

**HOUSE . . . . . No. 2876**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Alice Hanlon Peisch*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to charter school enrollment.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>
<i>Mayor Martin J. Walsh</i>	<i>Boston City Hall One City Hall Square Boston, MA 02201</i>
<i>Daniel J. Hunt</i>	<i>13th Suffolk</i>
<i>Evandro C. Carvalho</i>	<i>5th Suffolk</i>

**HOUSE . . . . . No. 2876**

By Ms. Peisch of Wellesley, a petition (accompanied by bill, House, No. 2876) of Alice Hanlon Peisch and others relative to authorizing charter schools to enroll students using an opt-out admissions lottery process that automatically includes the names of all eligible students. Education.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninetieth General Court  
(2017-2018)**

An Act relative to charter school enrollment.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Subsection (n) of section 89 of chapter 71 of the General Laws, as  
2 appearing in the 2014 Official Edition, is hereby amended by inserting after the second  
3 paragraph the following paragraphs:--

4 Notwithstanding the provisions of this subsection, commonwealth or Horace Mann  
5 charter schools may enroll students using an opt-out admissions lottery process that  
6 automatically includes the names of all eligible students, without any required application  
7 process for the school. For a charter school that uses an opt-out admissions lottery process, all  
8 students who would be eligible to attend the school under the district’s assignment policy if it  
9 were a district school, shall be deemed eligible for enrollment in said charter school without any  
10 application process required for admittance to the school. An admissions lottery, including the  
11 names of all eligible students, shall be held to fill all of the spaces in that school. In the event that  
12 the parents or guardians of a student who is selected for admission to the charter school through

13 the lottery determine not to enroll the student in the charter school, then the charter school shall  
14 fill that enrollment space with a student from the waiting list maintained pursuant to this  
15 subsection. Parents or guardians of a student may elect for that student to not participate in such  
16 enrollment lottery.

17 Commonwealth or Horace Mann charter schools may voluntarily offer enrollment  
18 preferences to students who reside in a specific geographical area within the district in which the  
19 school is located; provided, however, that within this geographical preference area, the  
20 percentage of low-income students is equal to or higher than the district's overall percentage of  
21 low-income students. Any school that chooses to offer this preference must be located within its  
22 designated geographical preference area.

23 In addition to providing the information pursuant to subsection (e), any charter school  
24 that offers geographical enrollment preferences shall include in its application for approval: (i) a  
25 definition of the geographical area for which it will offer an enrollment preference; (ii) an  
26 explanation of how this preference will support the mission of the charter school and the  
27 academic performance of its students; (iii) evidence that within this geographical area there  
28 resides an equal or higher percentage of low-income students as the district as a whole; and (iv)  
29 an explanation of how the charter school will target its recruitment and retention efforts for  
30 students within this geographical area. When any charter school that chooses to offer a  
31 geographical preference seeks charter renewal and intends to continue applying the geographical  
32 preference, the board shall consider whether the preference area continues to support the mission  
33 of the charter school and the academic performance of its students, as well as whether the  
34 preference area continues to serve an adequate percentage of low-income students to qualify as a  
35 geographical preference area under this subsection.

36           In commonwealth charter schools that offer geographical enrollment preferences,  
37 students who reside within the geographical preference area shall have priority for enrollment in  
38 any open seats over students who reside in the city or town in which the charter school is located  
39 but outside of the geographical preference area. In Horace Mann charter schools that offer  
40 geographical enrollment preferences, priority for enrollment shall be given first to students  
41 actually enrolled in the school on the date the application is filed with the board and their  
42 siblings; second, to students who reside within the geographical preference area and are enrolled  
43 in the public schools of the district where the Horace Mann charter school is to be located; third,  
44 to other students who reside within the geographical preference area; fourth, to other students  
45 enrolled in the public schools of the district where the Horace Mann charter school is to be  
46 located but who reside outside of the geographical preference area; and fifth, to other students  
47 who reside outside of the geographical preference area but within the city or town in which the  
48 charter school is located.

49           Charter schools located within the same municipality may voluntarily establish a  
50 common lottery, which may provide student applicants with a single offer for admission.