

102 APPLICATION AND LOTTERY POLICY

I. PURPOSE

The purpose of this policy is to explain the application and enrollment process at Birch Grove Community School (BGCS) so that families will have information to make decisions regarding their children's school attendance.

II. POLICY STATEMENT

This policy establishes guidelines for admission into BGCS that are consistent with the admission requirements of Minnesota Statutes §124E and other applicable laws.

III. LIMITATIONS ON ENROLLMENT

Pursuant to the contract with its authorizer, BGCS has limited eligible pupils to those in grades K through 5.

IV. GENERAL ENROLLMENT PROVISIONS

- A.** BGCS is a public school and pursuant to state law, must enroll an eligible student who submits a timely application, unless the number of applications exceeds the capacity of the program, class, grade level, or building. When that occurs, students will be accepted by lot and admitted as further described in section VI.
- B.** Before admitting a student on the lottery list, BGCS shall give preference for enrollment to siblings of an enrolled student and to a foster child of that pupil's parents.
- C.** Before accepting students by lot, BGCS will give preference to enrolling children of the school's staff before accepting other pupils by lot.
- D.** BGCS shall not discriminate against any student based on race, color, ethnicity, sex, gender identity, age, national origin, ancestry, religion or creed, status with regard to public assistance, sexual orientation, disability, intellectual ability, prior measures of achievement or aptitude, athletic ability, or for any other basis that would be unlawful for a public or charter school.
- E.** BGCS shall not seek any information about any applicant that may be used to discriminate against the applicant in either school's policies or governing laws. This does not preclude the school from seeking such information for a lawful purpose about a student after the student has been admitted.

- F. Notwithstanding any other provision of this policy to the contrary, in compliance with the requirements of the Minnesota Department of Education and with the 2011 settlement agreement in *ACLU v. TiZA, et al.* litigation, BGCS shall not select students based on religious preference.
- G. BGCS will not distribute any services or goods of value to students, parents or guardians as an inducement, term or condition of enrolling a student unless required to do so by Minnesota's Pupil Fee Law.

V. APPLICATION AND ENROLLMENT PROCEDURES

- A. Interested families will submit applications up until 4 p.m. on the 1st of July. If July 1 falls on a Saturday or a Sunday, then the deadline for applications will be the first Monday following July 1. The board of directors may change the deadline for applications for the next school year by resolution without changing this policy.
- B. BGCS will accept applications for admission to grades K-5. Up to 30 students will be accepted for each grade K-5. The board of directors may increase one or more grades' capacity by resolution without changing this policy prior to the date on which applications close.
- C. Formal recruitment of incoming students is ongoing. The school will encourage families to meet with the faculty, staff and/or board members to discuss the value of BGCS, and its expectations of students and their families.
- D. Once the application period is closed, if there are more applicants than spots available, all timely applicants will be placed on one of two lists by grade: (a) a preference list of students given preference by state law or this policy, and (b) all other applicants. Both lists will be shuffled and offers of enrollment will be made to students in the order in which they are listed for each grade until classes are full, first exhausting the preference list, and then proceeding to the non-preference applicants.
 - 1. This lottery will be held no later than the first Monday after the student application deadline.
 - 2. Notice of the lottery will be made public via the school website.

VI. LOTTERY

- A. A "sibling" is defined as a student applicant who is related to an enrolled student with the same father and/or mother either (1) genetically, or (2) through legal process, i.e., adoption, guardianship, or foster parent. Sibling preference does not apply until one of the siblings is actually enrolled.
- B. Siblings of currently enrolled students will be given first priority. If there are more sibling applicants than spots for a particular grade, the sibling applicants will be shuffled by lot each year and then offers of enrollment will be made in the order drawn.
- C. Second priority will be given to children of school staff. If a staff member's employment is ended for any reason, the child moves to the end of the non-preferential waiting list.
- D. Once all sibling applicants and children of school staff have been placed, other applicants will be offered enrollment in their order on the non-preferential applicant waiting list determined by

lottery.

- E. If any student, whether enrolled or on the waiting list, cancels their application or withdraws from BGCS, they shall lose their place. If they later re-apply, they shall be treated as a new applicant.
- F. All applicants still on a waiting list at the beginning of the next enrollment period must submit a new application for enrollment and will be subject to the enrollment process described above. The waiting lists do not carry over from year to year.

VII. STUDENT RECRUITMENT ACTIVITIES

- A. BGCS shall vigorously market itself before and during the enrollment period to recruit students to meet its enrollment goals as set by the board of directors.
- B. In accordance with its marketing strategy, BGCS may use the measures below, among others, to recruit student applicants.
 - 1. Post flyers and notices in local newspapers and/or blogs and online newspapers.
 - 2. Post the admissions policy and application (available for download) on the school's website.
- C. BGCS can provide translation services, as necessary, for all promotional materials and any person-to-person interaction.

Legal References: Minn. Stat. §124E.11 Admission Requirements and Enrollment
Minn. Stat. §§123B.36-.37 (Authorized Fees; Prohibited Fees)