SPONSOR: Rep. Chukwuocha & Rep. Dorsey Walker & Sen. Gay
Reps. Baumbach, K. Johnson, Hilovsky, Harris; Sens. Mantzavinos, Wilson, Pettyjohn

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 354
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO ENROLLMENT PRIORITY OF MILITARY-CONNECTED STUDENTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 405, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 405. Criteria for approval or disapproval [For application of this section, see 83 Del. Laws, c. 316, § 3].

(b) Prior to the applicable application deadline established in § 403(a) of this title, each receiving district shall adopt and make available a policy establishing criteria for acceptance or rejection of applications and setting priorities for acceptances consistent with this section. Such criteria shall be reasonably related to the nature of the program or school for which the application is submitted and may not differ from the criteria used for acceptance or rejection of applications submitted by parents of children residing in the attendance zone of the school, if applicable, except that a district shall give priority to the following categories of students in the order listed:

(1) First, to returning students who continue to meet the requirements for the program or school, including students graduating from 1 school to another within a single program;

(2) Second, to students who meet the requirements for the program or school and who seek to attend based upon the residence of the student's parent within the designated feeder pattern, if any, for the school; and

(3) Third, to the siblings of students currently enrolled in the school or in a program in accordance with paragraph (b)(2) of this section who will be returning to the school for the following academic year, provided that any siblings seeking priority under this paragraph meet the requirements for the program or school. Priority must be given to siblings of students who live in the reorganized school district where the school is located, and may be given to siblings of students who do not live in the reorganized school district where the school is located.

In addition to the above a receiving district may next give priority to students who have designated the program or school as a first, second, or third choice; to students who live within the district; <u>to military-connected students who are the dependents of an active service member of the United States military, the Delaware National Guard, or a reserve</u>

component of the United States military; and to children of school employees; as long as they otherwise meet the criteria of the program or school. After a receiving district has admitted all qualifying students consistent with the criteria in this subsection, the receiving district, shall use a lottery process to admit additional students and generate a ranked waiting list. The Department may verify the randomness of the lottery process.

Section 2. Amend § 506, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 506. Restrictions [For application of this section, see 83 Del. Laws, c. 316, § 3].

(b) Preferences in student admissions may be given to:

(1) Siblings of students currently enrolled at the school;

(2) Students attending an existing public school converted to charter status. Parents of students at a school converted to charter status shall be provided with a plan the district will use to address the educational needs of students who will not be attending the charter school;

(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 persons employed on a permanent basis for at least 30.0 hours per week during the school year by the charter school.

(4) Children of a school's founders, so long as they constitute no more than 5% of the school's total student population. For the purposes 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 Department of Education regulations.

(5) Military-connected students who are the dependents of an active service member of any of the following:

a. The United States military.

b. The Delaware National Guard.

c. A reserve component of the United States military.