

# Maine Charter School Commission

Request for Proposal and Charter School Application  
FOR SCHOOL OPENING 2017

Question and Answer

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## Clarifying Question RFP 2017

### Enrollment Processes

Q. How do we structure our enrollment process so we ensure fair and equal access for those who will best benefit from the program?

#### **Answer:**

According to 20-A Ch. 112 §2404, F “A public charter school may limit enrollment to pupils within a given age group or grade level and may be organized around a special emphasis, theme or concept as stated in the school's application for a charter contract pursuant to section 2407.”

Also, a public charter school must advertise openings, at least in their catchment area and cannot reject an applicant who does not fit their targeted demographic.

In Maine DOE Rule Chapter 140 §3.1 Notice of charter school openings, states that:

A charter school must give reasonable public notice that it has openings for student enrollment, at least 30 days before the enrollment application deadline. Notice must be provided in a manner designed to give notice to all eligible students and must include, at a minimum, publication on two consecutive weekends in the State Paper designated in Title 1, section 551 and notice to interested parties as provided in Section 2, subsection 2. Notice must also be submitted to the department, and the department shall include the notice on the Department's charter school Website on the Internet. Notice must also be provided to any person who has asked the authorizer of the school for notice of school openings.

and Maine DOE Rule Chapter 140 §3.2

A. **“Declaration of student intent.** A charter school shall require a written declaration of intent to enroll in the charter school in the upcoming school year from each student who wishes to enroll in the charter school, including students who have an enrollment preference. The written declaration must be signed by the student's parent, guardian or legal guardian and submitted to the charter school within the deadline established by the charter school. The charter school must set the deadline so that sufficient time is allowed to conduct a lottery within the time frame set forth in this rule if the number of declarations of intent to enroll exceeds the number

of seats available in a grade, level or division of the charter school. The declaration of student intent may request only such information as is needed to determine which grade, level or division of the school the student wishes to enter, whether the student is eligible for a preference, and the identity of the student's resident school administrative unit (SAU).

- B. **Enrollment commitments when declarations do not exceed openings.** If the number of students submitting declarations of intent by the submission deadline is smaller than the number of openings in any grade, level or division of the school, the charter school shall notify each student and his or her parent, guardian or legal guardian of the right to enroll in the upcoming school year, and shall seek a written commitment to enroll signed by the student and the parent, guardian or legal guardian. The charter school may enroll students to fill remaining openings, on a rolling basis or by other means specified in the charter application or contract, once all students who filed a declaration of intent prior to the deadline have been offered the opportunity to enroll or commit to enroll.
- C. **Random selection process.** If the number of students submitting a declaration of intent to enroll exceeds the number of openings in a school, grade, level or division, the charter school must notify students with preferences of their right to enroll and then shall conduct a random selection process to fill remaining openings.
- (1) The selection process must be conducted not later than April 1<sup>st</sup>, unless the authorizer, for compelling reasons, sets a different date. For purposes of this section, the term "compelling reasons" includes, but is not limited to, the need for a date later than April 1<sup>st</sup> in the first year of implementation of the charter school law and the need for flexibility for at-risk students and their families. Any date set by an authorizer under this subparagraph (1) must be designed to ensure that students will have an equal opportunity to seek enrollment in the school and that information is provided to each student's resident SAU in as timely a manner as possible.
  - (2) The selection must be conducted in public and must be designed to ensure that each student has an equal chance of being selected for enrollment. If the process is a lottery involving drawing of names or other objects to make a selection, a disinterested party must perform the drawing of names or objects.
  - (3) Reasonable public notice must be given at least one week prior to the lottery or other selection process.
  - (4) The names of students and the order in which they were selected must be recorded. All names must be placed in the order of selection, and any names that exceed the enrollment limit for a grade, level or division of the charter school must be placed on a waiting list for that grade, level or division. The charter school shall use eligible students on the waiting list to fill any openings that occur in the grade, level or division during the school year for which names were selected. If all students on the waiting list have been offered enrollment, the charter school may enroll students on a rolling basis, or such other basis as may be set forth in the charter application or charter contract.
  - (5) If the number of students selected for enrollment from any school administrative unit exceeds the applicable 5% or 10% limit set forth in Title 20-A, section 2404, subsection 2, paragraphs D and E, the excess names must be moved from the enrollment list to the top of the waiting list, in the order selected. If an opening occurs after the initial

selection process, a student placed on a waiting list under this subparagraph may be selected for enrollment from the waiting list only if the student's enrollment is within the 5% or 10% limit; otherwise, the student's name remains on the waiting list. For purposes of the 5% and 10% limits, the charter school shall use enrollment figures for a school administrative unit (SAU) as determined by the most recent October subsidizable pupil count, excluding students who are attending any charter school on the date of the October pupil count.

- D. **Commitment to enroll.** Within 14 days of being notified of the right to enroll in a charter school, each student must submit to the charter school a written form committing to enroll in the charter school in the upcoming school year, signed by the student's parent, guardian or legal guardian. The commitment to enroll form must authorize the resident SAU to release to the charter school the student's unique identifier number in the state's student information system.
- E. **Student information form.** After a student files a commitment to enroll form, a charter school may require the student to complete a form to gather information about a student's interests, abilities and experiences. Information on the form may be used in discussions with a student or parent regarding enrollment in the charter school, but may not be used to prevent or discourage a student from enrolling. A charter school may encourage potential enrollees or their parents to attend informational meetings or interviews, but may not require such attendance as a condition of enrollment or continued enrollment. A charter school may not condition enrollment on the results of any test of ability or achievement."

See also 20-A Ch. 112 §2407, 1

"Application. An applicant for approval as a public charter school must submit an application as set out in this section. An applicant may submit an application only to an authorizer that has issued a request for proposals in accordance with section 2406. An applicant may submit a proposal for a particular public charter school to no more than one authorizer at a time. The purposes of the application are to present the proposed public charter school's academic and operational vision and plans, demonstrate the applicant's capacities to execute the proposed vision and plans and provide the authorizer a clear basis for assessing the applicant's plans and capacities."

and 20-A Ch. 112 §2402

"Charter schools may be established as public schools pursuant to this chapter to improve pupil learning by creating more high-quality schools with high standards for pupil performance; to close achievement gaps between high-performing and low-performing groups of public school students; to increase high-quality educational opportunities within the public education system; to provide alternative learning environments for students who are not thriving in traditional school settings; to create new professional opportunities for teachers and other school personnel; to encourage the use of different, high-quality models of teaching and other aspects of schooling; and to provide students, parents, community members and local entities with expanded opportunities for involvement in the public education system."