

I. EXECUTIVE SUMMARY

ENROLLMENT APPLICATION CONCERNS

Parents seeking to enroll their children into a school other than their school-of-residence (as determined by feeder pattern) are required to complete the Delaware Standard Application for Educational Options created by the Delaware Department of Education. Such schools include charter, magnet, and vocational-technical schools. It has also been common practice for receiving schools to require the parent/guardian of potential students to complete a supplemental application form prior to enrollment. This practice has raised concerns in the state. Some parents and stakeholders view the practice as potentially discriminatory due to the types of questions asked and information sought by the schools on these supplemental applications. Individuals noted that some information and/or questions on these applications may inadvertently create barriers to enrollment for students with parents that are either unable or unwilling to answer them. Further concerns were raised regarding how school officials utilized the information acquired on these forms.

The information sought and questions asked on these forms varied greatly between schools and districts across the Delaware. Concerns were raised that the information included on the supplemental application could be used to reject applicants with special-needs, or those who did not meet an arbitrary and inappropriate standard created by the receiving school, creating a situation where there is no longer a level playing field for all children to have equal access to attend all public schools in Delaware.

TASK FORCE FORMATION

The Enrollment Preferences Task Force was formed through House Bill 90 with House Amendment 1 to consider the current landscape of all school enrollment preferences and practices. Specific types of public schools examined included charter, magnet, and vocational-technical schools. The Task Force was also tasked with developing recommendations as necessary.

TASK FORCE PROCEDURE

The Task Force met eleven times between September 2013 and April 2015. It examined the current enrollment practices in Delaware, while also reviewing an extensive array of legal documents governing these three school types in Delaware. The Task Force examined enrollment preferences and practices from other states, as well as federal education policies and procedures, for guidance, with particular attention paid to memos produced by the U.S. Department of Education's Office of Civil Rights. As co-chairs of the Task Force, Representative Kimberly Williams and Senator Nicole Poore sought input from national organizations such as the National Conference of State Legislatures, National Alliance for Public Charter Schools, and the National Institute for Magnet School Leadership. Guest speakers from Delaware included Lindsay O'Mara, Education Policy Advisor, State of Delaware Office of the Governor; Brian Rutter, Director of District Technology Services, Data Service Center; Debra Stover, Education Associate and Unit Count Coordinator, Delaware Department of Education; and Alex Medler, Vice

President of Policy, National Association of Charter School Authorizers. They provided information and statistics in their areas of expertise to assist the Task Force in its discussions and decision-making.

A compilation of all questions asked on the supplemental and enrollment applications by charter, magnet, and vocational-technical schools were compiled into 15 categories; this information included 98 questions in total. Each question and request for information was examined and voted upon individually by the Task Force, and suggestions were made on whether each question should be included or excluded from the Delaware Standard Application for Educational Options and Supplemental Application, or if they should be asked only after enrollment.

Meeting formats included small work group conversations and large group dialogue, voting on broad categories and in-depth discussions, and final roll call votes on several questions. All meetings also included time for public comment.

REPORT OVERVIEW

While this report does not include specific recommendations; it does summarize the opinions of the Task Force on an extensive list of questions and topics that are currently considered in the enrollment processes for all school types. The report is organized in the following manner:

- An overview of charter, magnet, and vocational-technical schools in Delaware and an examination of legally-sanctioned enrollment preferences in practice.
- A description of the majority votes related to questions that can be included or should be excluded on the Delaware Standard Application for Educational Options, Supplemental Application, or that should only be asked after the student is enrolled in the school (herein referred to as After Enrollment Only).
- The majority votes for questions that can be included or should be excluded based on the type of school, and also by the grade bands of elementary, middle, and high school for selected questions.
- A review of the four specific preferences allowed under the Delaware Code for Charter Schools and the related roll call votes for each preference.

This report also includes a list of appendices utilized by the Task Force members to aid in decision-making, along with meeting minutes and agendas.

TYPES OF APPLICATIONS AND PREFERENCES REVIEWED

Delaware Standard Application for Educational Options

The Delaware Standard Application for Educational Options (herein referred to as the Standard Application) is utilized as the standard application for students that are choosing to apply for enrollment into a charter, magnet, or vocational-technical school in Delaware.

The Task Force votes imply that the Standard Application should continue to be used as the choice application for students who apply to a charter, magnet, or vocational-technical school.

Supplemental Application

Most charter, magnet, and vocational-technical schools currently utilize a supplemental application to gather additional student and parent information to ensure the school's mission and interests are appropriate matches to meet the needs of the applying student.

Task Force voting suggested that many questions could be eliminated from this application and moved to the "After Enrollment Only" category, meaning, that students would only be asked these questions after they were enrolled in the school. The concern was that individuals making decisions regarding enrollment could use information acquired by these questions to inadvertently give preferential treatment to certain students at the expense of others. Example of a question that the majority of the Task Force members agreed should be included in the Supplemental Application was regarding marketing information to understand how students/parents learned about the school.

After Enrollment Only

Certain questions and requests for information can only be asked once a student is invited to enroll in a school and the parent accepts the invitation.

Many of the questions asked and information sought by charter, magnet, and vocational-technical schools could be moved to the "After Enrollment Only" category, meaning that they would only be asked after the student has been accepted and enrolled into the school. This modification was suggested to prevent the possibility of inadvertently making admissions decisions based on any criteria that could be viewed as discriminatory.

Charter Preferences in Student Admission

Four preferences are legally permissible for charter school admission as outlined in Delaware State Code Title 14, Chapter 5, §506 b. Preference numbers 1, 2, and 4 apply to all charter schools and number 3 only applies to new charter schools:

1. Siblings of students currently enrolled at the school;
2. Students attending an existing public school converted to charter status;
3. Students enrolling in a new (nonconverted) charter school may be given preference under the following circumstances as long as the school has described its preferences in the school's charter:
 - a. Students residing within a 5-mile radius of the school;
 - b. Students residing within the regular school district in which the school is located;
 - c. Students who have a specific interest in the school's teaching methods, philosophy or educational focus;
 - d. Students who are at risk of academic failure;
 - e. Children of person employed on a permanent basis for at least 30.0 hours per week during the school year by the charter school.
4. Children of the school founders, so long as they constitute no more than 5% of the school's total student population. For the purposed of this paragraph "founder" shall not include

anyone whose sole significant contribution to the school was monetary, but otherwise shall be determined by the founding Board of Directors subject to the Department of Education regulations.

The opinions of the Task Force members varied on each these preferences. See Tables 23 and 24 on pages 30 and 31 for Task Force votes on preferences.

Enrollment Preferences for Magnet and Vocational-technical Schools

There is limited guidance available in the Delaware State Code related to defining enrollment practices for magnet or vocational-technical schools. Magnet school code is found in Title 14, Chapter 10, subchapter 3, Section 1049 (4) (see Appendix B). Delaware State Code governing vocational-technical schools is found in Title 14, Chapter 2, section 205 and Chapter 10, section 1029 (see Appendix B).

The opinions of the Task Force members varied on whether questions should be included on magnet and vocational-technical supplemental applications or after enrollment only.