



**DELAWARE**

**CHARTER SCHOOLS**

**FREQUENTLY ASKED QUESTIONS**

**DELAWARE DEPARTMENT OF EDUCATION**

**April 2006**

## **FOREWORD**

The purpose of this Guide is to provide answers to some of the most frequently asked questions about charter schools in Delaware. It is directed primarily to parents who are considering enrolling their children in a Delaware charter school and parents of children already enrolled in charter schools.

For direct reference to the State law on which the charter school initiative is based, the reader may wish to examine 14 Delaware Code, Chapter 5, which can be accessed on-line at [www.delcode.state.de.us](http://www.delcode.state.de.us).

The Charter School Law grants authority for independent public schools to be created for the purpose of increasing choices for parents of public school students and increasing academic performance. It is anticipated that innovative education activities will emerge and provide greater choices within the public school system.

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# **LIST OF QUESTIONS**

- 1) What is a charter school?**
- 2) What is the intent of the charter school law?**
- 3) What is a "charter?"**
- 4) How does a charter school get its charter?**
- 5) How can a charter be changed after the original approval of its application?**
- 6) How are charter schools funded? May a charter school charge additional costs for specific services?**
- 7) Are charter schools permitted to have a special focus and seek students who have a special interest in that focus?**
- 8) How do charter schools recruit and admit students? Do applicants go through their "home" school? What happens when more students apply to a charter school than the school can accommodate?**
- 9) What commitment is made when a student enrolls in a charter school?**
- 10) If a student is expelled from a regular school, may that student enroll at a charter school, or vice versa?**
- 11) Is transportation provided for students in charter schools?**
- 12) Are students with disabilities and other special needs accommodated at charter schools?**
- 13) Are charter schools held to the same content standards and accountability requirements as other public schools in the State of Delaware?**
- 14) Is the diploma issued by a charter school the same as that issued by other public high schools?**
- 15) How are school records handled at charter schools?**
- 16) Do charter schools hire certified teachers?**
- 17) Are the health and safety issues the same for charter schools as for regular public schools?**
- 18) Will charter school students who are sophomores be offered Driver Education?**
- 19) May charter school students participate in interscholastic athletics?**
- 20) May charter schools require uniforms of their students?**
- 21) Where can someone get more information about charter schools in Delaware?**

### **1) What is a charter school?**

A charter school is an independent **public school** governed by a board of directors. Charter Schools may be newly created schools or existing public schools converted to charter schools.

Charter schools are exempt from most laws and regulations which govern other public schools.

### **2) What is the intent of the charter school law?**

The Delaware charter law (14 Delaware Code, Section 501) lists a number of intentions including: improving student learning, encouraging the use of different and innovative or proven school environments and teaching strategies, providing parents and students with improved measures of school improvement, and providing parents and students greater opportunities in choosing public schools.

### **3) What is a "charter?"**

In Delaware, a charter is an approved charter application that meets the criteria listed in 14 Delaware Code, Section 512 and includes any conditions that have been imposed. The charter outlines the educational and administrative plan to which the school and the charter-approving authority have agreed.

An initial charter is granted for a four-year period, renewable every five years thereafter. A school's charter is a public document and should be available for review by employees of the school, parents, and the general public.

#### **4) How does a charter school get its charter?**

Applications for approval to open a new charter school may be submitted to a local school board or to the Delaware Department of Education. Local school boards and the Department of Education with the consent of the State Board have the options of not accepting or limiting the number of charter applications. Applications submitted to the Delaware Department of Education must be approved by the Department of Education with the consent of the State Board of Education.

The approving authority (local school board or Department of Education) that grants the charter for the school is responsible for oversight of the school's compliance with its charter as well as the review of the school for charter renewal.

#### **5) How can a charter be changed after the original approval of its application?**

Charter schools can apply to the charter authorizer for approval of changes to their charters.

#### **6) How are charter schools funded? May a charter school charge additional costs for specific services?**

Charter schools receive both state and local educational funds based upon student enrollment. Charter schools do not receive additional funding for facilities.

Charter schools must provide without cost extra instructional time for at-risk students, summer school and other services required to be provided pursuant to the state accountability laws.

Charter schools may not charge tuition, however, there may be select additional services such as before and after school care for which there could be a charge.

**7) Are charter schools permitted to have a special focus and seek students who have a special interest in that focus?**

Charter schools may identify a special focus and seek to attract students with such a special interest. As public schools, they may not discriminate against students on the basis of race, gender, or disability.

**8) How do charter schools recruit and admit students? Do applicants go through their "home" school? What happens when more students apply to a charter school than the school can accommodate?**

Any student residing in Delaware may apply to any Delaware charter school that offers instruction in a grade that the student is eligible to attend. As publicly funded schools, charter schools are expected to openly recruit students from throughout the general geographic area where the school is located. It is expected that the school will make wide public announcements of its recruitment efforts and admissions procedures.

Students seeking admission to a charter school **must apply directly to that school** and do not apply through the Choice Program or through their school of residence. State law permits a number of preferences, which charter schools may allow in admissions including siblings of students enrolled at a charter school, children of the founders of the charter school and children of employees of the charter school. The Delaware charter law (14 Delaware Code, Section 506) states that when a charter school has more applicants than it can admit, it needs to conduct a lottery.

**9) What commitment is made when a student enrolls in a charter school?**

Delaware law requires that a student remain enrolled in the charter school for a minimum of one school year and the student's parents or guardians are required to sign a written confirmation to that effect. However, during the first school year of enrollment, a student may withdraw from the charter school for "good cause," as defined by 14 Del. C. Section 506 (d). After the first school year of enrollment, a student may withdraw from the charter school at anytime with or without "good cause."

**10) If a student is expelled from a regular school, may that student enroll at a charter school, or vice versa?**

When a student is expelled from a school district or a charter school, that student shall not be permitted to reenroll in any other school district or charter school in this State until after the full period of expulsion from the school district or charter school where the student was expelled has expired and the terms of that expulsion have been fulfilled.

**11) Is transportation provided for students in charter schools?**

A charter school has a choice of either providing transportation or asking the school district in which the school is geographically located to provide transportation.

If the school district provides transportation, the district may not be asked to send buses outside the district to pick up students or to make special routes within the district for charter school students. Students living within that district must meet state transportation eligibility requirements of living more than one mile from the charter school (grades K-6 students) or more than two miles from the charter school (grades 7-12 students). Students living outside the district may be picked up at a regular bus stop within the district in which the charter school is located.

If the charter school provides transportation for its students, it may contract out the service or provide service itself. In either case, the school must inform all parents of the school's transportation eligibility requirements.

If transportation is not provided by the school district in which the school is located, families of charter school students that are on federal free and reduced lunch programs who live outside the district in which the charter school is located may be eligible for a transportation reimbursement. The Department of Education will contact those families in the middle of the school year regarding reimbursement procedures.

**12) Are students with disabilities and other special needs accommodated at charter schools?**

Charter schools may not discriminate against students with disabilities. Charter schools must serve students who are eligible under Federal civil rights laws, the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act. As public schools, charter schools may not discriminate in admissions or educational practices against students with disabilities. Reasonable accommodations must be made for these students.

Further information about requirements and procedures for exceptional children may be obtained by contacting the Exceptional Children and Early Childhood Group at the Delaware Department of Education, (302) 735-4210.

**13) Are charter schools held to the same content standards and accountability requirements as other public schools in the State of Delaware?**

Yes. As public schools, charter schools are required to address the state content standards in their instructional programs and administer the same state assessments as all other public schools. Charter schools are held to the same accountability requirements as other public schools.

**14) Is the diploma issued by a charter school the same as that issued by other public high schools?**

A charter school that offers a high school curriculum can award state high school diplomas if its students meet the state graduation requirements.

**15) How are school records handled at charter schools?**

School records must be handled with the same care and degree of confidentiality as they are at other public schools and school districts. This is true for employment records and student records.

## **16) Do charter schools hire certified teachers?**

State law [14 Delaware Code, Section 507 (c)] requires that charter schools hire teachers certified in the State of Delaware but does allow some flexibility in this area. Charter schools may hire teachers in grades 7 through 12 who are enrolled in a "qualified alternative certification" program. Where there is no "qualified alternative certification" program (as in grades K-6), charter schools are required to employ at least 65% certified teachers. The No Child Left Behind Act requires that parents have access to information about the qualifications of their child(ren)'s teacher. Each public school must make this information available to parents. The qualifications of public school teachers may be viewed on-line at [www.doe.k12.de.us](http://www.doe.k12.de.us).

## **17) Are the health and safety issues the same for charter schools as for regular public schools?**

Each application for approval to open a charter school is required to have a plan to assure the health and safety of the students, employees, and guests of the school. Although there may be some variation among schools as how to meet this requirement, the plan must be approved prior to the award of a charter. Public school students must have required immunizations. For more information on immunizations, contact the Department of Education at (302) 735-4290.

## **18) Will charter school students who are sophomores be offered Driver Education?**

If there is sufficient sophomore enrollment, a charter school may offer driver education. Where there is not sufficient sophomore enrollment, eligible students may contact local school districts or the Central YMCA of Delaware to inquire about driver education. For more information, contact the Department of Education at (302) 857-3320.

### **19) May charter school students participate in interscholastic athletics?**

Charter schools having any combination of grades 6-12 and choosing to participate in interscholastic athletics may petition the Delaware Interscholastic Athletic Association (DIAA) for membership. Schools that are members of DIAA must pay dues and conduct their interscholastic athletic program in accordance with the association's constitution and bylaws. For more information, contact the Department of Education at (302) 857-3365.

### **20) May charter schools require uniforms of their students?**

Charter schools may require uniforms or a dress code. It is recommended that any required uniforms be made available at an affordable price and include a provision to assist economically disadvantaged students in obtaining school uniforms.

### **21) Where can someone get more information about charter schools in Delaware?**

More information may be obtained by contacting the charter school itself or the Charter School Office at the Delaware Department of Education at (302) 735-4020.

Please visit our web site for additional information and a complete listing of charter schools at [www.doe.k12.de.us](http://www.doe.k12.de.us).