

509 ADMISSION AND ENROLLMENT

I. PURPOSE

The purpose of this policy is to set forth admission and enrollment procedures that Birch Grove Community School utilizes.

II. GENERAL STATEMENT OF PURPOSE

Birch Grove Community School believes that parents have the responsibility to select the most appropriate educational programs for their children and that parental commitment to the educational program is a significant and positive choice. BGCS also recognizes that choice in the selection of a public school provides parents and learners an opportunity to seek a school that best fits their needs and interests. This policy addresses the terms and conditions of student applications and enrollment into Birch Grove Community School.

III. ADMISSION LIMITATIONS

- A. Birch Grove Community School, including its preschool or prekindergarten program established under Minnesota Statutes, section 124E.06, subdivision 3, paragraph (b), may limit admission to:
 - 1. pupils within an age group or grade level;
 - 2. pupils who are eligible to participate in the graduation incentives program under Minnesota Statutes, section 124D.68; or
 - 3. residents of a specific geographic area in which the school is located when the majority of students served by the school are members of underserved populations.
- B. BGCS shall comply with the Minnesota Human Rights Act, which prohibits educational institutions from discriminating against students based on a protected class including race, color, creed, religion, national origin, sex, age, marital status, status with regard to public assistance, sexual orientation or disability.
- C. BGCS must disseminate information about the school's offerings and enrollment procedures to families that reflect the diversity of Minnesota's population and targeted groups. Targeted groups include low-income families and communities, students of color, students at risk of academic failure, and students underrepresented in the school's student body relative to Minnesota's population. The school must document its dissemination activities in the school's annual report. The school's dissemination activities must be a component of the authorizer's performance review of the school.

IV. ENROLLMENT

- A. Birch Grove Community School, including its preschool or prekindergarten program established under Minnesota Statutes, section 124E.06, subdivision 3, paragraph (b), shall enroll an eligible pupil who submits a timely application, unless the number of applications exceeds the capacity of a program, class, grade level, or building. In this case, pupils must be accepted by lot. The charter school must develop and publish, including on its website, a lottery policy and process that it must use when accepting pupils by lot.
- B. Admission to a charter school must be free to any eligible pupil who resides within the state. A charter school must give enrollment preference to a Minnesota resident pupil over pupils that do not reside in Minnesota. A charter school must require a pupil who does not reside in Minnesota to annually apply to enroll in accordance with Minnesota Statutes, section 124E.11, paragraphs (a) to (f).
- C. BGCS must give enrollment preference to a sibling of an enrolled pupil and to a foster child of that pupil's parents and may give preference for enrolling children of the school's staff before accepting other pupils by lot. A staff member eligible for an enrollment preference for their child, including a foster child, must be an individual employed at the school whose employment is stipulated in advance to total at least 480 hours in a school calendar year.
- D. A person may not be admitted to the charter school (1) as a kindergarten pupil, unless the pupil is at least five years of age on September 1 of the calendar year in which the school year for which the pupil seeks admission commences; or (2) as a first grade student, unless the pupil is at least six years of age on September 1 of the calendar year in which the school year for which the pupil seeks admission commences or has completed kindergarten; except that a charter school may establish and publish on its website a policy for admission of selected pupils at an earlier age, consistent with the enrollment process in paragraphs A and B.
- E. Except as permitted in paragraphs D and I, BGCS, including its preschool or prekindergarten program established under Minnesota Statutes, section 124E.06, subdivision 3, paragraph (b), may not limit admission to pupils on the basis of intellectual ability, measures of achievement or aptitude, or athletic ability and may not establish any criteria or requirements for admission that are inconsistent with this section.
- F. BGCS or any agent of the school must not distribute any services or goods, payments, or other incentives of value to students, parents, or guardians as an inducement, term, or condition of enrolling a student in a charter school.
- G. Once a student who resides in Minnesota is enrolled in the school in kindergarten through grade 12, or in the school's free preschool or prekindergarten program under Minnesota Statutes, section 124E.06, subdivision 3, paragraph (b), the student is considered enrolled in the school until the student formally withdraws, the school receives a request for the transfer of educational records from another school, the school receives a written election by the parent or legal guardian of the

student withdrawing the student, or the student is expelled under the Pupil Fair Dismissal Act in Minnesota Statutes, sections 121A.40 to 121A.56.

- H. A charter school with at least 90 percent of enrolled students who are eligible for special education services and have a primary disability of deaf or hard-of-hearing may enroll prekindergarten pupils with a disability under Minnesota Statutes, section 126C.05, subdivision 1, paragraph (a), and must comply with the federal Individuals with Disabilities Education Act under 34 Code of Federal Regulations, section 300.324, subsection (2), clause (iv).
- I. A charter school serving at least 90 percent of enrolled students who are eligible for special education services and have a primary disability of deaf, deafblind, or hard-of-hearing may give enrollment preference to students who are eligible for special education services and have a primary disability of deaf, deafblind, or hard-of-hearing. The charter school may not limit admission based on the student's eligibility for additional special education services.

V. LOTTERY PROCESS

- 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.
- E. 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.

- F. 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.
- G. 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.
- H. 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.
- I. 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.
- J. 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.

Legal References: Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 124E.11 (Admission Requirements and Enrollment)
Minn. Stat. § 124E.17 (Charter School Information)
Minn. Stat. § 363A.13 (Educational Institution)

Cross References: None