

Strategic Plan
Specialized Public Educational Opportunities

Update as of April 1, 2017

Objective 1

Strategy 1 & 2

Strategic Plan for Specialized Public Educational Opportunities

Overview

The Department of Education (Department) is charged with the deliverables related to strategies within the *Strategic Plan for Specialized Public Educational Opportunities (Plan)*. The first two deliverables related to strategies 1 and 2 are presented in this report. The overall Goal, Objective 1 and the 2 strategies are listed below:

Goal: *To provide a cohesive system of specialized public educational opportunities in Delaware so that all families and their children can participate in those that meet their needs and interests.*

Objective 1: *To align different state laws, regulations, policies, guidelines, and timelines to maximize opportunities for families to participate in specialized educational opportunities.*

Strategy 1: *Compile and align state laws and any corresponding regulations for traditional and vocational technical school districts and charter schools (e.g., Certificate of Necessity, New Charter School Application process, transportation).*

Responsible party – DOE

Timeline – Complete by April 1, 2017

Strategy 2: *Compile and align master list of timelines that govern school enrollment, choice, personnel employment decisions (hiring and firing), and fiscal decisions.*

Responsible party – DOE

Timeline – Complete by April 1, 2017

The following charts are the processes and corresponding timelines identified as concerns or barriers in the ability for all students to access the specialized educational opportunity that best serves their needs. The Department expects that as this dynamic or living process of implementing this plan, other areas or inconsistencies related to a cohesive system may arise.

Summary - Recommended Potential Areas for Change

Certificate of Necessity – Make a change to the process to consider the current or proposed impact of any newly approved or operating charter schools in the CN process. Any change to the process would need to take into consideration the legal requirement of a school district to serve the children in the district if the parent does not choose to another school or district, the timeline related to a district’s requirement to hold and pass a capital referendum, appropriations by the General Assembly, and time to build.

Choice Parent Notification and Charter Enrollment Date – By April 1, a charter school is required to have at least 80 percent of its authorized enrollment for the following school year. For a charter school to count a student in its authorized enrollment, any new student to the charter school must have a first-year agreement signed by a parent/guardian stating the student will remain in the charter school for at least one year. In the choice process, the parent has until the 3rd Friday in March to notify any school in which the student has been offered enrollment whether the parent/guardian will accept the offer. This is problematic for the charter schools because of this short timeframe. The recommendation is to change the 80 percent enrollment deadline to June 15 to align with the certificate of occupancy deadline for new charters. There also needs to be further discussion about the first-year agreement itself.

Transportation - There are inconsistencies with access to transportation depending on the type of school the student seeks to attend. Additional work related to this item is ongoing.

Choice Process –The choice process would benefit from a consistent application regardless of the type of school or program. There should be alignment to eliminate confusion by families as well as school and district officials. In addition, as part of the process, all districts and charters should be required to use the Data Service Center Choice Application System as long as paper applications are made available to families without access to computers.

STRATEGIC PLAN – SPECIALIZED PUBLIC EDUCATIONAL OPPORTUNITIES – 04/01/17

CERTIFICATE OF NECESSITY/CAPITAL REFERENDUM PROCESS BY SCHOOL CALENDAR YEAR

Date	Item	Document Reference
August 31	Certificate of Necessity (CN) Process Begins - Districts submit local school board approved projects to the Department of Education by August 31 to be considered for a Certificate of Necessity and capital funding in the following fiscal year.	CERTIFICATE OF NECESSITY Reg 401 Major Capital Improvements Certificate of Necessity
By October 15 (Capital Budget due)	Department determines necessity for school construction based on specific criteria. Priority 1 - Alleviate capacity/enrollment issues Priority 2 - Life/health/safety Priority 3 - Aesthetics and program delivery	CERTIFICATE OF NECESSITY 29 Del. C. 75, § 7509 School Construction Capital Improvements
Late October	Department staff analyzes all requests and determines which projects will receive a Certificate of Necessity, which will be provided to the districts by October 30. The Certificate of Necessity is good for one year from date of issuance.	CERTIFICATE OF NECESSITY PowerPoint Presentation
November (beginning)	Any time after the Certificate of Necessity is issued, the Capital Referendum Process can begin, meaning traditional districts can go out for a referendum. If referendum fails, they can come back one more time during that school year. Note: Vo-Techs and charters are not considered traditional districts.	CAPITAL REFERENDUM PROCESS
July 1	Construction funds (for approved CNs) are available (as long as they are included in the state budget) for the districts to utilize.	CERTIFICATE OF NECESSITY PowerPoint Presentation

Note: Special schools are 100 percent state-funded. For a vocational technical school district, a capital referendum is not required but there is a local share.

NEW CHARTER SCHOOL APPROVAL PROCESS BY CALENDAR YEAR		
Date	Item	Document Reference
December 31- January 1	Application for new charter schools are submitted between November 1 and December 31 or first working day after holiday (could be January 2).	CHARTER New Charter School Application and 14 Del. C. 511 (g) (1) and (2) Approval Procedures
January - early	Applications reviewed for completeness and those notified that do not warrant full review.	CHARTER New Charter School Application
January – late	Delaware Department of Education’s Charter School Office interviews applicants.	CHARTER New Charter School Application
January 30- February 1	Public hearings are held for each application undergoing full review.	CHARTER New Charter School Application 14 Del. C. 511 (j) (k) Approval Procedure
January 30	Charter School Accountability Committee (CSAC) issues initial report regarding new applications.	CHARTER New Charter School Application
February – mid- February	Applicants submit their responses to any inquiries in the initial CSAC report.	CHARTER New Charter School Application
February-March	CSAC final meetings are held and recommendations on applications are released.	CHARTER New Charter School Application
March (First Thursday in March)	Public conditions related to impact of (new) charter schools to be posted on Charter School Office website no later than this date.	CHARTER New Charter School Application
March – mid	Final public hearings are held for each new charter school application.	CHARTER New Charter School Application
April - mid	Public record on new charter school applications closes. If approving authority considers a charter application, it must rule on whether to approve it at a public meeting within 90 working days after December 31. Secretary of Education makes decision on each application. Any decision to recommend charter school for approval must be assented to by the State Board of Education.	CHARTER New Charter School Application

CHARTER SCHOOL RENEWAL PROCESS BY CALENDAR YEAR

Note: Charters renewed no more than every 5 years

Date	Item	Document Reference
April 30	Charter school renewal report and guidance document issued by Department of Education for those charters that will expire the following year; Charter School Office holds renewal meetings.	CHARTER 14 Del. C. 514(A)(c) Renewals and non-renewals
May	Renewal application published for charter schools renewing their charter.	CHARTER Renewal Timeline (DOE website)
September	Charter school board shall submit to the Department of Education (approving authority) renewal application by September 30; Performance Report due (renewing schools); Annual Report due.	CHARTER 14 Del. C. 514 A (f) Renewals and Nonrenewals
October	Initial public hearings held; initial Charter School Accountability Committee (CSAC) meeting held; CSAC initial reports Issued on renewing applications.	CHARTER Renewal Timeline (DOE website)
November – early	Responses to CSAC initial reports due.	CHARTER Renewal Timeline (DOE website)
November – mid	Final CSAC meeting held; CSAC final reports issued.	CHARTER Renewal Timeline (DOE website)
December early to mid	Public hearings held for renewals; comment period ends.	CHARTER Renewal Timeline (DOE website)
December – mid	The State Board of Education meeting is held and a decision is made on applications.	CHARTER Renewal Timeline (DOE website)

ALL OPERATIONAL CHARTER SCHOOL PROCESS BY SCHOOL CALENDAR YEAR

Date	Item	Document Reference
August 1	Charter school contracts in place for bus and food services.	CHARTER Reg 275 Charter Schools
September 1	Department of Education certifies cost per student expenditure by this date.	CHARTER 14 Del. C. 509 (d) School Financing
September 1	Date by which any local school board is to affirmatively vote to accept new charter school applications.	CHARTER 14 Del. C. 511(h) Approval Procedures
September 15	Charter schools shall not be modified to permit their first instructional day to occur later than September 15.	CHARTER Reg 275 Charter Schools
September 15-30 (approved by board)	Unit count conducted, final roster due September 30.	CHARTER 14 Del. C. 509 (b) (1) (2) School Financing
September 30	Charter school board shall submit renewal application by September 30.	CHARTER 14 Del. C. 514 A (f) Renewals and Nonrenewals
October 1	Charter schools receive 25% of funding pursuant of its first year operating.	CHARTER 14 Del. C. 509 (b) (1) School Financing
October 1	Date audit results due to Department of Education.	CHARTER Reg 275 Charter Schools
October 1	Charter schools seeking renewal of its charter shall produce annual report on or before October 1 of final year of current charter term.	CHARTER 14 Del. C. 513 (b) Reporting and Oversight
October 30	Charter school applications which propose conversion of existing public school must be submitted to approving authority.	CHARTER 14 Del. C. 511 (g) (4) Approval Procedures
November 1- December 31	Any increase or decrease in a charter schools total authorized enrollment of more than 5%, but not more than 15%, provided further the minor, major modification request must be filed between November 1 - December 31.	CHARTER Reg 275 Charter Schools
December 1	On or before December 1, all charter school shall produce an annual report.	CHARTER 14 Del. C. 513 Reporting and Oversight

December 31	By December 31, charter schools shall maintain sufficient balance to pay minimal costs of operation.	CHARTER 14 Del. C. 515 Oversight and Revocation Process
December 31	Any local school board may limit the number of new charter school applications it will consider in any year or the number of charters it will grant but within 20 working days after December 31 must hold a public meeting to decide whether or not to consider new charter school applications. A local school board shall not be required to accept any new charter school applications for a charter school unless by September 1 of each year the school board shall affirmatively vote to accept such applications (see above).	CHARTER 14 Del. C. 511 (h) Approval Procedures
February	Operational funding in place.	CHARTER 14 Del. C. 509 (b) School Financing
February 1	DOE publishes Annual Report.	CHARTER 14 Del. C. 514 State Reports on the Charter School Program
April 1	On or before April 1, a charter school shall have enrolled a minimum of 80% of its total authorized number of students and shall provide written certification of such to Department of Education and the superintendent of each public school in which one or more of the charter school's students reside. A first-year agreement must be signed by a parent/guardian for the student to count for enrollment purposes.	CHARTER 14 Del. C. 506 (c)(1) Restrictions
April 30	Charter school renewal report issued.	CHARTER 14 Del. C. 514(A) Renewals and non-renewals
June 15	Affirmative response by applicant to charter school; no charter modified for occupancy after June 15.	CHARTER 14 Del. C. 511 (n) Approval Procedure
July 1	Seventy-five percent of charter school funding (different amounts at different times) allocated to charter school on July 1.	CHARTER 14 Del. C. 509 (b) (1) School Financing
October 1	Business and financial audit of accounts for prior fiscal year (July 1 to July 1) are due October 1.	CHARTER 14 Del. C. 513 (d) (1) Reporting and Oversight, and Reg 275 Charter Schools

SCHOOL CHOICE PROCESS BY SCHOOL YEAR CALENDAR

Note – There are differences in process for a **receiving district** or a **receiving local education agency**. **Receiving District** means the 16 traditional geographic districts. **Receiving local education agency (LEA)** means the 16 traditional, three vo-tech districts and charter schools.

October	No later than October 31, each receiving district (16 traditional) shall hold a public information session about choice opportunities.	CHOICE 14 Del. C. 404 (g) Receiving District & LEA Procedures
No deadline	Each receiving LEA (all) shall adopt and make available a policy regarding the order in which applications for enrollment pursuant to this chapter (Chapter 4) shall be considered and the criteria by which applications shall be evaluated.	CHOICE 14 Del. C. 405 (a) Criteria for approval or disapproval
Prior to application deadline (second Wednesday in January)	Each receiving district (16 traditional districts) shall adopt and make available a policy establishing criteria for acceptance or rejection of applications and set priorities – giving priority to categories of students in order listed – (priorities - preferences).	CHOICE 14 Del. C. 405 (b) Criteria for approval or disapproval
November (first Monday)	School choice period opens on or after first Monday in November.	CHOICE 14 Del. C. 403 (a) Pupil Application; Withdrawal
November 30	No later than Nov 30 each year board of each receiving district (16 traditional) shall transmit to DOE notice of capacity of each school in receiving district (16 traditional).	CHOICE 14 Del. C. 404 (f) Receiving District and LEA Procedures
November 30	District of residence shall pay receiving district (16 traditional) by Nov 30 each year; and deposits to the School Choice Fund shall be made by Nov 30 each school year.	CHOICE 14 Del. C. 408 (e) State and Local Education Funding
December 1	If parent/guardian fails to meet deadline of December 1 to terminate child’s enrollment, and good cause exists, existing district of enrollment shall accept and consider application.	CHOICE 14 Del. C. 407 (c) Duration of Enrollment in Receiving District
December 1	After minimum of two years of enrollment a parent/guardian may apply to terminate enrollment in the receiving district no later than December 1 for enrollment during the following school year.	CHOICE 14 Del. C. 407 (b) Duration of Enrollment in Receiving District And 407 (2) (e)
December 15	The board of the child’s then-existing district of enrollment shall approve or disapprove the application to terminate no later than Dec 15 of school year preceding enrollment.	CHOICE 14 Del. C. 407 (f) Duration of Enrollment in Receiving District

Prior to application deadline (second Wednesday in January)	Each receiving district (16 traditional districts) shall adopt and make available a policy establishing criteria for acceptance or rejection of applications and set priorities.	CHOICE 14 Del. C. 405 (b) Criteria for approval or disapproval
January (second Wednesday)	Choice application deadline; Charter schools, vocational technical school districts, and magnet schools may accept applications after this date to fill remaining availability; kindergarten application can be submitted until first day of school	CHOICE 14 Del. C. 403 (a) Pupil Application; Withdrawal
January 30	Capacity and projected enrollment may be revised until January 30.	CHOICE 14 Del. C. 404 (f) Receiving District & LEA Procedures
February	Board of receiving LEA (all) shall take action no later than last day of Feb. of school year preceding enrollment to approve or disapprove an application for admission to a program in grades 1 through 12. Charter schools, vocational-technical school districts, and magnet schools may accept applications after this date to fill remaining availability.	CHOICE 14 Del. C. 404 (b) Receiving District & LEA Procedures
March	The board of the receiving local education agency (ALL) shall notify the parent and the district of residence of invitation status of the applicant within five working days after board action.	CHOICE 14 Del. C. 404 (d) Receiving District & LEA Procedures
March 15	Regarding court-ordered desegregation plan, the district shall establish the number of majority and minority group pupils who may transfer into or out of the district. Any action by the board of the district of residence to disapprove the application pursuant to this section shall be taken no later than March 15 of the school year preceding enrollment. The board of the district of residence shall transmit a notice of the board's action pursuant to this section to the parent within five working days after board action.	CHOICE 14 Del. C. 406 (a), (b), (c) Racial Balance
March (third Friday)	Parent/guardian must notify the receiving LEA (ALL) of acceptance/rejection decision.	CHOICE 14 Del. C. 404 (e) Receiving District & LEA Procedures
June	Board of receiving local education agency (ALL) has until June 15 of the school year preceding enrollment to approve or disapprove an application for kindergarten.	CHOICE 14 Del. C. 404 (b) Receiving Districts & LEA Procedures
August	Any parent/guardian of a school age child may apply to enroll his/her own child in a school or program in a receiving local education agency except that a parent/guardian may apply to a receiving local education agency (ALL) until the first day of the school year for enrollment in a kindergarten program during that school year.	CHOICE 14 Del. C. 403 (a) Pupil Application; Withdrawal

August/September (first day of school)	Wait list ends: Each receiving local education agency (ALL) shall accept applications, in a manner consistent with the policy adopted until there is a lack of capacity in each school and program. Students who meet the receiving local education agency's (ALL) criteria for acceptance in the policy but who are not selected due to a lack of capacity in the school or program shall be placed on a ranked waiting list maintained by the receiving local education agency (ALL) until the first day of the receiving local education agency's school (ALL) year for which they applied.	CHOICE 14 Del. C. 405(c) Criteria for Approval or Disapproval
September	DOE shall annually calculate the local cost per pupil expended by each school district for each type of pupil for the school year immediately preceding and shall annually certify each district's local cost per pupil by Sept. 1 of each year.	CHOICE 14 Del. C. 408 (c) State and Local Education Funding
October	No later than October 31, each receiving district (16 traditional) shall hold a public information session about choice opportunities.	CHOICE 14 Del. C. 404 (g) Receiving District & LEA Procedures
Prior to approval process	Each receiving LEA (ALL) shall adopt and make available a policy regarding the order in which applications for enrollment shall be considered and the criteria by which applications shall be evaluated.	CHOICE 14 Del. C. 405 (a) Criteria for approval or disapproval
November (first Monday) – process begins	School choice period opens on or after first Monday in November.	CHOICE 14 Del. C. 403 (a) Pupil Application; Withdrawal
November 30	No later than Nov. 30 each year board of each receiving district shall transmit to DOE notice of capacity of each school in receiving district.	CHOICE 14 Del. C. 404 (f) Receiving District and LEA Procedures
November 30	District of residence shall pay receiving district by Nov. 30 each year; and deposits to the School Choice Fund shall be made by Nov 30 each school year.	CHOICE 14 Del. C. 408 (e) State and Local Education Funding
December 1	If parent/guardian fails to meet deadline of Dec. 1 to terminate child's enrollment, and good cause exists, existing district of enrollment shall accept and consider application.	CHOICE 14 Del. C. 407 (c) Duration of Enrollment in Receiving District
December 1	After minimum of two years of enrollment a parent/guardian may apply to terminate enrollment in the receiving district no later than Dec. 1 for enrollment during the following school year.	CHOICE 14 Del. C. 407 (b) Duration of Enrollment in Receiving District And 407 (2) (e)
December 15	The board of the child's then-existing district of enrollment shall approve or disapprove the application to terminate no later than Dec. 15 of school year preceding enrollment.	CHOICE 14 Del. C. 407 (f) Duration of Enrollment in Receiving District

REDUCTION IN FORCE/TERMINATION		
Date	Item	Document Reference
April/May 15 (operationally April, as decisions by local school board are needed prior to May 15)	In the event that any board desires to dispense with the services of any teacher, such board shall give notice in writing to such teacher on or before May 15 of any year of its intention to terminate said teacher's services at the end of such school year. For teachers identified pursuant to § 1403(a)(1) or (2) of this title, such written notice shall state the reasons for such intended termination of services and shall be accompanied by a copy of this chapter; provided, however, that this requirement shall not apply to those teachers employed temporarily to replace professional personnel on leave of absence or those holding temporary certificates.	TERMINATION 14 Del. C. C. 1410(a) Notice of Intention to Terminate
December 1	On or before Dec. 1 of each year, each district shall annually submit an Educator Hiring Practices and Needs Report to the department in a format approved by the department that includes, but is not limited to: contract offer date, position availability date, position type, number of positions available and filled, information on hard to staff positions, information on recruitment and selection processes, and information on staffing practices during the most recent hiring season(s). Administrators to be notified in writing by certified mail, no later than six (6) months prior to the expiration of the agreement, of either party's intent not to renew the agreement.	Reg 775 New Teacher Hiring Data Reporting Reg 725 School Administrator Contracts and Agreements

TRANSPORTATION		
Type of Choice	Item	Document Reference
Choice – inter-district and intra-district (not including vocational technical and charter schools)	The parent/guardian of any child enrolled in a district other than the district of residence, or enrolled in a school within the district of residence other than the school in which the child would normally be enrolled based upon the residence of the child's parent/guardian, shall be responsible for transporting the child without reimbursement to and from a point on a regular bus route of the receiving district.	14 Del. C. §409 Transportation
General transportation rule	Transportation benefits shall be provided for pupils in grades K to 6 whose legal residences are one (1) mile or more from the public schools to which they would normally be assigned by the district administrations; for pupils in grades 7 to 12 whose legal residences are two (2) miles or more from the public schools to which they would normally be assigned by the district administrations. Requests for otherwise ineligible transportation benefits due to unique hazards shall be processed according to regulation.	TRANSPORTATION Reg 1105 School Transportation, 12.1
Choice to vocational technical school	Vo-tech transportation to and from residence is allowed (hub bus stops may be used)	
Choice to charter school	Charter schools – transportation to and from residence is allowed (hub bus stops may be used)	14 Del. C., Chapter 5, §508