

Charter School Student Enrollment Lotteries

By: Marybeth Sullivan, Senior Legislative Attorney
November 9, 2020 | 2020-R-0302

Issue

Summarize the rules governing charter school student enrollment lotteries in Connecticut.

Summary

A charter school is a public, nonsectarian, nonprofit school established under a charter that operates independently of any local or regional board of education ([CGS § 10-66aa](#)). Charter schools generally must use a lottery to distribute seats when the number of student applicants exceeds the number of seats available, while allowing preferences for siblings of current students. Anti-discrimination requirements also apply.

A charter school may ask Connecticut's State Board of Education (SBE) for a waiver from the lottery enrollment process. It must base its request on at least one of four grounds outlined in state law. Additionally, the law exempts a local charter school from the lottery requirement if it ranks in the bottom 5% of the state's school accountability index scores.

Lottery Requirements

State law requires state and local charter schools to provide open access to Connecticut students on a space-available basis; however, a charter school may limit enrollment to a particular grade level or specialized educational focus. Similar to other public schools, charter schools may not discriminate against students on the basis of disability, athletic performance, or English proficiency.

If the number of students applying for enrollment exceeds the number of seats available, the school must generally distribute seats by a lottery, but it may give enrollment preference to siblings

of currently enrolled students outside of the lottery process. Every school that applies to SBE or a local board of education to become a charter school must include in its application its student admission criteria and procedures ([CGS § 10-66bb\(d\)\(8\)](#)).

Lottery Waiver and Exemption

A charter school may seek an enrollment lottery waiver from SBE if the school's primary purpose is to serve student populations (1) with behavioral and social difficulties, (2) needing special education, (3) that are English learners, or (4) of a single gender. A local charter school cannot hold an enrollment lottery if it is established at a school among the lowest 5% when all schools are ranked according to their school accountability index score, which is the state's calculation of school performance ([CGS § 10-66bb\(j\)](#)).

Examples of Lottery Processes in Charter School Applications

Connecticut's State Department of Education currently has two example applications posted on its [website](#) from schools seeking state charter school status. Each application describes the school's intended lottery enrollment process.

For example, the Danbury Prospect Charter School's 2017 [application](#) states:

“[If] the number of applicants for a classroom exceeds the number of positions available, the school will hold a random selection lottery during or prior to the second week following the close of open enrollment. Specifically, the lottery shall include all completed applications from Danbury residents and each shall be given a number. The lottery will be conducted using a secure software program that draws the numbers at random until all the seats are filled, then continues to draw to create a waitlist if needed. The random selection drawing shall be open to the public, videotaped, and the school will notify all applicants of time and place. Names will be drawn until all available classroom positions have been filled. Any remaining names will be drawn to establish waiting list priority to be used to fill openings during the school year for which the student applied. After all eligible names have been drawn, the school will add the names of applicants who filed applications after the close of open enrollment. All post-deadline applicants will be added in the order in which they are received.

Once students are admitted they will remain eligible to be admitted at the school for successive years without having to re-enter the selection process. They must, however, enroll for the subsequent year” (“Lottery Process,” pages 86-7).

Additionally, the Norwalk Charter School for Excellence's (NCSE) 2017 [application](#) for state authorization states the following:

“Enrollment will be determined by lottery, pursuant to Connecticut General Statutes. In subsequent years, enrollment preference will be given to returning students and siblings of returning students in that order. The school will accept completed applications from mid-January through April 1. (As the approval of our charter is contingent upon funding appropriations by the General Assembly, NCSE will likely accept applications until June of 2019 for our first year of operation, with a lottery taking place upon approval.) Applications may be submitted electronically through the school's website, or in hard copy. Once all vacancies are filled through the lottery, a waiting list will be created. If vacancies arise during the school year, the school will backfill any open seats from the waitlist. Applicants who have siblings already attending the school will be given preference for any vacancies that occur during the school year” (“Admissions Policy and Criteria,” page 87).

MS:kc