

ENROLLMENT/ADMISSIONS

Charter schools must ensure that their recruitment efforts are not discriminatory. In doing so, charter schools must recruit from all segments of the community served by the school and provide information to individuals who are not proficient in English in a language that they understand. For instance, written recruitment materials must be translated into languages common in the community that a charter school serves. Additionally, interpreters must be available at events such as open houses and school tours to ensure that individuals who are not proficient in English are able to participate in those events. Authorizers should include asking about recruitment and equitable access supports during oversight visits.

Further, authorizers must ensure that charter schools are schools in compliance with federal law by not discriminating against individuals who attempt to enroll. As such, charter schools may not categorically deny enrollment of EL students or immigrant students nor institute enrollment practices that could have a chilling effect on the enrollment of immigrants or non-citizens. Practices that have a negative effect on such enrollment include requirements that applicants provide Social Security numbers, birth certificates, citizenship status, country of birth, and race or ethnicity. Requests for such information may cause significant anxiety to some potential applicants, thereby dissuading them from attempting to enroll. Thus, requests for such information should be avoided.

In the event a charter school requests such information from applicants, it cannot deny enrollment if an applicant fails to provide the requested information. If a birth certificate is requested to confirm a student's age, charter schools must rely on alternative sources of information to confirm the student's age if a birth certificate is not available. A charter school may not deny enrollment because the parent/student cannot produce a birth certificate. Similarly, charter schools may require proof of residency as a condition of enrollment, but immigration or citizenship status is not necessary to confirm residence. For example, a charter may require copies of phone and water bills or lease agreements to establish residency, but information about citizenship would be irrelevant.

If the information identified above is requested, applications/enrollment forms must include a statement that the disclosure is voluntary, that the information will not be used to discriminate against the applicant, and an explanation of the reason that the information is being requested. To go a step further, charter schools should include a notice of nondiscrimination on all recruitment, application, and enrollment materials. That notice should also include information on how individuals can make a complaint in accordance with the school's grievance procedures.

WHAT DOES THIS MEAN FOR CHARTER AUTHORIZERS?

In order to ensure that charter school enrollment practices are not discriminatory, authorizers should require charter school applicants to provide an outreach, recruitment, and enrollment plan during the charter application review process and should include review of recruitment, application, and enrollment materials and practices in their ongoing, annual, monitoring processes.

Please see page 25 of full toolkit for tools that will assist you in these oversight practices.