



## School Choice

**Students  
Policy  
8013**

### Policy Statement

The Board recognizes that a parent residing within Delaware may seek enrollment for his/her child in a public school in any district independent of the student's area of residence. It is the policy of the Board that the criteria and processes for school choice follow the guidelines provided in this policy.

#### Eligibility for Choice Enrollment

The following students must submit a choice application through the choice enrollment process:

1. Any student who wishes to choose a school and/or program other than his/her regularly assigned attendance zone school and/or program.
2. Any student who is assigned through the special permission process described in this policy.

Choice applications will be accepted only for students who are currently registered in their attendance zone school or choice school. Students who are not already registered in a Delaware public school (e.g., students coming from private, parochial, and vocational schools), and students coming from charter schools, must register in their school of residence prior to submitting a choice application.

Students residing in the Lewis Dual Language Elementary School attendance zone who opt not to attend a Dual Language Program or students who do not meet program requirements in grades 2-5 will be assigned to Shortlidge Elementary School for grades K-2 or Warner Elementary School for grades 3-5 or they may file a choice application to attend another elementary school.

A choice application will not be accepted for a student who has been expelled from the District or another district or charter school until that student is eligible for readmission to the expelling district or charter school. Students who are enrolled in alternative programs may submit applications as appropriate for the next school year under the established guidelines.

The District's Board of Education may, in its sole discretion, refuse to consider or approve applications submitted for students who have been suspended or been absent from school without a valid excuse for more than 15 school days during a school year in their district of residence until the child has been reinstated in their district of residence. For purposes of this section, "valid excuse" shall have the same meaning as in Section 2721 of Title 14 of the Delaware Code.

Any student who changes residence after September 30 may be extended the option to continue attendance at his/her present school until the conclusion of that school year. If the student wishes to continue attendance at that school until the end of the grade configuration, the student must apply during the choice period. If the move happens after the choice window closes the student may submit a good cause late application. A student who changes residence after the conclusion of the third marking period of the junior year may be extended the option to continue attendance at his/her present school through graduation. The enrollment options described in this paragraph shall be subject to the school choice enrollment provisions of this policy.

#### Choice Enrollment Process

The District will hold at least one (1) public information session by October 31 about the school choice opportunities available in the District's schools and programs for the coming school year. Applications for the school choice process will be accepted from the first Monday in November to the second Wednesday in January for enrollment during the following school year in a program in grades 1 through 12, or up to the first day of the school year for enrollment in a kindergarten program during that school year. Magnet Schools and Programs with Specific Application requirements may continue to accept applications after the second Wednesday in January to fill remaining availability.

All applications must be submitted on the standard application designed by the Delaware Department of Education. The online application will be available on the first Monday in November at [www.schoolchoicede.org](http://www.schoolchoicede.org). Paper applications may also be obtained from the main office of any Red Clay school, the Choice Office, the District Office, the District website ([www.redclayschools.com](http://www.redclayschools.com)) during the choice enrollment period, or by contacting the Choice Office ((302) 552-3789).

The online application will close at 4:00 p.m. on the identified closing date. All paper applications must be postmarked to, or received in person at, the Choice Office, Red Clay Consolidated School District, 2914 Duncan Road, Wilmington, DE, 19808, by 4:00 p.m. on the identified closing date. Applications may also be submitted to the Delaware Department of Education (302) 735-4000. No applications are to be submitted directly to schools.

Parents will be permitted to identify up to three schools or program choices on the application, as well as the parent's order of preference for the schools or programs.

Choice Applications for Magnet Schools and Programs with Specific Application Requirements

Cab Calloway School of the Arts, Conrad Schools of Science, Lewis Dual Language, Dickinson IB, AI DuPont High School Early College Academy, and School Based Language Immersion Programs may require supplemental information. Supplemental information requirements for these schools can be obtained from the District website, the school websites, or the main office of the respective schools.

Enrollment after the Choice Application Period (Good Cause)

No consideration will be given to late submissions or mail inadequacies that delay postmark or receipt of the application. After the identified deadlines, applications that meet the good cause provisions of the law may be submitted.

Good cause late applications will be accepted for one of the following reasons:

1. A change in a child's residence due to a change in family residence;
2. A change in the state in which the family residence is located;
3. A change in a child's parent's marital status;
4. A change caused by a guardianship proceeding;
5. Placement of a child in foster care;
6. Adoption;
7. Participation by a child in a foreign exchange program;
8. Participation by a child in a substance abuse or mental health treatment program;
9. A reported and recorded instance of "bullying" against their child or
10. A set of circumstances consistent with this definition of "good cause."

Parents who submit late applications because of good cause reasons as outlined in this policy will be considered for enrollment or wait list status on a space available basis. This process will occur after the initial choice assignments have been made.

Students who are new to the District will be enrolled on a space available basis for all grades and programs but will be guaranteed enrollment at the school of residence.

Withdrawal of Choice Applications

An application may be withdrawn by written notification to the receiving district and district of residence at any time prior to the Board's action on the application. If more than one application is on file in the District at the time the assignment is made, the most recent timely application receipt dated will be used for assignment.

If an application is withdrawn, the student will remain assigned to the school of residence.

Notification and Acceptance of Choice Assignments

Notice of the school assignment will be sent to students within five working days of the Board's action on the choice recommendation at the February Board meeting, or, in the case of applications for admission to a kindergarten program, by no later than June 15 of the school year preceding enrollment. In the case of the applications submitted after the initial deadline, notice will be sent no later than 45 days after the application is received.

Enrollment in a school by application is only for the following grade spans, K-5, 6-8 or 9-12. A new choice application is required to continue to the next grade span if the student does not live in the attendance zone. Students return to their attendance zone school at the completion of all grades of the choice school unless an application is submitted and an invitation is issued.

Any student who is accepted for enrollment in a school and meets the criteria for termination from a current year choice placement or fails to be promoted to the grade for which application was made will have his/her choice invitation rescinded. If the student fails to be promoted to the next grade, parents may write a letter to the Choice Office to request a seat at the retained grade. Placement will be made based upon available space.

A notice will be sent to all students by email or letter-that a choice application has been received. If that notice is not received by the parent within 10 days after the application deadline, the parent must contact the Choice Office to determine if the application has been received.

Parents must accept or reject invitations to choice schools on or before the third Friday in March. If no response is received, the invitation will be rejected.

The District assumes no responsibility for ensuring correct contact information for any notices transmitted to applicants, including notices of wait list assignments.

Criteria for Acceptance to a Choice School

The capacity of each school will be reviewed annually by the Superintendent in conjunction with the Board prior to the start of the choice assignment process. By no later than November 30 of each year, the Board will provide the Delaware Department of Education with notice of the capacity of each program or school 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. For the purposes of this section “capacity” means the maximum number of 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. For purposes of this section, “projected enrollment” means the total number of returning students and new attendance zone students the District anticipates will enroll in the program or school for the following academic year.

The number will be used as a guideline to decide the choice capacity of each school (i.e., how many choice students will be issued invitations to enroll in each school and/or be placed on a waitlist for that school). Seats available at each grade level will be determined by subtracting the projected enrollment from the capacity allocated to each grade within the school.

The assignment process will be conducted so that students assigned out of the school will increase the seats available for students selecting the school.

The District may disapprove an application because of lack of capacity in the District or in the school or program for which the application is submitted. For the purposes of this section, “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.

#### Student Choice Selection Criteria

School choice applications received by the specified dates will be considered in priority order (i.e. 1<sup>st</sup> school, 2<sup>nd</sup> school then 3<sup>rd</sup> school) as indicated on the standard application.

Students will not receive more than one invitation to a Red Clay school. If the student is invited to their first choice school no action will be taken on their second or third choice school. If a student is waitlisted for a higher priority school they will be considered for their second choice school and if waitlisted for the second choice school will then be considered for their third choice.

Consideration for enrollment is in accordance with the criteria listed:

1. Returning students who continue to meet the requirements for the program or school, including students graduating from one school to another within a single program. Priority is given to a student who lives in-district.
2. Students who meet the requirements for the program or school and who seek to attend based on the residence of the student’s parent in the designated feeder pattern, if any, for the school.
3. In-district siblings of in-district students who are already enrolled in the program and who will remain enrolled in the program for the next school year, provided that the siblings meet the requirements for the program or school. Exiting students are not considered siblings for this enrollment preference.

4. In-district students who have designated the school as first, second, or third choice based on the random number assigned by the computer lottery process.
5. Out-of-district siblings of out-of-district students who are already enrolled in the program and who will remain enrolled in the program for the next school year, provided that the siblings meet the requirements for the program or school and the siblings have designated the school as first, second, or third choice based on the random number assigned by the computer lottery process. Exiting students are not considered siblings for this enrollment preference.
6. Out-of-district students who have designated the school as first, second, or third choice based on the random number assigned by the computer lottery process.

If there are more students' selections for the school than there are seats available, the computer lottery process will be used for selection. All remaining students will be placed on the ranked wait list based on category and random number within that category.

Wait List

A ranked waitlist may be established for each school based on selection criteria and the random number assigned to each applying student and, for students who submit a late application that meets the provisions of good cause, the order in which the application was received.

Students will be maintained on the waitlist for first, second, and third choice schools as appropriate.

Red Clay students who are not assigned any of their three choices may contact the Choice Office after the close of the assignment process to request assignment to any school that is not oversubscribed, if such a school is chosen over the school of residence. These students will remain on the waitlist of their first, second, and third choice schools.

The wait list will be maintained until the first day of school.

Special Permission

All applications for assignment that are not covered in the above provisions may be considered for special permission. Special permissions will be granted in extenuating circumstances where the provisions of the choice enrollment process are not applicable. An application and an explanatory document outlining the reasons given for the request must be submitted to the Superintendent, whose decision shall be final.

Parents who are full-time employees of the District may apply for special permission as follows:

1. An employee may request special permission for the employee's child to attend the school to which the employee is assigned, even if that school is closed to choice or is a magnet school.
2. An employee who is not directly assigned to a school building may request special permission for the employee's child to attend a District school, even if that school is closed to choice or is a magnet school or programs with specific application requirements.
3. An employee who resides out of state may request special permission for the employee's child to attend a District school as described above. The employee will be charged tuition by the District in accordance with state law.

Students seeking special permission to a magnet school or a program with specific application requirements must meet the requirements for admission to the magnet school or a program with specific application requirements. Special permissions are granted for the current school year only. A student who is assigned to a school through special permission must submit a choice application in order to remain at the school for subsequent years.

#### Program Continuation

Once a student is assigned to a school through the choice process, no action is necessary in order for the student to remain for subsequent years except as described in this policy. The student will have all the rights and responsibilities of a resident student.

Any magnet school or program that is populated only by choice applicants may establish additional requirements for enrollment application and may identify admissions based on recommendations. For purposes of this policy, Cab Calloway School of the Arts, Conrad Schools of Science and John Dickinson IB program are considered single schools. However, at Cab Calloway School of the Arts, Conrad Schools of Science and John Dickinson IB program, a student must apply in order to continue to the next grade when transitioning from grade 8 to grade 9. Students making an application for admission to grade 9 must meet the criteria for admissions to the 9-12 program.

For purposes of this policy, Brandywine Springs School is considered a single program; at Brandywine Springs School, grades 6-8 are populated only by choice applicants; a student must apply to continue to the next grade when transitioning from grade 5 to grade 6.

A returning student preference at Cab Calloway School of the Arts, Conrad School of Science and Brandywine Springs School is applicable to all students enrolled in the school at the time of choice invitations offered by the district. This preference does not supersede the schools functional ability to de-choice a student in accordance with policy.

#### Transportation

	<p>Bus assignments and stops for all choice students will be issued by the Transportation Department based on the established routes for the school.</p> <p>Parents must assume the responsibility to have the student at the designated location or to school.</p> <p><u>Participation in Interscholastic Athletics</u></p> <p>Students shall be governed by the rules of the Delaware Interscholastic Athletic Association (DIAA) with regard to eligibility of the transferring student.</p> <p>Students for whom this is a concern should check with the principal of the school(s) being considered for choice.</p> <p><u>Termination of Choice Enrollment</u></p> <p>A parent may provide notice by the prior December 15 to terminate enrollment in a school of choice at the end of the school year. An application to withdraw may be accepted after the December 15 deadline if the deadline was missed for good cause reasons.</p> <p>Following the granting of a request for withdrawal, the student’s district of residence will be notified that the student will be returned to the roster of the school of residence for projection purposes and any application for a choice enrollment handled according to the established process.</p> <p>Any requests for program termination and reassignment outside of the attendance zone within the school year will be processed as special permission requests.</p> <p>The district may terminate a student’s choice placement if the pupil:</p> <ol style="list-style-type: none"> <li>1. Fails to comply with the district’s requirements for attending school or class (10 unexcused absences, 25 absences or 25 days tardy, excused or unexcused.) or</li> <li>2. Fails to meet the district or state criteria for promotion to the next grade. or</li> <li>3. Has at least 3 out of school suspensions, a combination of at least 5 in or out of school suspensions or one or more serious violations of the Student Code of Conduct.</li> </ol> <p>Unless accepted for enrollment in a school or program in another district, a child whose enrollment in a Red Clay school is terminated shall be re-enrolled in the child's school of residence for the ensuing school year.</p>	
<b>Definitions</b>		



<b>Responsibility</b>	<p>The Superintendent shall be responsible for compliance, including the annual submission of the policy to the state Department of Education and its appearance in student and staff handbooks or other annual distribution to students, parents, and staff.</p>	
<b>References</b>	<p><b>Related policies:</b> (None)  Related documents: Delaware Department of Education School Choice Application Form, Red Clay Consolidated School District Student Code of Conduct, Red Clay Consolidated School District Online Choice Application, Cab Calloway School of the Arts School Choice Application, Conrad Schools of Science School Choice Application  <b>Laws/Relevant Agencies:</b>  14 Del. C. §§401-414  14 Del. C. Ch. 6  Delaware Department of Education</p>	
<b>Adoption Date</b>	<p>Approved:  01/16/1985 (as JECC), 10/18/1995 (as JEC)</p>	
<b>Revision/  Reapproval Date</b>	<p>Approved:  01/16/1985 (as JECC), 10/18/1995 (as JEC)  Revised:  10/10/1996, 11/10/1997, 12/10/1997, 09/23/1998, 02/22/1999, 07/07/2000, 09/24/2001, 09/18/2002, 04/16/2003, 09/08/2004, 09/20/2006, 10/15/2008, 06/16/2010, 06/15/2011, 10/19/2011, 10/18/2017,08/17/2022  Amended:  10/20/2004  10/15/2014  Reformatted:  08/20/2008</p>	