

# Wisconsin Charter School Application and Enrollment Guidance

*\*The following information is to be used for reference. It is recommended that specific charter school contract language should be reviewed by each entity's legal counsel.*

## **General Overview**

Application and enrollment into a Wisconsin charter school is voluntary, and no tuition is to be charged. Charter schools must accept all students who wish to attend, so long as there is space. Admission to a charter school cannot be limited on the basis of sex; age to the extent such age is consistent with the charter contract; race; religion; color; national origin; ancestry; creed; pregnancy; marital status; parental status; homelessness; sexual orientation; gender identity; gender expression; gender nonconformity; physical, mental, emotional or learning disability/handicap; or any other legally-protected status or classification.

Students who do not wish to attend or are not admitted into the charter school may attend their neighborhood schools or seek enrollment in another public school. Typically, charter schools establish an application and enrollment process with a specific application window.

## **Key Terms**

### **Application Process:**

When students are completing an application to show interest in attending the charter school, the application process should be open and accessible for all. The application process should not have student-specific needs identified, as this would communicate the process is not open to all. The application process usually has a date window when the charter school accepts applications. The governance board for the charter school typically sets the application window and the school/grade capacity. If there are more applications completed than available seats, a random lottery should be held.

### **Enrollment Process:**

Once the application process and lottery (if necessary) is complete, students enter the enrollment process. This process is where the school obtains student records, communicates with the family about student needs, and a start date is established/communicated.

### **Wisconsin Open Enrollment Program:**

A term used in Wisconsin for inter-district public school enrollment allowing parents to apply for their children to attend public school in a school district other than the one in which they reside. The Open Enrollment Program is not applicable to Independently-Authorized Charter Schools. The regular open enrollment period in Wisconsin refers to a window of time between early February and late April when families can apply to enroll in a school district different from their resident district for the following school year. There is also the Alternative Application for Open Enrollment which allows parents to apply for open enrollment at any time during a school year if certain criteria are met. To learn more about Wisconsin Open Enrollment [click here](#).

### **Process for Admission into a Charter School**



**Application:** A student must apply to the charter school.

**Acceptance:** Once a charter school holds the lottery on the predetermined date or the lottery date passes without enough applicants, a charter school can issue acceptance notices to families, and create a waitlist if needed. A charter school should repeat this process if they have a second application window and/or lottery date in the charter contract, otherwise begin using the waitlist to admit students. Typically a charter school will then add new applicants to the bottom of the waitlist. A charter school can create a process to accept kids from the waitlist by giving families a few days to accept the acceptance.

**Enrollment:** Once accepted by the charter school, families can then begin filling out the registration/enrollment forms. Once a charter school gets those forms (some may be transferred from a previous school, some will be new), the charter school can allow the student into the school unless they have an IEP, in which case an IEP team meeting should be scheduled first to ensure the student is set up for success before starting. At the IEP meeting, the team will determine whether the school is the least restrictive environment for the student, and what services and skills are needed to make sure the student is ready to start. This [WISE data guide](#) and [DPI student records document](#) may help with the paperwork process.

## **Guidance on the Statutes**

### **Admission Requirements**

Wis. Stat. §118.40(1m)(b)10. states any and all admission requirements must be included in the charter contract. Therefore, any questions on the application that will be used in determining enrollment must also be stated in the contract. It is also important to note that all admission requirements must apply to all students uniformly and no exceptions can be made.

Wis. Stat. §118.40(4)(b)2. states that a charter school cannot discriminate in admission on the basis of a person's sex, race, religion, national origin, ancestry, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability. Therefore, it is highly recommended that this information not be obtained on the application since it cannot be used to determine admission. Necessary information, such as IEP, can be obtained during the enrollment process which occurs after the student has been accepted to the charter school.

### **Random Selection**

If the number of applicants exceeds available seats, a random lottery needs to be employed. Section 118.40(3)(g)1, Wis Stats requires that the charter school contract provide for random selection of pupils where the charter school has insufficient capacity to accept all students:

*118.40(3)(g)1.1. Except as provided in subds. 2., 3., and 4. and sub. (4) (ar) 1., a contract with a school board, an entity under sub. (2r) (b), or the director under sub. (2x) shall require that if the capacity of the charter school is insufficient to accept all pupils who apply, the charter school shall accept pupils at random.*

### **Wisconsin Preference Requirements**

According to Section 118.40(3)(g)1. 2. a., Wis Stats there are two required preferences that shall be given for enrollment into a charter school when the charter school does not have the capacity to accept all pupils who apply:

1. Students who are enrolled in the charter school in the previous school year.
  2. Siblings of students who are enrolled in the charter school in the previous school year.
- WRCCS takes the stance that the spirit of the law is to reduce the burden on families to better support children and family engagement. We recommend you articulate how you will define "sibling" in practice. What documentation would they need to provide, if any? Will you include any/all of the following: siblings with one or more common parent (through birth or adoption), half/step siblings, students who share a common caregiver through foster care or family care, or students who share an address?*

And there is one optional preference:

3. Children of the charter school's founders, governing board members, and full-time employees. The total number of such children given preference in this case cannot exceed 10 percent of the charter school's total enrollment.

*118.40(3)(g)1. 2. a. A charter school shall give preference in enrollment to pupils who were enrolled in the charter school in the previous school year.*

*b. A charter school other than the charter school established under a contract with the director under sub. (2x) (cm) shall give preference to siblings of pupils who are enrolled in the charter school.*

*3. A charter school may give preference in enrollment to the children of the charter school's founders, governing board members, and full-time employees, but the total number of such children given preference may constitute no more than 10 percent of the charter school's total enrollment.*

*4. A charter school established under a contract with a union high school district under sub. (2) or (2m) may give preference in enrollment to pupils who were enrolled during the previous school year in a charter school operating under a cooperative agreement with the charter school established under a contract with a union high school district.*

### **Example Admissions contract language for an Independent (2r/2x) Charter School (ICS)**

*\*The following language is to be used for reference. It is recommended that specific charter school contract language should be reviewed by each entity's legal counsel.*

Section 3.10 The requirements for admission to the Charter School and admissions lottery.

a. The Charter School is open to all students in grades \_\_\_\_ to \_\_\_\_.

b. The Governance Board will set the enrollment limits by December 1 [this date is a suggestion] of the calendar year for the following school year. If the number of enrollment applications exceeds the enrollment limit, the school will select students via a random lottery which will take place no later than thirty (30) days prior to the start of each academic year. The Charter School will give preference to pupils and siblings of pupils who are already attending the Charter School. [Optional: In addition, the Charter School will give preference to children of the Charter School's founders, governing board members, and full-time employees but the total number of such children given preference will constitute no more than 10 percent of the Charter School's total enrollment.]

- c. [Optional - A waiting list will be maintained for students who are not selected in the random lottery. The waiting list will be utilized until September 1st of the upcoming school year to fill open seats.]

### **Example Admissions contract language for a District-Authorized Charter School**

*\*The following language is to be used for reference. It is recommended that specific charter school contract language should be reviewed by each entity's legal counsel.*

Section 3.10 The requirements for admission to the Charter School and admissions lottery.

- a. The Charter School is open to all students in grades \_\_\_\_ to \_\_\_\_ who (i) reside in the District or (ii) are eligible for enrollment [need to Choose: *at the time of application, or upon acceptance or enrollment into one of the below programs*] in the District's programs pursuant to Wis. Stat. §§ 118.51, 118.52, or 118.53. *[This assumes that the school district will be accepting open enrolled students.]*

*[For charter schools authorized by more than one school district: The Charter School is open to all students in grades \_\_\_\_\_ who reside in the following Districts: \_\_\_\_\_. Students who reside in Districts other than \_\_\_\_\_ will enroll in the Charter School via open enrollment.]*

*[For charter schools open to only one sex, a statement that the District will make available to the opposite sex, schools or courses that are comparable to the charter school or course.]*

- b. The Governance Board will set the enrollment limits by December 1 of the calendar year for the following school year. If the number of enrollment applications exceeds the enrollment limit, the school will select students on a random lottery basis. The Charter School will give preference to pupils and siblings of pupils who are enrolled in the Charter School. *[optional: In addition, the Charter School will give preference to children of the charter school's founders, governing board members, and full-time employees but the total number of such children given preference will constitute no more than 10 percent of the charter school's total enrollment.]*
- c. *[Optional - A waiting list will be maintained for students who are not selected in the random lottery. The waiting list will be utilized until September 1st of the upcoming school year to fill open seats.]*
- d. *[The contract might specify any agreement between the District and Charter School for assigning open enrolled students to the Charter School.]*

## **Best Practices in implementing this guidance**

### **Application**

Nervous about using exclusionary language like “apply”? Post on your website: “*Start the enrollment process*” and then follow this by explaining the required steps, with details and timelines.

### **Admission**

Recommended language for district charter school acceptance communication:

*“You have been admitted into the charter school through the school’s random lottery selection process. If your student is not currently a student in our authorizing school district, they will need to also be accepted into the district prior to completing the charter school enrollment process. Please see the district’s website for more information, as there may be capacity limitations on non-resident applications for students needing particular special education services.”*

### **Enrollment**

Once a student has been fully admitted through your lottery (and district open enrollment is applicable), you can have them fill out enrollment paperwork, request transfer files from their school of last attendance, and call an IEP or 504 plan meeting to review the IEP and/or 504 plan, set up services, and begin instruction.

## **Want more support?**

**Looking for support writing or revising your Admissions and Lottery Procedures?**  
**Please complete this [WRCCS Personalized Support Request Form](#).**