to a location so distant from the original location as to render the original combination of daycare and choice enrollment no longer reasonably practicable for the pupil or the parent or parents of such pupil, or the board of the district of residence, the board of the receiving district, and the parent or parents of the pupil agree for any reason to terminate such enrollment. Parents/Guardians of students who are being considered for dismissal from a choice school will be informed of the issues that exist and when feasible, given an opportunity to correct the problem(s). Choice may also be terminated if the pupil's parents or guardians wish to terminate the agreement due to a reported and recorded instance of "bullying" against their child as defined in Title 14, § 4112D.

- C. Students who engage in conduct which results in recommendation for expulsion will not be permitted to return to the Choice school for the following school year unless the Board orders otherwise or unless the Board waives the penalty of expulsion (according to statute).
- D. Resident students wishing to return to the Capital School District from an out of district Choice placement for any reason other than successful completion of the two (2) year commitment or reaching the highest grade in the Choice school may return after one year. It is strongly recommended that students return to the District before September 30 so necessary resources are available.

IX. TERMINATION OF ENROLLMENT

- A. A parent may apply to terminate enrollment in the Capital School District at the end of a school year by providing a Department of Education School Choice Termination Form to the Superintendent.

X. TRANSPORTATION

- A. The parent of a student from another school district enrolled in a Capital School District school is responsible for transporting the student to their choice school without reimbursement or the parent can deliver the student to the nearest regular bus route that serves the choice school. Parents are responsible for picking up their children at the bus stop when school is dismissed early or if the opening of school is delayed.
 - 1. Parents are responsible for having the student in school and on time each day.
 - 2. Parents are responsible for picking the student up promptly at dismissal time each day unless other arrangements are made with the school.

XI. INTERSCHOLASTIC SPORTS

- A. Students shall be governed by the Rules of the Delaware Interscholastic Athletic Association (DIAA) with regard to eligibility of transferring students.
- B. A student enrolled in grades ten (10) through twelve (12), inclusive, shall not be eligible to participate in interscholastic athletic contests or competition during the first year of enrollment in the choice school if the student was enrolled in a different receiving district during the preceding school year unless the interscholastic sport was not offered at the previous receiving district.

XII. CREDITS/GRADUATION

- A. A student who has enrolled in the District and who has met the district's graduation requirements shall be granted a diploma by the district. The District shall accept credits towards graduation requirements awarded by another school district.

XIII. ELIGIBILITY OF NON-RESIDENT STUDENTS

- A. Non-resident students placed in the District
Any child who is a resident of an institution for the care or training of children located within this district is not a legal resident of the district by such placement, but shall be admitted to the schools of this district and a charge shall be made for tuition in accordance with statute.
- B. Residents of Children's Homes
A child who is a resident of an institution for the care or training of children located within this district is not a legal resident of the district by such placement, but shall be admitted to the schools of this district and a charge shall be made for tuition in accordance with statute.
- C. Other Non-Resident Students/Relative Caregiver
A non-resident student may be admitted to this district without payment of tuition when that student lives with a relative caregiver who has completed the proper forms, documentation and certifications.
- D. Student Foreign Exchange Programs
The Board endorses the foreign student exchange program sponsored by the American Field Service and faculty advisor thereof.

Other sponsoring organizations sanctioned under the U.S. State Department's Regulations governing Designated Exchange Visitor Programs, may petition the Superintendent for placement of foreign exchange students in the Dover High School with full knowledge that the American Field Service is the recognized sponsoring agency in the Capital School District.

The District students wishing to participate in foreign exchange programs must receive prior approval from the high school principal for the transfer of any credits resulting from an exchange program. The high school principal will consult with the Department of Education as needed.

XIV. DEFINITIONS

For the purpose of this policy, the following terms shall have the following meanings:

- A. "District of Residence" shall mean any reorganized school district in which the Parent of a student resides.
- B. "Parent" shall mean parent, legal guardian or relative caregiver of a child.
- C. "Receiving District" shall mean any reorganized school district other than the district of residence in which a student seeks to enroll. Where the district of residence includes more than one school or more than one program within any school providing instruction at a given grade level, and a parent of a child entering such grade level applies to enroll that parent's child in a public school program within the district of residence other than the program in which the child would normally be enrolled based on a child's place of residence, the district of residence shall also be considered to be the receiving district for all purposes of this chapter, except for the purposes of §408 of this title.
- D. "Good Cause" shall mean a change in a child's residence due to a change in family residence, a change in the state in which the family residence is located, a change in child's parent's marital status, a change caused by guardianship proceeding, placement of a child in foster care, adoption, participation by a child in a foreign exchange program, or participation by a child in substance abuse or mental health treatment program, or a set of circumstances consistent with this definition of "Good Cause".
- E. "Working days" shall mean working days as determined by a school District's administrative calendar.
- F. "Enrolled students" unless the context indicates otherwise, means all students included in the Delaware Student Information System (DELSIS) report for the year of the data collection.
- G. "Fiscal year" means the period of July 1 through June 30.

- H. "School" means any public school including charter schools.
- I. "Receiving Local Education Agency" is defined in 14 Del. Code, §402(5) and includes all Delaware public school districts, charter schools, and career and technical education schools. All defined RLEA shall adhere to the requirements outlined in HB90 with HA1 (i.e. standard written application, deadlines, and notifications).
- J. "Capacity" means the maximum number the students that a program or school can contain as determined solely by considerations of physical space, physical resources, and class size for each grade level.
- K. "Lack of Capacity" means that the school or program calculates projected enrollment for the following academic year to be at least 85% of its capacity.
- L. "Projected Enrollment" means the total number of returning students and new attendance zone (resident school) students the receiving district anticipates will enroll for the following academic year.