



LOS ANGELES UNIFIED SCHOOL DISTRICT CHARTER SCHOOLS DIVISION

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Chief Executive Officer
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JOSÉ COLE-GUTIÉRREZ
Director, Charter Schools Division

November 5, 2015

RE: ADMISSIONS PRACTICES REVIEW – ACTION REQUIRED

Dear Charter School Board Chairs and Charter School Leaders:

As you may be aware, every year the Charter Schools Division (CSD) conducts a careful review of charter school lottery and enrollment forms as part of our ongoing efforts to make sure that every school is and remains fully accessible to the community it serves. In anticipation of the upcoming annual review, we strongly encourage each of our charter schools to take this opportunity to review its admissions practices and forms to ensure that the school is fully implementing the policies and procedures contained in the charter's Element 8 (Admissions Requirements), as well as complying with the Charter Schools Act and other applicable laws and policies.

Based on our oversight experience and observations over the past year, the CSD has noted two particular aspects of the admissions process that require clarification. In order to support you in your efforts to ensure full compliance in this area, we provide the following information for your reference and use as you review and make any necessary changes to your lottery and enrollment forms and practices for this year and into the future.

Charter Schools with Schools for Advanced Studies (SAS) or Similar Programs

Some District affiliated charter schools offer the District's Schools for Advanced Studies (SAS) program, which is designed to improve educational options and increase professional training to support the development of gifted and talented youth. A number of LAUSD-authorized independent charter schools, including independent conversion charter schools, provide similar offerings. These programs provide critical support to schools in their efforts to meet the unique needs of their gifted and talented students.

It is important, however, for all charter schools to distinguish between (1) the criteria and process for admission and enrollment in the school, and (2) determination of eligibility, admission, and participation in the school's SAS or equivalent program. The Charter Schools Act requires a charter school to admit all pupils who wish to attend the school. (Ed. Code section 47605(d)(2)(A).) If the number of pupils who wish to attend the charter school exceeds the school's capacity, enrollment, except for existing pupils of the charter school, shall be determined by a public random drawing or lottery. (Ed. Code section 47605(d) (2) (B).) Students who reside

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within the former attendance boundaries of a District affiliated or independent conversion charter school shall have first admission preference and are thus deemed exempt from the school's lottery, if any. Charter schools may only provide such admission preferences that are set forth in their approved charters and are consistent with applicable law.

Any practice that conditions admissions or enrollment in the school on eligibility or admission to an SAS or equivalent program, and/or entails holding two separate admission lotteries, e.g., one for admission to the general school program only and one that includes admission to the SAS program, does not comply with the Charter Schools Act's requirement to admit all pupils who wish to attend. A charter school must hold only one admission lottery and enrollment process that is open to all students who wish to attend the school without regard for interest or eligibility to participate in the school's SAS or equivalent program. After a student is admitted to the school, the enrolled student, if eligible and interested, may then participate in the school's SAS or equivalent program per program guidelines. Admission to a charter school does not guarantee a student's admission to the school's SAS or equivalent program; eligibility for and/or acceptance into an SAS or equivalent program cannot be a limitation or condition on enrollment in a charter school.

At District affiliated charter schools that offer an SAS program, prospective students who wish to enter the school's SAS program will not participate in the District's SAS enrollment process, including but not limited to the District's SAS intra-district permit application process and SAS lottery. Instead, once they have already been admitted to an affiliated charter school, interested students may seek placement in the school's SAS program at the school site. District affiliated charter schools may direct questions regarding the District's SAS program to Gifted/Talented Programs, Advanced Learning Options, Division of Instruction, at (213) 241-6500.

Continuing Student Exemption

Some charter schools have grappled with understanding the status of continuing students with respect to lottery and enrollment procedures. Education Code section 47605(d) (2) (B) explicitly provides that, if the number of students who wish to attend exceeds the school's capacity, "attendance, except for existing pupils of the charter school, shall be determined by a public random drawing." (Emphasis added.) This requirement regarding continuing students applies regardless of whether the school is an affiliated or independent start-up or conversion charter school, or a participant in the District's Public School Choice (PSC) program. Once a student is validly enrolled, the student becomes one of the charter school's existing (i.e., continuing) students and therefore is exempt from any admission lottery and remains enrolled in the school regardless of any subsequent change in residence (e.g., moving out of the school's former attendance boundaries to another California residence) or enrollment capacity constraints. District affiliated and independent conversion charter schools, as well as charter schools participating in the Public School Choice (PSC) program, may direct questions or concerns regarding school operational enrollment capacity to School Management Services at (213) 241-3344.

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We hope that this information assists you in the requested review of your admissions policies and practices. As we continue with this year's oversight processes, including our annual review of lottery and enrollment forms, CSD staff will be conducting appropriate follow-up activities, as needed. If you have any questions, please contact your CSD assigned administrator.

Sincerely,



José Cole-Gutiérrez
Director

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