

Be In the Know 2019

Understanding and Using Preferences in Charter School Lotteries

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Today's Objectives:

- 1. Clarify the Language we use**
- 2. Review the Basics of Preferences**
- 3. Explore Ways to Use Preferences in a Lottery**
- 4. Learn How to Set Up Preferences (for future years)**



Charter Schools Act – Lottery Preferences

Required Statutory Preferences (Must provide all three)

- Pupils returning to the school; and
- Pupils residing in the community school district in which the charter is located; and
- Siblings of pupils already enrolled in the charter school

Optional Statutory Preference

- Children of employees of the charter school or charter management organization

Typical School Design Preferences

- Single-sex preference
- Students at-risk of academic failure
- Students with Disabilities
- English Language Learners

Education Law Section 2854(2)(a) and (b)

Why do we need preferences?

- 1. As the neighborhood changes, we struggle to enroll enough students with economic need to maintain a diverse student body.**
- 2. We need Students with Disabilities to keep our program and services viable.**
- 3. We want to serve more ELLs and the authorizer says we should, but they go to district schools.**
- 4. How can we enroll students who are homeless or in temporary housing when they don't apply to our lottery?**

Let's be clear:

We have to go out and recruit these students. A lottery preference only reinforces the outreach you have done to find these high-needs students and how well you have encouraged them to apply.

Quick Poll –
Which preferences does your school use?



How do we know (for sure) who should even get a Preference?

- 1. Is your applicant list complete and manageable?**
- 2. Is your Data clean and Accurate?**
- 3. Have you checked in with families who self-identified as part of a preference group?**
- 4. What can you do if someone “slips” in with a preference they did not deserve?**

Practical Considerations

No preference is intended to guarantee a student a seat.

- Why have a lottery for siblings or for students in the CSD?
- Can we combine various preferences in a single lottery?
- Must we accept new students if we are at capacity in that grade?
- What's in your enrollment policy?

Build Trust in Your Lottery Process

- Prepare Thoroughly; Rehearse as needed
- Demonstrate Transparency (to the board and community)
- Provide Clarity (to parents)
- Maintain Documentation (for audits)

How Does this Affect our Lottery?

Some Definitions

Lottery Preference: Provides an increased likelihood of admission to students that are identified as a part of an identified group of students.

Weighted Preference Lottery: Gives additional chances to one group of students, but does not reserve or set aside seats for those students (does not guarantee a seat).

Absolute Preference Lottery: All students who are part of an “absolute” preference are prioritized above another set of students (still does not guarantee a seat).

Set-Aside: A number of seats are reserved for students identified as part of a specified group (school may still have to run lottery to fill these seats).

Reminder to New Schools: NYSED Weighted Lottery Generator

Schools operating under federal US DOE Charter School Program grants distributed by NYSED must follow US DOE/NYSED guidelines.

CSP recipients are able to use the NYSED Weighted Lottery Generator to “give slightly better chances “ for admission to **one** at-risk subgroup of educationally disadvantaged (i.e. economically disadvantaged, English Language Learners, or students with disabilities).

<http://www.p12.nysed.gov/psc/documents/WeightedLotteryGuidance.pdf>

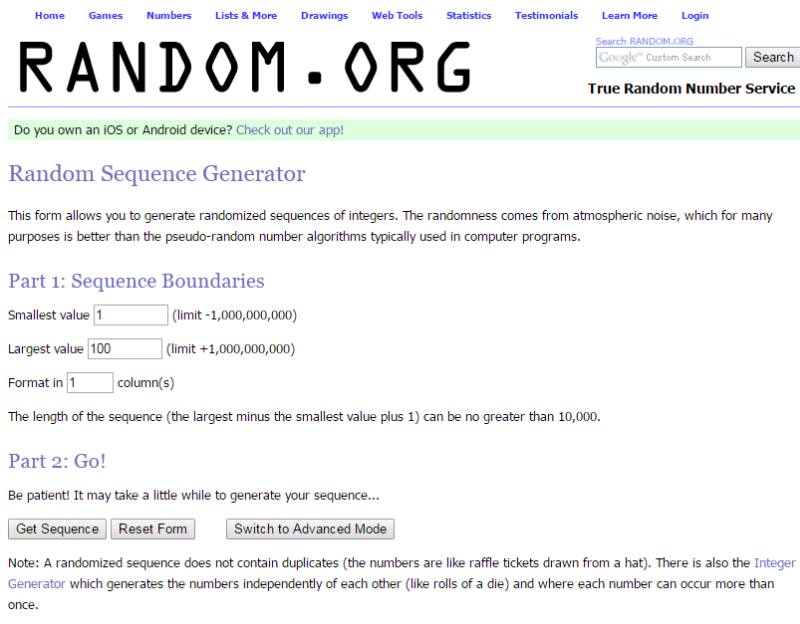
Watch for NYSED deadlines for Weighted Lottery Generator use.

Running the Lottery - Randomization

A Few Schools continue to use a Manual Process

1. Placing names in a “hat”
2. Pulling lottery numbers from a spinner

The Majority use a Digital Random Sequence Generator



Home Games Numbers Lists & More Drawings Web Tools Statistics Testimonials Learn More Login

RANDOM.ORG

Search RANDOM.ORG
Google Custom Search Search

True Random Number Service

Do you own an iOS or Android device? Check out our app!

Random Sequence Generator

This form allows you to generate randomized sequences of integers. The randomness comes from atmospheric noise, which for many purposes is better than the pseudo-random number algorithms typically used in computer programs.

Part 1: Sequence Boundaries

Smallest value (limit -1,000,000,000)

Largest value (limit +1,000,000,000)

Format in column(s)

The length of the sequence (the largest minus the smallest value plus 1) can be no greater than 10,000.

Part 2: Go!

Be patient! It may take a little while to generate your sequence...

Note: A randomized sequence does not contain duplicates (the numbers are like raffle tickets drawn from a hat). There is also the [Integer Generator](#) which generates the numbers independently of each other (like rolls of a die) and where each number can occur more than once.

In this process, each applicant receives a random number.

Note: It may *not* be their final “lottery number” as your school may rank students by random numbers then order them according to preference groups and only then assign them a “lottery rank”.

Running the Lottery – The Script

Welcome any guests

Outline why your school runs a lottery

Describe how the process works

including priorities such as siblings

Be clear about what families should expect
for example, if the random number is their
actual lottery rank

How does it work?

Weighted Lottery

Lottery with Absolute Preferences

Set Asides



Review of Various Approaches

1. Run a random number series for the entire list first then sort by preferences
2. Sort first by statutory preferences in order, and then assign randomized numbers for each group.
3. Sort by statutory preferences and then by school design preferences before assigning randomized numbers
 - Following an “absolute preference” rubric (SUNY-authorized schools)
 - Weighting applicants for school design preferences
4. Create a set-aside to ensure at least a basic number of students who meet a certain school design preference will be offered seats
 - If seats remain after all applicants in this category are admitted, they are NOT RELEASED to the next level of priority, but HELD until more students in this category apply

Managing waitlisted applicants and post-lottery applicants

NYSED regulations DO NOT cover lotteries or admissions procedures for waiting lists or grades for which a charter school may accept applications but for which no seats are available. In these cases, charter schools should follow the procedures set forth in their charters and contact the their authorizer with any questions.

- Managing priorities on the waitlist
- Can a student “jump” the waitlist?

Running the Lottery

Resources for the Technical Aspects of a Digital Lottery

[Lottery Admissions Enrollment Template](#)

[Lottery Best Practices Checklist](#)

[Electronic Lottery Demonstration](#) *(recorded webinar)*

TFOA Lottery Procedure Script *(handout)*

MORE ON PREFERENCES AND HOW TO SET THEM UP



What Kinds of Preferences are Allowed?

Statutory Preferences

Required Statutory Preferences

- Pupils returning to the school; and
- Pupils residing in the community school district in which the charter is located; and
- Siblings of pupils **already enrolled** in the charter school

Schools can decide how to order the preferences, most schools use the following order:

- Returning students
- Students of siblings currently enrolled
- Students who live in the CSD
- Students who live outside the CSD

What Kinds of Preferences are Allowed?

Statutory Preferences

Optional Statutory Preference

- Children of employees of the charter school or charter management organization

“Preference may also be provided to children of employees of the charter school or charter management organization, provided that such children of employees constitute no more than fifteen percent of the charter school’s total enrollment.” Education Law Section 2854(2)(b).

Schools can decide how to order the preferences:

- Returning students
 - *Staff preference*
- Students of siblings currently enrolled
 - *Staff preference*
- Students who live in the CSD
- Students who live outside the CSD

What Kinds of Preferences are Allowed?

School Design Preferences

School Design Preferences

- Single-sex preference
- Students at-risk of academic failure
- Students with Disabilities
- English Language Learners

Students at-risk of academic failure

- Currently attending a failing school
- Homeless
- Economically disadvantaged*:
 - Free or Reduced-price Lunch
 - Social Security Insurance (SSI);
 - Food Stamps;
 - Foster Care;
 - Refugee Assistance (cash or medical assistance);
 - Earned Income Tax Credit (EITC);
 - Home Energy Assistance Program (HEAP);
 - Safety Net Assistance (SNA);
 - Bureau of Indian Affairs (BIA); or
 - Family Assistance: Temporary Assistance for Needy Families (TANF)

* New York State Student Information Repository Manual

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Are you providing an absolute preference, weighted preference, or a set-aside?

SUNY: absolute at-risk preference must come before CSD:

- Returning students
- Students of siblings currently enrolled
- Qualifies for FRPL and resides in CSD
- Qualifies for FRPL and resides outside the CSD
- Students who live in the CSD
- Students who live outside the CSD

What Kinds of Preferences are Allowed?

School Design Preferences

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- Single-sex preference
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Update Non-Discrimination statement on application:

Non-Discrimination Statement: A charter school shall not discriminate against or limit the admission of any student on any unlawful basis, including on the basis of ethnicity, national origin, gender, disability, intellectual ability, measures of achievement or aptitude, athletic ability, race, creed, gender, national origin, religion or ancestry. A school may not require any action by a student or family (such as an admissions test, interview, essay, attendance at an information session, etc.) in order for an applicant to either receive or submit an application for admission to that school. However, [Insert name of charter school] provides an academic program specifically designed for {insert information about approved design preferences}. These preferences have been approved by the school's authorizer and are permissible.

Applicants are not required to provide preference information

Material and Non-Material changes

Does adding a lottery preference constitute a material change?

No. Charter authorizers generally consider lottery preference changes a non-material change.

However, non-material changes still need to be approved by schools' authorizer.

Watch for dates and get approval early:

Regents: [NYSED Revisions](#)

SUNY: Rolling basis, [SUNY Revisions](#)

NYC DOE: [NYC DOE Guidance](#)

A Final Reminder

1. *Has your authorizer approved your process as well as your intended outcomes?*
2. *Non-material changes still need to be approved by schools' authorizer.*

Regents: [NYSED Revisions](#)

SUNY: Rolling basis, [SUNY Revisions](#)

NYC DOE: [NYC DOE Guidance](#)

1. *Will your process and documentation stand up to an audit?*

The information contained in this presentation is provided by the New York City Charter School Center and is provided for education and informational purposes only, and should not be construed as legal advice or an offer to perform legal services.

Resources

- [SIRS Manual](#)
- [Weighted Lottery Generator](#)
- [Uniform Application Guidelines](#)
- [NYS Charter School Uniform Application](#)
- [NYSED Revisions Q&A](#)
- [SUNY Revisions](#)
- [NYSCharterSchoolsActof1998](#)
- [Electronic Lottery Demo](#)