

## **Charter School Admission and Enrollment Guidance 2020-2021 School Year**

### **Background**

In the 86<sup>th</sup> Legislative session the provisions for the adoption of a statewide common admission application for open-enrollment charter schools was passed as well as guidelines for charter schools to use waitlists if they receive more applications from students than they have available positions. These application and waitlist requirements may be found in Texas Education Code (TEC) §§12.117, 12.1171, 12.1173, and 12.1174. Open-enrollment charter schools are required to submit information on the number of students enrolled, the enrollment capacity of their campuses, and the number of students on the waiting list by grade level to the Texas Education Agency no later than the last Friday in October each year. The agency is required to compile this information and publish the data on its website. The Charter Student Admission Application (CSAA) may be accessed and downloaded at <https://tea.texas.gov/sites/default/files/Charter%20Student%20Admission%20Application%202020-2021.pdf>. The Charter School Waitlist (CSW) Report is produced annually and is required to be posted by March 15<sup>th</sup> of each year, beginning in March, 2021.

### **Admission and Enrollment**

Enrolling a child in a Texas charter school is a two-step process: application for admission and then enrollment in the charter school. Application for admission is completed using the statewide common admission application, known as the Charter Student Admission Application (CSAA). The CSAA is used to gather basic information about the student applying for admission, including the student's name, date of birth, gender, grade applying for, parent/guardian, address of the student, and a phone number. Once the deadline for admission has passed, schools must offer enrollment to students. If there are more students applying for admission than positions available, the charter must follow the steps outlined in its admission and enrollment policy to either conduct a lottery for available spaces or fill positions in the order in which all timely applications were received. Once students are selected for the available positions, the enrollment process begins. If the parent/guardian accepts the available position, schools may request additional information including the student's health records, academic records, verification of address, and in some instances, discipline records. As a reminder, a charter school's admissions policy may not discriminate against students on the basis of sex, national origin, ethnicity, religion, disability, academic, artistic, or athletic ability or the district the child would otherwise attend.

### **Enrollment Parameters**

Students enrolled in a charter school must live in the approved geographic boundary of the school, enroll in a grade level that the school is approved to serve, and whose enrollment does not cause the school to exceed the school's approved maximum enrollment capacity. If the school was approved by the State Board of Education (SBOE) or the commissioner of education as a performing arts school with an audition component, the school may require students to audition for enrollment. A student may be ineligible for admission to a charter school based on a history of a criminal offense, a juvenile court adjudication, or discipline problems under TEC Chapter 37, Subchapter A, only if the exclusion was specifically approved by the SBOE or commissioner of education when the charter was originally awarded, or if the charter was

amended by the commissioner of education to allow this exclusion. It must be noted that the exclusion is allowed only for serious discipline problems as specified in Chapter 37, Subchapter A.

### **Oversubscription and Lotteries**

The charter school's admission and enrollment policy must establish an annual window of admission and enrollment with a beginning and ending date. At the conclusion of the admission window, if more students apply to the charter school than can be accommodated (oversubscribed), a charter school must allocate spaces through a lottery process or fill available positions in the order in which applications were received if notice to the public is provided as required by statute. Although state law allows a charter to fill available positions in the order in which applications were received, in order to be eligible to receive federal Charter School Program (CSP) funds, a charter school must have a lottery process. In either instance, students who are not selected to fill an available position are placed on a waiting list. Students who complete an application for admission after the admission window has closed must either be offered a position, if positions are available, or be placed on a waiting list, if the school is oversubscribed.

### **Frequently asked questions about using the Charter Student Admission Application (CSAA)**

#### **1. Q: What is the statutory authority for the admission application?**

Texas Education Code (TEC), §12.1173, added by SB 2293, Texas Legislature, 86<sup>th</sup> Regular Session, 2019, requires the commissioner to adopt a common admission application for use by an applicant for admission to an open-enrollment charter school. Pursuant to the statute all open-enrollment charter schools are required to collect student application data specified by the Charter Student Admission Application (CSAA). All open-enrollment charter schools in Texas must use the CSAA in their student application processes no later than **August 1, 2020**.

#### **2. Q: What information is the parent/guardian required to report when filling out the CSAA?**

On the CSAA, parents/guardians are **required** to provide the following information:

- Name of the student (first and last name, and middle name, if there is one)
- Date of Birth
- Gender
- Grade Applying For
- Name of the parent/guardian (first and last name)
- Street address as well as city, state, and zip code
- Phone number
- An attestation that the information is complete and accurate, the person is the legal guardian of the child listed, and any false information, omission, or misrepresentation of facts may result in the rejection of the application or future dismissal of the applicant.

#### **3. Q: Is there optional information that a parent/guardian may choose not to report when filling out the CSAA?**

On the CSAA, parents may choose to provide the following **optional** information:

- Student identification number their Social Security Number

- Whether the applicant has a sibling attending the school or whether the applicant is a child of a staff or board member
- Email address of the parent/guardian

**4. Q: Is there information that a school is prohibited from requesting when a student applies for admission to a charter school?**

During the initial application process, no additional information other than what is required on the CSAA is to be requested from or provided by the parent, including discipline records, health records, academic records, address verification, social security verification, or a birth certificate. These records can be requested by the school as part of the enrollment process, which begins after the application deadline has expired.

**5. Q: Where can I find the Charter School Admission Application?**

The CSAA application can be found on the TEA website <link>. In addition, schools may place an application link on their webpage that allows parents to submit the CSAA electronically. Schools may choose to print paper copies of the CSAA and have those available for use. Schools that use an enrollment software vendor may integrate the CSAA into their application process.

**6. Q: Can schools modify the CSAA?**

Charter schools may not alter the CSAA. The application may not be modified to advertise or otherwise promote any person or open-enrollment charter school or solicit money, goods, or services from an applicant. Schools may not add their school logo or mascot, modify the order of the fields, or add or delete anything else that would alter the CSAA. Charters may preselect or print the name of their individual campuses on the CSAA where the drop-down list for the charter school campus name is listed.

**7. Q: What do schools do with the application once it is completed?**

All data collected by the school on the CSAA must be retained by the school as part of the school's admission process, consistent with the charter holder's open-enrollment admission policy and the Texas State Records Retention Schedule. Schools should not send completed applications to the agency.

**Frequently asked questions about application for admission and enrollment**

**8. Q: Are all students that apply eligible for admission?**

A charter school's admissions policy may not discriminate against students on the basis of sex, national origin, ethnicity, religion, disability, academic, artistic, or athletic ability or the district the child would otherwise attend. Students enrolled in a charter school must live in the approved geographic boundary of the school, enroll in a grade level that the school is approved to serve, and whose enrollment does not cause the school to exceed the school's approved maximum enrollment capacity.

**9. Q: Are charter schools required to accept all applications?**

A charter school is required to accept all timely applications from students who meet the residency requirements for the open-enrollment charter school's designated geographical boundary up to the maximum enrollment capacity set out in the charter. If more students apply to the charter school than

can be accommodated, a charter school should allocate spaces through a lottery process or fill available positions in the order in which applications were received before the application deadline if notice to the public is provided as required by statute. In order to receive federal Charter School Program (CSP) funds, a charter school must have a lottery process.

**10. Q: Can a charter school require an audition component prior to enrollment?**

No student auditions can be required prior to admission and enrollment at a charter school unless the charter school was originally approved by the State Board of Education (SBOE) or the commissioner of education as a performing arts school with an audition component or the charter was amended by the commissioner of education to designate the school as a performing arts school with an audition component.

**11. Q: Can a charter school exclude a student from enrollment because of serious discipline problems?**

A student may be ineligible for admission to a charter school based on a history of a criminal offense, a juvenile court adjudication, or discipline problems under TEC Chapter 37, Subchapter A, only if the exclusion was specifically approved by the SBOE or commissioner of education when the charter was originally awarded, or if the charter was amended by the commissioner of education to allow this exclusion. It must be noted that the exclusion is allowed only for those serious discipline problems specified in Chapter 37, Subchapter A.

**12. Q: Are there requirements that a parent must meet to enroll their child in a charter school?**

There are no statutes that allow for required parental interviews or attendance at meetings with school officials prior to, during or after their student's enrollment at the school. Likewise, parents cannot be required to volunteer, pay an application fee or any type of school fee, or make payment in lieu of volunteering as a condition of admission to or enrollment at an open-enrollment charter school.

**13. Q: Is there a waiting period before my child can start school after the open enrollment period has ended?**

If space is available, an eligible student must be admitted and enrolled on any day at any time of the day and must be counted as and considered a charter student immediately. Open-enrollment charter schools cannot have specified days for admission and/or enrollment of students. State law does not allow for a trial enrollment period at a public school; therefore, there can be no period of time in which a student attends a charter school without being enrolled as a charter school student.

**Frequently asked questions about withdrawal and expulsion**

**14. Q: Can a school "administratively withdraw" a student (tell the student they can no longer come back to the school because of a discipline problem)?**

A student who fails to comply with the charter school's student code of conduct is entitled to due process and may not be systematically administratively withdrawn. State statute does not recognize provisions such as "three-strikes rule" disciplinary offenses.

**15. Q: Can a charter school expel a student?**

If a student commits an expellable offense, as outlined in the school's student code of conduct, charter administrators may expel the student only after due process has been afforded to the student, and the charter holder board has determined that expulsion is the appropriate consequence. The charter holder shall notify the school district in which the student resides within three business days of any action expelling or withdrawing a student from the charter school.

For further information regarding use of the CSAA, please contact Dana Moses, Portfolio Analyst, by email at [dana.moses@tea.texas.gov](mailto:dana.moses@tea.texas.gov) or by phone at 512-463-9910.