

MITCH CHARTER SCHOOL BOARD POLICY
STUDENT ENROLLMENT
POLICY: H-1

This policy replaces all prior MITCH policies and procedures relating to enrollment and lottery, including without limitation Policy H-1 adopted by the Board of Directors on January 21, 2016, and the policy adopted and referred to in the Board minutes for the meeting dated December 17, 2015.

1. Definitions.

1.1 “District” means the Tigard-Tualatin School District.

1.2 “Charter School” means the M.I.T.C.H. Charter School sponsored by the District.

1.3 “Nonresident students” means students and applicants who do not reside within the District.

1.4 “Current student” means a student who (a) was enrolled in the Charter School on or before the deadline for the first phase of enrollment under Section 2 and (b) has not withdrawn before the deadline of any phase of enrollment for which a determination needs to be made as to whether that student is a current student. A student who enrolls in the Charter School after the deadline for the first phase of enrollment under Section 2 does not have the priority under Section 4 (Returning Students), but such a student must apply to enroll for the upcoming school year in the same manner as other new students. The priorities under Sections 5.1 and 5.2 (siblings of current students) do not apply with respect to siblings of a student (i) who enrolls in the Charter School after the deadline for the first phase of enrollment under Section 2 or (ii) who has withdrawn before the applicable enrollment deadline.

1.5 “Current school year” means the school year immediately before the upcoming school year. To illustrate, if students are applying to enroll for the 2016-17 school year, the 2015-16 school year would be the current school year, and the deadlines for all phases of enrollment set under Section 2 would occur on dates no earlier than January 2016 and no later than August 2016.

1.6 “Upcoming school year” means the school year for which the students are applying to be enrolled.

1.7 “Complete Application” means a completely filled-out application, together with any required supporting documentation, that has been transmitted [by regular mail, by fax, or by hand delivery] to the Charter

School's office at 19550 SW 90th Court, Tualatin Oregon 97062 [fax: 503-218-2177]. An application must be both complete, in terms of content, and properly transmitted before any applicable deadline in order to be deemed complete and thus considered in any lottery.

1.8 "Parent or Parents" shall mean guardian where applicable.

1.9 This Section 1.9 does not apply to the 24-hour period in Section 2.3.1 because the required confirmation can be made by telephone (via voice messages) or email even if the Charter School office is then closed. Except as provided in the preceding sentence, this Section 1.9 applies when a deadline (such as the enrollment deadlines under Section 2.1) or the end of a period of time (such as the two-week period in Section 2.3.2) falls on a day when the school office is closed (such as weekends, legal holidays, days school is cancelled due to bad weather, and winter, summer and spring breaks). Such deadline or end of a period of time (as described in the preceding sentence) shall be deemed to be postponed to the next day when the school office is open.

2. Dates for Phases of Enrollment; Lottery; Forms; Procedures; Notice.

2.1 Phases of Enrollment; Lottery. Each year the Executive Director will determine (and report to the Board) the number of phases of enrollment for the upcoming school year and will set the deadline for each phase of enrollment. The Executive Director may change such deadlines from time to time. The Executive Director will set the times and place for conducting any required lottery, which will take place at a meeting open to the public. The deadlines and lottery dates may differ for different grades. A parent or guardian of a student who has submitted a complete application is not required to be present at the lottery for the student to be selected. The lottery shall be conducted during the public meeting using a computer software randomizer program (or other method allowed by the Board that is equitable).

2.2 Forms and Procedures. The Executive Director shall determine the contents required for a complete application, together with any required supporting documentation. The Executive Director shall determine any changes to the application and procedure as needed to govern the enrollment process, and may change those from time to time as the Executive Director determines what works best.

2.3 Notice to Students; Additional Documentation. The Executive Director shall cause the parents of students who have been enrolled via the lottery and enrollment process to be so notified by telephone, email, or regular mail.

2.3.1 Within 24 hours after such notice is given, a parent of such student shall notify the Charter School office by telephone or email confirming that the student still desires to be enrolled; failure to provide such confirmation within the 24-hour period shall be deemed a decision by the parents to not enroll the student at the Charter School.

2.3.2 Within two weeks after such notice is given, a parent of such student shall transmit to the Charter School office all required documents, fully completed, dated, and signed (where necessary); failure to provide all such documents within the two-week period shall be deemed a decision by the parents to not enroll the student at the Charter School.

2.4 Renewal of Application from Year to Year. At the discretion of the Executive Director, the Executive Director may elect to not require students who have previously submitted a complete application for one school year but have not been enrolled to be deemed to have submitted an application for a subsequent school year. The Executive Director may cause the parents of such students to be notified by telephone, email, or regular mail and asked whether the students desire to apply for enrollment; those students who confirm their desire to apply shall be deemed to have applied for such subsequent year and shall be included in the process under Section 5.

3. Maximum Number of Students Each Grade. The maximum number of students that will be admitted for each grade for the upcoming school year will be the same as in the current school year unless the Board sets a different maximum number. So long as any grade has two classes of students in the current school year, the next higher grade for the upcoming school year will be presumed to have a maximum equal to double the current year's maximum for that next higher grade (unless the Board sets a different maximum number). The Board may change such maximums from time to time, subject to any requirements or limitations in the charter contract.

4. Returning Students.

4.1 Confirmation of Intent to Return. Before the first phase of enrollment, the Executive Director will cause to be determined which current students intend to return for the upcoming school year and may request a student's parents to confirm that intent. A student's parents have the responsibility to update the Charter School office with contact information changes (such as changes to telephone numbers, mailing address, or email address); consequences for any failure to so notify the office (such as the office being unable to contact the parent) shall be borne by the student. The Executive Director may require that parents of a student respond to a request for such confirmation within a specified period of time or by a specified date and time; failure to provide

such confirmation in the manner and within the period or by the date and time specified by the Executive Director shall be deemed a decision by the parents that the student will not return for the upcoming school year.

4.2 **Priority of Returning Students.** Those confirmed returning students under Section 4.1 have the highest priority for enrollment for the upcoming school year. The Executive Director will subtract the number of confirmed returning students from the maximum number of students to be allowed for the applicable grade as determined under Section 3, in order to calculate the maximum number of “new” students who can be admitted for each grade. Any student who has not timely confirmed with the Executive Director that the student intends to return for the upcoming school year will thereby lose such right of priority; if the student later decides he or she desires to return, the student must submit a new application, and that application will be treated the same as any other “new” student application.

5. **Process at First Phase of Enrollment.** At the first phase of enrollment, all complete applications that have been received by the deadline will be sorted into four groups and admitted as follows:

5.1 **Siblings—In District (resident).** First priority enrollment for vacant determined seats under Section 4 will be given to new students who are siblings of current students or who are children of current staff and live in Tigard Tualatin School District. (Pursuant to ORS 338.125, the MITCH Board of Directors requested a waiver to allow the School to prioritize faculty students in the lottery from the State Board of Education on June 1, 2011. Pursuant to OAR 581-020-0341, the State Board of Education approved this request through the duration of the charter agreement between MITCH and TTSD, which ends August 2018.) For the sake of brevity, references in this Policy to siblings under this Section 5.1 shall also include children of current staff as described in the first sentence of Section 5.1. If there are more such applicants than there are spaces available, a lottery will be conducted to determine which resident siblings are admitted for spaces available; those not admitted will, by lottery, be placed on a waiting list in the order selected.

5.2 **Siblings—Out of District (nonresident).** Second priority enrollment for vacant seats under Section 4 will be given to new students who are siblings of current students or who are children of current staff, and live out of District. For the sake of brevity, references in this Policy to siblings under this Section 5.2 shall also include children as described in the first sentence of Section 5.2. If there are more such applicants than there are spaces available (after selection of students under Section 5.1), a lottery will be conducted to determine which nonresident siblings are admitted for spaces available; those not admitted will, by lottery, be

placed on a waiting list in the order selected following the last student on the waiting list under Section 5.1.

5.3 Underserved Students. Third priority enrollment for vacant seats under Section 4 will be given to new students who are in underserved student populations as defined by ORS 338.125, amended by Oregon SB 820 in 2015. If there are more such applicants than there are spaces available, a lottery will be conducted to determine which are admitted; those not admitted will, by lottery, be placed on the waiting list in the order selected and immediately following the last person on the waiting list under Section 5.2 [subject to Section 6].

5.4 Other Students—In District (resident). Fourth priority enrollment for vacant seats under Section 4 will be given to new students who reside in District. If there are more such applicants than there are spaces available, a lottery will be conducted to determine which are admitted; those not admitted will, by lottery, be placed on the waiting list in the order selected and immediately following the last person on the waiting list under Section 5.3 [subject to Section 6].

5.5 Other Students—Out of District (nonresident). Final priority enrollment for vacant seats under Section 4 will be given to new students who reside out of District. If there are more such applicants than there are spaces available, a lottery will be conducted to determine which are admitted; those not admitted will, by lottery, be placed on the waiting list in the order selected and immediately following the last person on the waiting list under Section 5.4 [subject to Section 6].

6. **Process at Second and Additional Phases of Enrollment.** At the second and additional phases of enrollment, all properly completed applications that have been received by each deadline will be sorted and selected in the same manner as in Section 5. Any sibling applicants added to the waiting list under Sections 5.1 or 5.2 will be added following the last sibling student on the waiting list under the previous phase of enrollment; that is, such sibling students placed on the waiting list will be placed ahead of all non-sibling students (Sections 5.3, 5.4, and 5.5) selected in all prior phases of enrollment; but resident siblings selected in the second or later phase will not be placed ahead of nonresident siblings placed on the waiting list in any earlier phase. Any non-sibling applicants added to the waiting list under Sections 5.3, 5.4, or 5.5 will be added following the last student on the waiting list under Section 5.5 of the previous phase of enrollment.

7. **Process After Final Phase of Enrollment.** After the final phase of enrollment, including during the school year (through the deadline for the next year's first phase of enrollment), additional students who apply will be added to the waiting list in the order the applications are received. Those applicants who would qualify as siblings of current students under Sections 5.1 or 5.2 will be

added following the last sibling student on the waiting list; that is, such sibling applicants placed on the waiting list will be placed ahead of all non-sibling applicants (Sections 5.3, 5.4, and 5.5) selected in all prior phases of enrollment or added after the final phase of enrollment. Any non-sibling applicants will be added following the last student on the waiting list under Section 5.5 of all prior phases of enrollment or added after the final phase of enrollment.

8. Use of Waiting List; Filling Spaces if No Waiting List.

8.1 Admitting Students from Waiting List. The Charter School may admit the next student on its waiting list if, at any time, (a) a student who has been enrolled declines to attend the Charter School, (b) parents fail timely to provide confirmation under Sections 2.3.1 or 4.1 or documentation under Section 2.3.2, or (c) an enrolled student withdraws or is permanently expelled.

8.2 Admitting Students if No Waiting List. If the situation arises (after the final phase of enrollment has been completed or during the school year) where a space in a grade becomes available [for example, if a student leaves the School], but at that time either there is no waiting list or all students on the waiting list have already enrolled or declined enrollment, the Charter School may enroll the first student who applies for that available space.

8.3 Contact Information; Confirmation of Waiting List. The parents of an applicant on a waiting list have the responsibility to update the Charter School office with contact information changes (such as changes to telephone numbers, mailing address, or email address); consequences for any failure to so notify the office (such as the office being unable to contact the parent) shall be borne by the student. The Executive Director may require from time to time that parents of an applicant on a waiting list respond to a request for confirmation that the student desires to remain on the waiting list within a specified period of time or by a specified date and time; failure to provide such confirmation in the manner and within the period or by the date and time specified by the Executive Director shall be deemed a decision by the parents that the student will not remain on the waiting list.

8.4 Long Term Waiting List for Siblings.

8.4.1 Long Term Waiting List for Siblings. A current student's sibling who is on the waiting list shall remain on such list and shall retain the position of priority on that list from year to year until (a) such sibling applicant informs the Charter School that the sibling no longer desires to be retained on the waiting list; or (b) such sibling applicant fails to confirm a desire to remain on the waiting list as required under Section 8.3; or (c) the date that no current student sibling of such applicant is enrolled at the Charter School, subject to the following sentence. Once the current student is no longer enrolled at the Charter School (and if there are multiple siblings enrolled, this means the last of

such students to be enrolled), the sibling applicant will remain on the waiting list until the next lottery takes place for that sibling applicant's grade. Section 8.4.3 governs the situation where a sibling applicant loses a place on the sibling waiting list under this Section 8.4.1.

8.4.2 Illustrations. To illustrate Section 8.4.1: (i) suppose a current grade 8 student graduates at the end of the 2015-16 school year, and a sibling was on the waiting list for grade 6 in the 2016-17 school year: that sibling will remain on the waiting list till the lottery for the first phase of enrollment in 2017 for grade 7 in the 2017-18 school year; (ii) suppose a current grade 5 student withdraws from the Charter School in December of the 2016-17 school year, with no siblings currently enrolled, and a sibling applicant was then on the waiting list for grade 3 in the 2016-17 school year: that sibling applicant will remain on the waiting list for grade 3 in the 2016-17 school year until the next lottery takes place for that sibling applicant's grade (which would likely be in March or April 2016).

8.4.3 Revised Priority Position. Once a sibling applicant is removed from a waiting list under Section 8.4.1, that applicant will be placed on a waiting list created pursuant to Sections 5.3 and 5.4 and given a place of priority consistent with the applicant's status as either resident or nonresident student.

8.5 Termination of Waiting List at First Phase of Enrollment.

8.5.1 Termination of Waiting List. Subject to Section 8.4, the waiting list for any grade shall be terminated effective the date of the lottery for the first phase of enrollment for the year following what is referred to in this policy as the upcoming school year. To illustrate, the waiting list created in the spring and summer of 2016 for the 2016-17 school year shall expire in the spring of 2017, more precisely as of the date in 2017 set for the lottery (e.g. April 6, 2017) immediately after the deadline (e.g. April 1, 2017) for the first phase of enrollment for the 2017-18 school year.

8.5.2 Opening Occurs After Waiting List is Terminated. After the lottery referred to in Section 8.5.1 is conducted and the prior waiting list is thereby terminated, if an opening occurs in such grade during the then-current school year (in the foregoing illustration, that would be between the lottery on April 6, 2017 and the last day of school in June 2017), the Executive Director shall offer the vacant "seat" to (a) first, the new students who have been accepted into enrollment for the upcoming school year [in the foregoing illustration, that would be the 2016-17 year], and (b) second, to students on the waiting list for that year, in the order listed.

8.5.3 Effect on Upcoming Year's Waiting List. If an offer is made under Section 8.5.2 to fill a vacant seat, a student who receives the offer but declines to enroll for the remainder of the then-current school year [e.g. 2016-17] will not forfeit his enrollment or position on the waiting list for the upcoming school year [2017-18]. Likewise, a student who receives the offer and accepts enrollment for the remainder of the then-current school year (a) will not be deemed a current student (e.g. for the 2016-17 year) for purposes of priority enrollment for the upcoming school year [e.g. 2017-18], and (b) will not advance in any priority on a waiting list for the upcoming school year [e.g. 2017-18]; that is, the student will not move "ahead in line" or higher in the priority waiting list by virtue of enrolling at the Charter School for the remainder of the then-current school year.