SPONSOR: Sen. Lockman & Rep. Minor-Brown & Rep. K. Williams
Sens. Ennis, Gay, Pinkney, Poore, Wilson; Reps. Baumbach, Heffernan, K. Johnson, Lambert, S. Moore, Morris, Shupe

DELAWARE STATE SENATE
151st GENERAL ASSEMBLY

SENATE SUBSTITUTE NO. 1
FOR
SENATE BILL NO. 82
AS AMENDED BY
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC SCHOOL REGISTRATION.

WHEREAS, currently there are 29 school districts and charter schools that provide kindergarten services, there are 42 school districts and charter schools that accept students in grades kindergarten through 12, and many school districts and charter schools provide preschool services; each with its own registration process, and most of which use paper forms requiring in-person completion; and

WHEREAS, the initial registration process is burdensome and confusing for families registering their child for the first time in Delaware and data do not transfer when children change schools; and

WHEREAS, the process is burdensome for school districts and charter schools to handle paperwork and manual entry; and

WHEREAS, creating early registration will help children be prepared to start school on the first day, by ensuring they have all the necessary forms completed; and

WHEREAS, early registration will enable additional months of engagement and preparation with families, including opportunities to conduct outreach well in advance of the school year and targeted outreach to those who are not yet registered or engaged; and

WHEREAS, early registration helps families take advantage of choice slots, which often close by the first week in January; and

WHEREAS, approximately 1 in 3 Delaware public school students exercise school choice, electing to attend other schools within their district of residence, or choice-out of their district to another public school; and

WHEREAS, 3 out of 4 Delaware parents or caregivers, before the COVID-19 pandemic, describe the kindergarten registration process as “hard” or “extremely hard”, and almost all Spanish speaking parents (98%) said the registration process was “hard” or “extremely hard”; and

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WHEREAS, families may live in one school district and move before the start of the school year, or choice into another school district or a charter school and must fill out duplicate paperwork; and

WHEREAS, a 2020 report from Tech Impact found that creating a uniform registration system would be beneficial to school districts to modernize and meet the needs of families; and

WHEREAS, school districts and charter schools should control the local implementation of welcoming families and students into their schools, continuing to hold their own open houses, school readiness events, and implementing screening through locally determined strategies; and

WHEREAS, the State currently operates a common data system and school choice portal; and

WHEREAS, the State currently requires school districts and charter schools to collect some common information.

NOW, THEREFORE:

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

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

Chapter 4A. Uniform Public School Registration Process.

§ 401A. Definitions.

For purposes of this chapter:

(1) "Charter school" means a public school established under Chapter 5 of this title.

(2) "Department" means the Department of Education.

(3) "Parent" means a natural parent, an adoptive parent, any person legally charged with the care or custody of a student under 18 years of age, or any person who has assumed responsibility for the care of a student under 18 years of age including any person acting as a caregiver pursuant to the provisions of § 202(f) of this title.

(4) "Public school" means a school district or charter school.

(5) "Receiving local education agency" means as defined under § 402 of this title.

(6) "School district" means a clearly defined geographic subdivision of the State organized for the purpose of administering public education in that area and includes a district specifically created to administer a system of vocational or technical education.

§ 402A. Establishment of a uniform public school registration process.

(a) The Department shall establish a uniform public school registration process to be used by a parent to register a child for school in the public school system for the first time. The process must meet the requirements under §§ 403A and 404A of this title.

(b) Beginning the 2023 through 2024 school year, all public schools shall use the uniform public school registration process and shall enable registration access to that year, and each subsequent school year, before the application period for the school district enrollment choice program under § 403 of this title begins.

(c) The Department shall seek feedback from public schools and parents to guide ongoing improvements to the uniform public school registration process.

§ 403A. Uniform public school registration process and information collection requirements.

(a) The uniform public school registration process established under § 402A of this title must meet both of the following:

(1) Be available through the Internet and in paper form.

(2) Be available in English and Spanish.

(b) The uniform public school registration process established under § 402A of this title may be made available in languages in addition to English and Spanish.

(c) The uniform public school registration process established under § 402A of this title must include all of the documents required to be completed by a parent who is registering a child for public school for the first time and must permit a public school to require additional information or documents. Additional information or documents required by a public school must be approved by the Secretary of the Department.

(d) If a child is entering pre-kindergarten or kindergarten, the uniform public school registration process established under § 402A of this title must collect information related to the types of early learning experiences the child has had before entering pre-kindergarten or kindergarten, including the duration and time attended for each experience.

(e) A public school must be certified by the Department as completing the training provided under § 405A(1) of this title before providing paper forms as part of the uniform public school registration process.

(f) The Department shall provide to each public school information about the uniform public school registration process that the public school must post on the public school's website and include in other publications produced by the public school.

(g) After a parent has completed the registration process, the public school shall provide the parent with all of the following information, as applicable:

(1) The public school in which the parent's child is enrolled.

(2) The specific school to which the parent's child is assigned based on the child's place of residence.

(3) Information about the school choice process under Chapter 4 of this title, including that the school choice process is a process separate from the uniform public school registration process.

§ 404A. Internet-based uniform public school registration process requirements.

(a) The Internet-based uniform public school registration process established under § 403A of this title must do all of the following:

(1) Require a parent to do the following:

a. Complete the online registration process.

b. Provide proof of immunizations.

c. For a registration of a child in prekindergarten or kindergarten, provide a completed common statewide physical exam form that includes all up-to-date American Academy of Pediatrics Bright Futures Schedule of Periodicity screening and preventative recommended measures. The common statewide physical exam form must include information to prove lead screening as required by Chapter 26 of Title 16.

d. Provide a birth certificate.

e. Provide proof of residency documents.

f. For registration of a child in prekindergarten or kindergarten, provide a completed statewide, approved developmental screening that includes social and emotional components and is less than 12 months old at the time of submission or complete the developmental screening as part of the registration process.

(2) Record the date a parent registers a child for the first time.

(3) Report the number of children registered during a given month.

(4) Within 48 hours of a request to transfer information, enable information provided by a parent to be transferred, with parental approval and on verification of contact and residency information, to another public school when a child's school district of residence changes or a parent applies to enroll the parent's child in a receiving local education agency under Chapter 4 of this title.

(5) Permit any relevant personal document, including a birth certificate, required by a public school to be uploaded using the Internet-based uniform public school registration process.

(b) A public school shall provide computer access so that a parent may use the Internet-based uniform public school registration process to register a child for school in the public school system for the first time.

§ 405A. Department duties.

The Department shall:

(1) Provide training on the uniform public school registration process established under this chapter to public school employees who are assigned to assist parents with the uniform public school registration process, including specific training related to the paper-based, in-person registration process.

(2) Issue guidelines for privacy of information submitted as part of the uniform public school registration process.

§ 406A. Regulatory authority.

The Secretary of the Department may promulgate regulations necessary to implement this chapter.

Section 2. Amend § 403, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 403. Pupil application; withdrawal.

(a)(1) Any parent of a school age child may apply to enroll that parent's own child in a school or program in a receiving local education agency by submitting a written application, on a standard form provided by the Department of Education, to the Department of Education or to the receiving local education agency and to the district of residence on or after the first Monday in November and on or before the second Wednesday in January for enrollment during the following school year, except that a parent may apply to a receiving local education agency until the first day of the school year for enrollment in a kindergarten program during that school year.

(2)a. To be eligible to apply to a school or program in a receiving local education agency under paragraph (a)(1) of this section, a child must first be registered in the child's assigned public school within the district that the child would normally be enrolled based on the child's place of residence.

b. The registration required under paragraph (a)(2)a. of this section must be through the uniform registration process under Chapter 4A of this title, whether through Internet-based or in person registration.

c. During the registration process under paragraph (a)(2)a. of this section, there must not be unnecessary barriers or burdens to accessing school choice opportunities.

(3) The Department of Education shall distribute applications to the appropriate receiving local education agency no later than 10 working days after the application deadlines set forth in this subsection.

(4) Receiving districts may require the submission of information beyond that contained in the standard form provided that it requires the submission of the same information by the parents of children residing in the attendance zone for the school.

(5) Notwithstanding the requirements of this subsection, charter schools, vocational-technical school districts, and magnet schools may accept applications submitted after the second Wednesday in January to fill remaining availability.

Section 3. Report on enabling data provided through the Internet-based uniform public school registration process to be shared with and integrated into other databases.

(a) The Department of Education shall report on the feasibility of connecting the Internet-based uniform public school registration process with the following:

(1) The Department's school choice website.

(2) The State's system for immunizations.

(3) The State's system for birth certificates.

(4) Any other Internet-based system that is used to collect student data by the State; the Department; a licensed child care provider, including Head Start; or a public school serving preschool through age 21.

(b) The Department of Education shall provide the report required under subsection (a) of this Section no later than March 14, 2022, to all of the following:

(1) The Governor.

(2) The President Pro Tempore of the Senate.

(3) The Speaker of the House of Representatives.

(4) The Chairs of the Senate and House Education Committees.

(5) The Controller General.

(6) The Director and Legislative Librarian of the Division of Research of Legislative Council.