

**Nerstrand Elementary School Policy 509**  
**Independent Charter School District #4055**

*Adopted:* 11/11/2013

*Revised:* 08/24/2020

*Revised:* 10/7/2024

## **509 Admissions/Enrollment Policy**

### **I. Purpose**

To explain the application and enrollment process at Nerstrand Elementary School (NES) so that families will have information to make decisions regarding their childrens' school attendance.

### **II. III. ADMISSION LIMITATIONS**

A. The charter 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. The charter school 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. Charter schools 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.

### **III. Application and Enrollment Procedures**

A. The charter 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.

1. Interested families will submit applications up until the first Friday of March at 4:00 p.m. The board of directors may change any year's deadline by resolution without changing this policy.
2. NES will accept applications for admission to Grades K-5, for which up to 25 students will be accepted in Grade K and up to 26 students will be accepted in Grades 1-5. The board of directors may increase one or more grades' capacity by resolution and without changing this policy.
3. Formal recruitment of incoming students will begin before or during November of each year. NES will encourage families to meet with the faculty, staff and/or board members to discuss the value of NES, and its expectations of students and their families.
4. 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. An offer 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 second Friday in March after the student application deadline, sufficiently prior to the annual April 1 deadline for notifying the students' district of residence for transportation services.
  2. Notice of the lottery will be made public via website and parents will be notified of their status via email.

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. The charter school 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, the charter school, 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. The charter school 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.

#### **IV. Lottery**

- A. 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.
- B. 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 placed on the waiting list before other applicants.
- C. Second priority will be given to children of NES staff. 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. If a staff member’s employment is ended for any reason before the child is enrolled, the child moves to the end of the non-preferential waiting list.
- D. Once all sibling applicants and children of NES staff have been placed, other applicants will be offered enrollment in their order on the non-preferential applicant waiting list determined by lottery.
- E. If any student, whether enrolled or on the waiting list, cancels their application or withdraws from NES, they shall lose their place. If they later re-apply, they shall be treated as a new applicant.

- F. 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.

**V. Student Recruitment Activities**

- A. NES shall market itself before and during the enrollment period to recruit students to meet its enrollment goals as set by the board of directors.
- B. In accordance with its marketing strategy, NES may use the measures below, among others, to recruit student applicants.
  - 1. Post flyers and notices on websites, in local newspapers and/or blogs and online newspapers.
  - 2. Post the admissions policy and application (available for download) on NES's website.
- C. NES will provide translation services, as necessary, for all promotional materials and any person-to-person interaction.

**VI. Voluntary Withdrawal**

- A. NES is a public charter school of choice for application and withdrawal. With their parents' permission, students may withdraw from NES at any time.
- B. NES personnel will offer to meet with the family and discuss the reasons for the desired withdrawal from NES, as well as to seek solutions to any problems that arise from these discussions. If a parent still wishes to transfer their child to another school, NES will ensure the timely transfer of any school records to the student's new school.
- C. 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 sections 121A.40 to 121A.56.

**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