

## Admission or Lottery Policies and Procedures Amendment Form

The Charter Contract was entered into by and between the New Mexico Public Education Commission and [ESTANCIA VALLEY CLASSICAL ACADEMY], hereafter "the School", effective [1] of [JUL], [2017]. The school was approved for a [5-year] Charter Contract.

The School requests that the Public Education Commission (PEC) change the terms of its Contract as follows:

Charter Contract currently states:

**CURRENT ADMISSION OR LOTTERY POLICY:**

Please see attached 2020-03-14 revision of the EVCA Enrollment Policy.

The School requests that the Public Education Commission, approve Section G of the School's contract to read:

**EFFECTIVE DATE OF CHANGE:** 21 Oct 2021

**CHANGE TO ADMISSION OR LOTTERY POLICY:**

Please see attached 2021-10-21 revision of the EVCA Enrollment Policy.

The reason for this change is to comply with NMAC 6-12-13 which now requires evidence of a dental exam prior to enrollment, and a change in statute 22-8B-4.1 NMSA requiring enrollment preference to be extended to children of employees employed by the school.

Submit this form and all supporting documents to [charter.schools@state.nm.us](mailto:charter.schools@state.nm.us)

The School's Admission or Lottery Policies and Procedures Amendment is hereby submitted by [Dr. Douglas P. Ghormley] on [15 Nov 2021], and affirms the school meets the following eligibility criteria:

- ☒ Amendment must be submitted to the PEC within 30 days of the change being communicated or implemented; and
- ☒ The school's governing board is in compliance with all reporting requirements; and
- ☒ If a review by CSD indicates there is a compliance concern or issue with the proposed revision, the concern will be brought to the attention of the PEC.

Dr Douglas P. Ghormley  
Charter School Representative Signature

15 Nov 2021  
Date

The School's Admission or Lottery Policies and Procedures Amendment was:

☐ Approved

☐ Denied

\_\_\_\_\_  
Chair, Public Education Commission

\_\_\_\_\_  
Date



## CERTIFICATE OF GOVERNING BODY VOTE

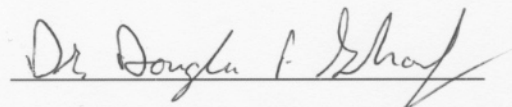
This document certifies that on Oct 21, 2021 at 6:00 p.m., a meeting of the Governing Body of Estancia Valley Classical Academy, a New Mexico public charter school, was held at 110 State Hwy 344, Edgewood, NM 87015. The meeting and all votes were conducted in compliance with the New Mexico Open Meetings Act.

A quorum of the Governing Body's members being present and voting, it was voted 8 in favor and 0 opposed to adopt the 2021-10-21 revision of the Enrollment Policy.

The members voting in favor were: Douglas Ghormley, Deron Knoner, Bill Richard, Kim Adams, Tera Dick, Roger Lenard, Theresa Nunneley, and Lynn Perlman.

The members voting in opposition were: (none)

I, the undersigned, certify that this is a true copy.



Dr. Douglas P. Ghormley  
EVCA Governing Council President

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## SCHOOL POLICY

Policy Name (Revision Date)	Enrollment (21 Oct 2021)
Revision Status	<input type="checkbox"/> Draft <input checked="" type="checkbox"/> Final
Adoption Date	21 Oct 2021
Effective Date	Immediate upon adoption
Replaces Revision Date	14 Mar 2020

### Purpose

The enrollment process for New Mexico charter schools is governed by statutes and administrative codes designed to provide a fair and equitable process to prospective students. However, charter schools in New Mexico may limit the number and size of classes and give enrollment preference to students who have been admitted and who remain in attendance through subsequent grades, as well as siblings of already admitted or enrolled students. This policy is designed to ensure a fair and equitable process while defining how the authorized enrollment preferences will be exercised.

### References

- 22-8B-4.1 NMSA (rev 2000)
- 6.10.4 NMAC (rev 11-13-09)
- 6.12.13 NMAC (rev 4-30-21)
- 6.80.4.12.D NMAC (rev 6/30/09)
- The EVCA Civil Rights Policy
- The EVCA Expulsion Policy

### Definitions and Abbreviations

- **Enrollment Group:** The EVCA Governing Council or duly appointed designee placed in charge of enrollment, such as an Enrollment Committee.
- **Enrollment Period:** a publicized window of time prior to a Lottery when LOI applications may be submitted.
- **LOI:** Letter of Intent – a form (possibly electronic) filled out by prospective students during an Enrollment Period that indicates their intent to attend the school, if admitted.



# Estancia Valley Classical Academy

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- **Lottery:** a random drawing process for determining the order in which Applicants are either granted a seat in a class or placed on the Waiting List when no more seats remain available.
- **Lottery Meeting:** A meeting at which Applicants will either be admitted to the school, or placed on a Waiting List. If there are more Applicants than available seats for a particular grade, then the Lottery Meeting will include a Lottery to determine which students are granted seats and which students are placed on the Waiting List for that grade, and in what order. If there are sufficient seats in a given grade to accommodate all applicants, then a Lottery is not required, though this will still be referred to as a Lottery Meeting.
- **Waiting List:** a per-grade, ordered list of students waiting for a seat in that grade's classroom. Student Applicants are added to the end of the Waiting List for their grade when there is insufficient room to admit them during a Lottery or during First-come First-served Enrollment. Students are admitted from the top of the Waiting List as seats become available. **Waiting lists are for a particular school year only and do not carry over to future school years.**

See the section on "Stages of the Admission Process" below for additional definitions.

## Policy

Elements of this policy that are required by statute or administrative code will be highlighted with grey background to indicate that administrative staff discretion does not extend to those elements.

The EVCA seeks to furnish willing students a rigorous classical education.

The EVCA shall communicate the following notice<sup>1</sup> in enrollment publications: "The EVCA does not discriminate against any student based on disability, physical or mental handicap, serious medical condition, race, color, national origin, ancestry, religion, age, sex, sexual orientation or gender identity, spousal affiliation, veteran status, need for special education services, or any other category protected by law. Charter school students with disabilities and their parents retain all rights under the federal Individuals with Disabilities Education Act and its implementing state and federal rules. For questions regarding this policy, please contact the Executive Director, 110 State Hwy 344, Edgewood, New Mexico 87015 (505) 431-EVCA (3822), office@theevca.com."<sup>2</sup>

**All available seats as determined by the enrollment limits for each grade shall be included in the Lottery**

<sup>1</sup> 34 CFR § 100.3, 34 CFR § 104.8, 34 CFR § 106.9, 28 CFR § 35.106

<sup>2</sup> 22-8B-4.A and 22-8B-4.T NMSA (rev 2000)



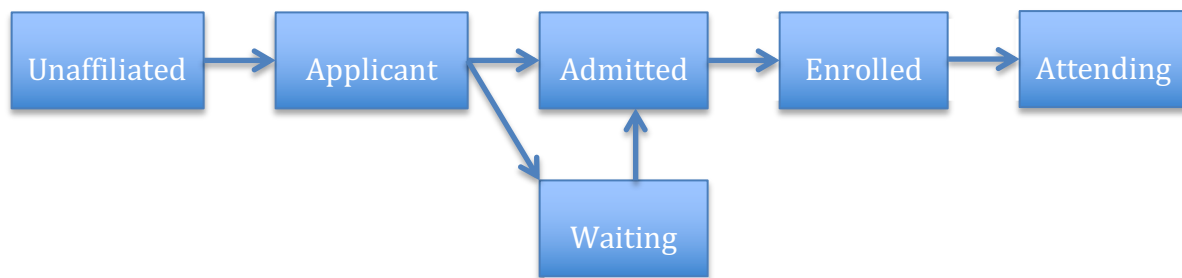
## Stages of the Admission Process

The EVCA's admission process involves a number of stages through which students proceed in order to attend the EVCA. Students enter this process in one of two ways:

1. Students who are Attending in one school year and who wish to continue Attending into the next school year are automatically considered Admitted for that next school year.
2. All other students start this process as Unaffiliated. This includes siblings of Attending students who are themselves not yet Attending, and students who were Attending the EVCA in the past but withdrew for a time and now wish to attend again.

The designations of students at various stages of the enrollment process are:

1. **Unaffiliated:** a student who is not currently enrolled and has not applied



2. **Applicant:** a student who has formally applied for entry into the school. A student becomes an Applicant by submitting an LOI online at <http://theevca.com/LOI> or to the EVCA office during an Enrollment Period. All LOIs must be **received** prior to the deadline to be entered into a given lottery. ***It is the parents' responsibility to confirm receipt by the EVCA office prior to the deadline.*** The EVCA shall not be held responsible for delays or loss due to technical or delivery failures that may disqualify an LOI.
3. **Waiting:** a student who has been placed on a Waiting List. A student is placed on a Waiting List through one of the following ways:
  - a. before the school year during a Lottery Meeting when there are no seats available in the student's grade when that student's name is drawn in the Lottery (see below for details), or
  - b. during the First-come, First-served Enrollment when there is insufficient space in the student's grade level.



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4. **Admitted:** a student who has been granted a seat for a given school year. Only valid Applicants may be Admitted. A student becomes Admitted through one of the following ways:
  - a. during a Lottery Meeting when the student is granted a seat in their grade,
  - b. during a First-come, First-served Enrollment Period if a seat is available at the time the student becomes an Applicant
  - c. by first being placed on a Waiting List, and then being at the top of that Waiting List when a seat becomes available.
5. **Enrolled:** a student who has completed all enrollment documentation and other requirements and is thereby approved to attend the EVCA (may also be called “registered”). A student becomes Enrolled by doing *all* of the following:
  - a. Being Admitted
  - b. Properly and truthfully filling out and submitting all registration documentation before the deadline set by the EVCA registrar.
  - c. Providing the school with the student’s immunization records or a legal waiver approved by the New Mexico Department of Health.
  - d. Providing the school with the Student Dental Examination Verification prior to initial enrollment or a signed Student Dental Examination Waiver.

Failure to meet any of these requirements will result in the student being disqualified from enrollment and therefore no longer Admitted – the student becomes Unaffiliated once again.

In addition, students will be dropped from the enrollment process and deemed Unaffiliated if any of the following occurs:

- a. the school receives written or e-mailed notification from the parents or guardian of the student indicating their intention either not to enroll or not to attend,
  - b. the school receives notification from the U.S. Post Office of an out-of-state forwarding address for the student’s home address on file, or
  - c. the school receives a request from another school for student records pursuant to a transfer.
6. **Attending:** a student who is properly Enrolled and has physically attended at least one EVCA class during the current school year. To be seated in a class and receive instruction, a student must be not only Admitted, but also properly Enrolled.

Once a student is deemed Unaffiliated, their seat shall be given to the next student on the Waiting List (if any) for that grade. Such students shall become Unaffiliated and shall have to begin the enrollment process anew during the next available enrollment period in order to attend.





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If a family is unable to meet the requirements listed above, parents must contact the Executive Director *in advance of the first day of school* to make alternate arrangements, which the Executive Director is authorized to make at his discretion.

## Admission Preference

Available seats in a classroom shall be offered to students according to the following preferences (first is highest)<sup>3</sup>:

1. Students who remain enrolled from the previous school year
2. Children of employees employed by the charter school
3. Siblings of students attending or admitted to the EVCA (that is, in the stage Admitted, Enrolled, or Attending)
4. New students currently on a Waiting List
5. New students who have filed an LOI during one of the Enrollment Periods described below.

Note that only students who remain enrolled from the previous school year are guaranteed a seat at the EVCA. Because of limited class sizes, even children of EVCA employees or siblings of existing students may end up on a Waiting List.

## Age Requirements

In order to enroll in Kindergarten, a student must be at least five years of age prior to 12:01 a.m. on September 1 of the school year<sup>4</sup>.

## Enrollment Limits

The enrollment for each grade shall be limited to 54 students. This number may only be exceeded as necessary to accommodate promotions and retentions. As the Lottery process described below assigns an available seat to an incoming student for the following school year, and as such seats must not also be assigned to other students in the interim, prior to the Sibling Lottery, enrollment may be frozen at current levels for the remainder of the school year by vote of the Governing Council at a duly noticed meeting.

## Enrollment Periods and Phases

Enrollment each year shall include four types of Enrollment Periods offered in sequence. Note that the Enrollment Periods described here will result in a student being Admitted or

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<sup>3</sup> 22-8B-4.1.B NMSA (rev 2000)

<sup>4</sup> 22-8-2.0 NMSA



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placed on a Waiting List. The student must still complete other enrollment requirements described above to become Enrolled and to attend classes at the EVCA.

Note also that no Applicant will become Admitted to a grade while there are students Waiting for that grade on a Waiting List – students on a Waiting List have priority over new Applicants (see above).

## Phase 1: Children of EVCA Employees

During the second semester of each school year, the Enrollment Group shall schedule and hold a Children of Employees Enrollment Period for children of current EVCA employees. The Children of Employees Enrollment Period starts on a designated date, lasts for approximately one week, and ends at a designated date and time. Shortly after the Enrollment Period ends, a Children of Employees Enrollment Lottery shall be held on a designated date and time and location. All of this information shall be communicated to EVCA staff with candidate students.

During the Children of Employees Enrollment Period, EVCA employees who wish to enroll a child must fill out a Children of Employees Letter of Intent (LOI) as described above for each child they would like to be an Applicant to the EVCA.

The Children of Employees Enrollment Lottery shall be held on the second Tuesday of January each year, if at all practical. If a Lottery must be rescheduled, the Governing Council may approve such a change at a duly noticed meeting. In the case of an emergency, the Governing Council's Enrollment & Outreach Committee may approve the necessary scheduling change and work with the administration to ensure that parents are notified promptly of the change.

## Phase 2: Sibling Enrollment Period

During the second semester of each school year, the Enrollment Group shall schedule and hold a Sibling Enrollment Period for siblings of current EVCA students. The Sibling Enrollment Period starts on a designated date, lasts for approximately three weeks, and ends at a designated date and time. Shortly after the Enrollment Period ends, a Sibling Enrollment Lottery shall be held on a designated date and time and location. All of this information shall be communicated to parents of existing students.

During the Sibling Enrollment Period, parents who have a child currently Attending the EVCA and who wish to enroll a sibling of that child must fill out a Sibling Letter of Intent (LOI) as described above for each sibling they would like to be an Applicant to the EVCA.





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The Sibling Enrollment Lottery shall be held on the third Tuesday of February each year, if at all practical. If a Lottery must be rescheduled, the Governing Council may approve such a change at a duly noticed meeting. In the case of an emergency, the Governing Council's Enrollment & Outreach Committee may approve the necessary scheduling change and work with the administration to ensure that parents are notified promptly of the change.

## Phase 3: Open Enrollment Periods

After the Sibling Enrollment Lottery has been held but before the school year begins, the Enrollment Group shall schedule one or more Open Enrollment Periods with associated lotteries. An enrollment period starts on a designated date, lasts for at least three weeks, and ends at a designated date and time. Shortly after the Enrollment Period ends, an Open Enrollment Lottery will be held on a particular date at a particular time and location.

During an Open Enrollment Period, any student (including siblings of currently Attending students) may become Applicants by submitting an LOI as described above. Siblings of currently Attending students are not given preference during Open Enrollment Periods.

The first Open Enrollment Lottery will be held on the fourth Tuesday in March each year. If a Lottery must be rescheduled, the Governing Council may approve such a change at a duly noticed meeting. In the case of an emergency, the Governing Council's Enrollment & Outreach Committee may approve the necessary scheduling change and work with the administration to ensure that parents are notified promptly of the change. Additional Open Enrollment lotteries may be scheduled with the approval of the Governing Council's Enrollment & Outreach Committee. Such lotteries must be advertised at least two weeks in advance.

## Phase 4: First-come, First-served Enrollment Period

After the last enrollment lottery, there shall be first-come, first-served enrollment for the duration of that school year. Any student may become an Applicant by delivering a signed First-come, First-served Application (FFA) to the school office during posted office hours or by appointment. At the time the FFA is received by the office, Applicants shall become Admitted or Waiting (depending on whether the grade in question has seats available or not) on a first-come, first-served basis. If an open seat is available, the student will be considered Admitted at that time; if an open seat is not available, the student shall be added to the end of the Waiting List for that grade at that time.



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## Lottery Meetings

Each Sibling and Open Enrollment Period will end with a public Enrollment Lottery Meeting. At this meeting, a Lottery shall be held for admission of Applicants to a particular grade when the number of Applicants exceeds the number of available seats for that grade. Lotteries shall start with Kindergarten and proceed to each successive grade for which at least one LOI was submitted. If there is sufficient space available in a particular grade to accommodate all applicants for that grade, then no Lottery need be held for that grade – all applicants to that grade will summarily become Admitted.

When a Lottery is needed, the following random drawing steps will be repeated until all Applicants for a given grade are Admitted or Waiting (that is, placed on a Waiting List for their grade):

1. The Executive Director, Governing Council member, or a designee, will randomly draw one applicant name.
2. If there are **no openings** for the grade, then that applicant's name will be added to the end of the Waiting List for that grade.
3. If there **is an opening** for the grade, then that applicant will become Admitted into that grade at that time.
  - a. If the Applicant (now Admitted) has siblings who are Applicants during this Enrollment Period, then at this point, each of those siblings will either be Admitted to their respective grades (if there is sufficient room) or added to the Waiting List for their respective grades (if there is insufficient room).

This process may be automated by a computer system, in which case the applicant names in step #1 will be selected randomly by the computer.

A member of the Governing Council will be present for the drawing to witness the Admitted student rosters and Waiting Lists for each grade.

## Accepting an Offered Seat

Once a parent is contacted that a seat has been offered to their student, the parent has 48 hours to respond to accept the offered seat. If the parent fails to accept the seat by the 48-hour deadline, the parent will be deemed to have rejected the offered seat and the available seat will be offered to the next student on the Waiting List (if any), made available for the next Lottery, or made available for First-Come, First-Served enrollment. If a parent will be unavailable to respond for 48 hours, arrangements must be made with the school office in advance. **Note that the 48-hour acceptance period applies only to the Children of Employees Lottery, the Sibling Lottery, and the First-come, First-served Enrollment Period. The acceptance period for the Open Lottery is two weeks.**



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## Waiting Lists

After the school year has started, when a seat becomes available in a grade, the parents of the student at the top of the Waiting List for that grade, if any, shall be contacted within two school days in accordance with the Notification section below.

## Deadline to Enroll

Parents must complete all steps required for the student to be Enrolled by the deadline, or make alternative arrangements with the Executive Director. If a parent verbally declines the offer of the available seat, or fails to complete the requirements for being Enrolled by the deadline, then that student will not have become Enrolled for the given school year. If the student was on a Waiting List, then the student's name will be removed from the Waiting List for that grade and the available seat offered to the next student on the Waiting List (if any).

## Advertising

At a minimum, Enrollment Periods will be advertised on the school's website, but may also be advertised in local newspapers, distribution of flyers, or other means deemed appropriate by the Enrollment Group. When the medium reasonably permits, advertisements shall include the following information at a minimum: the start and end dates of the Enrollment Period, the Enrollment Lottery Meeting date, time, and place (except in the case of the First-come, First-served Enrollment Period), and the process for submitting LOIs to the school, or instructions on how to find such information.

## Notification

Parents of students who are offered available seats or who are Admitted shall be notified as soon as possible. Parents will typically be notified via e-mail, unless the parent makes alternate arrangements with the school office in advance. The parent is responsible for notifying the school office in advance if their e-mail address changes.

## Full Time Enrollment

The EVCA only accepts students for full-time enrollment, except in unusual circumstances pre-approved by both the Executive Director and the Governing Council. All such students must still apply and be admitted through the standard admission process.

## Enrollment of Expelled Students

Students expelled from the EVCA or another school for drug violations or violence shall not be admitted to the EVCA during the time of their expulsion.





## Disenrollment

Students may be disenrolled for the following reasons:

- When a student has amassed ten consecutive unexcused absences;
- Upon expulsion (see the EVCA Expulsion Policy);
- An invalid enrollment<sup>5</sup>.

In the case of an invalid enrollment, the administration shall follow the procedure described in 6.10.4.9 NMAC.

## Classroom Placement

The EVCA Governing Council has an explicit goal that each class of a given grade is taught the same rigorous curriculum and provides a safe, focused educational environment for the students. Permitting parents to select one class over another in K-6<sup>th</sup> grades has historically led to a number of issues that negatively affect the overall ability of the school in these areas.

Prior to the 4<sup>th</sup> quarter mid-term grade reports, each K-5<sup>th</sup> grade student's existing teachers will confer and make placement recommendations for that student for the following year. The placement recommendations will be based on a concerted effort to balance next year's classes to maximize efficient allocation of educational resources consistent with applicable federal and New Mexico state law. Anticipated teacher/student interactions may be considered secondarily. A copy of the resulting classroom roster shall be given to the Governing Council's Enrollment & Outreach Committee.

If a parent has an education-based reason to appeal the decision, they may speak with the Executive Director, who is granted the authority to modify the placement decision so long as doing so does not negatively impact the learning environment for other students in the grade. The Executive Director shall report all such modifications to the placement decisions at the Governing Council's next regular meeting.

## Revision History

Revision Date	Description
21 Oct 2021	Updated to reflect Revisions to New Mexico Administrative Code (NMAC) 6.12.13 adopted on April 20, 2021 that outlines the student dental examination requirements for enrollment. Updated to reflect Senate Bill 51 passed during

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<sup>5</sup> 6.10.4 NMAC (rev 11-13-09)



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	the 2021 session, which provides for an enrollment preference for students whose parents are employees of the charter school.
14 Mar 2020	Clarified 48-hour deadline for certain enrollment actions and added the Accepting an Offered Seat section.
12 Dec 2019	Updated school address. Revised to accommodate use of computerized LOIs and lottery drawings. Added minimum age requirement.
31 May 2018	Modify wording to be consistent with PEC contract negotiation recommendations.
29 May 2018	Added enrollment caps, target dates for the Sibling and first Open Enrollment windows, the order in which a lottery is held (starting with Kindergarten), and specifying how soon a waiting list student should be notified of an empty seat.
4 Apr 2018	Strengthen wording to make it clear that all LOIs have to be received in the office prior to the deadline.
7 Jan 2018	Gives parents 48 hours to accept an offered seat. Explicitly states that telephone calls are the preferred method of contact.
30 Jul 2017	Created the option for parents to turn in LOIs other than in person.
3 Jan 2017	Added requirement for non-discrimination notices in enrollment publications.
11 Aug 2016	Clarified when the First-come, First-served enrollment begins.
22 July 2016	Eliminated Mandatory Meeting, 40 <sup>th</sup> day enrollment limit, and prohibition on 11 <sup>th</sup> and 12 <sup>th</sup> grade enrollments.
17 Mar 2016	Added Classroom Placement section.
4 Jan 2016	Updated to new format. Revised to prohibit transfers in after 10 <sup>th</sup> grade and enrollment periods after the 40 <sup>th</sup> day of a school year. Revised to give siblings of admitted students stronger preference. Revised to use first-come, first-served enrollment once the school year has started. Added the section on Enrollment of Expelled Students.



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## SCHOOL POLICY

Policy Name (Revision Date)	Enrollment ( <a href="#">21 Oct 2021</a> )
Revision Status	<input type="checkbox"/> Draft <input checked="" type="checkbox"/> Final
Adoption Date	<a href="#">21 Oct 2021</a>
Effective Date	Immediate upon adoption
Replaces Revision Date	<a href="#">14 Mar 2020</a>

Moved down [1]: 14 Mar 2020

Deleted: 19 Mar 2020

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## Purpose

The enrollment process for New Mexico charter schools is governed by statutes and administrative codes designed to provide a fair and equitable process to prospective students. However, charter schools in New Mexico may limit the number and size of classes and give enrollment preference to students who have been admitted and who remain in attendance through subsequent grades, as well as siblings of already admitted or enrolled students. This policy is designed to ensure a fair and equitable process while defining how the authorized enrollment preferences will be exercised.

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Deleted: 14 Mar 2020





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Elements of this policy that are required by statute or administrative code will be highlighted with **grey background** to indicate that administrative staff discretion does not extend to those elements.

The EVCA seeks to furnish willing students a rigorous classical education.

The EVCA shall communicate the following notice<sup>1</sup> in enrollment publications: "The EVCA does not discriminate against any student based on disability, physical or mental handicap, serious medical condition, race, color, national origin, ancestry, religion, age, sex, sexual orientation or gender identity, spousal affiliation, veteran status, need for special education services, or any other category protected by law. Charter school students with disabilities and their parents retain all rights under the federal Individuals with Disabilities Education Act and its implementing state and federal rules. For questions regarding this policy, please contact the Executive Director, 110 State Hwy 344, Edgewood, New Mexico 87015 (505) 431-EVCA (3822), office@theevca.com."<sup>2</sup>

**All available seats as determined by the enrollment limits for each grade shall be included in the Lottery**

<sup>1</sup> 34 CFR § 100.3, 34 CFR § 104.8, 34 CFR § 106.9, 28 CFR § 35.106

<sup>2</sup> 22-8B-4.A and 22-8B-4.T NMSA (rev 2000)

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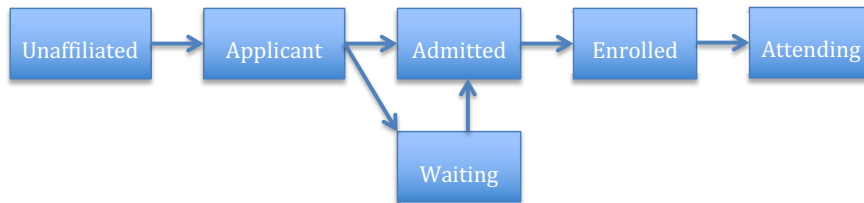
## Stages of the Admission Process

The EVCA's admission process involves a number of stages through which students proceed in order to attend the EVCA. Students enter this process in one of two ways:

1. Students who are Attending in one school year and who wish to continue Attending into the next school year are automatically considered Admitted for that next school year.
2. All other students start this process as Unaffiliated. This includes siblings of Attending students who are themselves not yet Attending, and students who were Attending the EVCA in the past but withdrew for a time and now wish to attend again.

The designations of students at various stages of the enrollment process are:

1. **Unaffiliated:** a student who is not currently enrolled and has not applied



2. **Applicant:** a student who has formally applied for entry into the school. A student becomes an Applicant by submitting an LOI online at <http://theevca.com/LOI> or to the EVCA office during an Enrollment Period. All LOIs must be **received** prior to the deadline to be entered into a given lottery. **It is the parents' responsibility to confirm receipt by the EVCA office prior to the deadline.** The EVCA shall not be held responsible for delays or loss due to technical or delivery failures that may disqualify an LOI.
3. **Waiting:** a student who has been placed on a Waiting List. A student is placed on a Waiting List through one of the following ways:
  - a. before the school year during a Lottery Meeting when there are no seats available in the student's grade when that student's name is drawn in the Lottery (see below for details), or
  - b. during the First-come, First-served Enrollment when there is insufficient space in the student's grade level.

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4. **Admitted:** a student who has been granted a seat for a given school year. Only valid Applicants may be Admitted. A student becomes Admitted through one of the following ways:
  - a. during a Lottery Meeting when the student is granted a seat in their grade,
  - b. during a First-come, First-served Enrollment Period if a seat is available at the time the student becomes an Applicant
  - c. by first being placed on a Waiting List, and then being at the top of that Waiting List when a seat becomes available.
5. **Enrolled:** a student who has completed all enrollment documentation and other requirements and is thereby approved to attend the EVCA (may also be called "registered"). A student becomes Enrolled by doing *all* of the following:
  - a. Being Admitted
  - b. Properly and truthfully filling out and submitting all registration documentation before the deadline set by the EVCA registrar.
  - c. Providing the school with the student's immunization records or a legal waiver approved by the New Mexico Department of Health.
  - d. Providing the school with the Student Dental Examination Verification prior to initial enrollment or a signed Student Dental Examination Waiver.

Failure to meet any of these requirements will result in the student being disqualified from enrollment and therefore no longer Admitted – the student becomes Unaffiliated once again.

In addition, students will be dropped from the enrollment process and deemed Unaffiliated if any of the following occurs:

- a. the school receives written or e-mailed notification from the parents or guardian of the student indicating their intention either not to enroll or not to attend,
  - b. the school receives notification from the U.S. Post Office of an out-of-state forwarding address for the student's home address on file, or
  - c. the school receives a request from another school for student records pursuant to a transfer.
6. **Attending:** a student who is properly Enrolled and has physically attended at least one EVCA class during the current school year. To be seated in a class and receive instruction, a student must be not only Admitted, but also properly Enrolled.

Once a student is deemed Unaffiliated, their seat shall be given to the next student on the Waiting List (if any) for that grade. Such students shall become Unaffiliated and shall have to begin the enrollment process anew during the next available enrollment period in order to attend.

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If a family is unable to meet the requirements listed above, parents must contact the Executive Director *in advance of the first day of school* to make alternate arrangements, which the Executive Director is authorized to make at his discretion.

## Admission Preference

Available seats in a classroom shall be offered to students according to the following preferences (first is highest)<sup>3</sup>:

1. Students who remain enrolled from the previous school year
2. [Children of employees employed by the charter school](#)
3. Siblings of students attending or admitted to the EVCA (that is, in the stage Admitted, Enrolled, or Attending)
4. New students currently on a Waiting List
5. New students who have filed an LOI during one of the Enrollment Periods described below.

Note that only students who remain enrolled from the previous school year are guaranteed a seat at the EVCA. Because of limited class sizes, even [children of EVCA employees or](#) siblings of existing students may end up on a Waiting List.

## Age Requirements

In order to enroll in Kindergarten, a student must be at least five years of age prior to 12:01 a.m. on September 1 of the school year<sup>4</sup>.

## Enrollment Limits

The enrollment for each grade shall be limited to 54 students. This number may only be exceeded as necessary to accommodate promotions and retentions. As the Lottery process described below assigns an available seat to an incoming student for the following school year, and as such seats must not also be assigned to other students in the interim, prior to the Sibling Lottery, enrollment may be frozen at current levels for the remainder of the school year by vote of the Governing Council at a duly noticed meeting.

## Enrollment Periods and Phases

Enrollment each year shall include [four](#) types of Enrollment Periods offered in sequence. Note that the Enrollment Periods described here will result in a student being Admitted or

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<sup>3</sup> 22-8B-4.1.B NMSA (rev 2000)

<sup>4</sup> 22-8-2.0 NMSA

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placed on a Waiting List. The student must still complete other enrollment requirements described above to become Enrolled and to attend classes at the EVCA.

Note also that no Applicant will become Admitted to a grade while there are students Waiting for that grade on a Waiting List – students on a Waiting List have priority over new Applicants (see above).

## Phase 1: Children of EVCA Employees

During the second semester of each school year, the Enrollment Group shall schedule and hold a Children of Employees Enrollment Period for children of current EVCA employees. The Children of Employees Enrollment Period starts on a designated date, lasts for approximately one week, and ends at a designated date and time. Shortly after the Enrollment Period ends, a Children of Employees Enrollment Lottery shall be held on a designated date and time and location. All of this information shall be communicated to EVCA staff with candidate students.

During the Children of Employees Enrollment Period, EVCA employees who wish to enroll a child must fill out a Children of Employees Letter of Intent (LOI) as described above for each child they would like to be an Applicant to the EVCA.

The Children of Employees Enrollment Lottery shall be held on the second Tuesday of January each year, if at all practical. If a Lottery must be rescheduled, the Governing Council may approve such a change at a duly noticed meeting. In the case of an emergency, the Governing Council's Enrollment & Outreach Committee may approve the necessary scheduling change and work with the administration to ensure that parents are notified promptly of the change.

## Phase 2: Sibling Enrollment Period

During the second semester of each school year, the Enrollment Group shall schedule and hold a Sibling Enrollment Period for siblings of current EVCA students. The Sibling Enrollment Period starts on a designated date, lasts for approximately three weeks, and ends at a designated date and time. Shortly after the Enrollment Period ends, a Sibling Enrollment Lottery shall be held on a designated date and time and location. All of this information shall be communicated to parents of existing students.

During the Sibling Enrollment Period, parents who have a child currently Attending the EVCA and who wish to enroll a sibling of that child must fill out a Sibling Letter of Intent (LOI) as described above for each sibling they would like to be an Applicant to the EVCA.

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The Sibling Enrollment Lottery shall be held on the third Tuesday of February each year, if at all practical. If a Lottery must be rescheduled, the Governing Council may approve such a change at a duly noticed meeting. In the case of an emergency, the Governing Council's Enrollment & Outreach Committee may approve the necessary scheduling change and work with the administration to ensure that parents are notified promptly of the change.

## Phase 3: Open Enrollment Periods

After the Sibling Enrollment Lottery has been held but before the school year begins, the Enrollment Group shall schedule one or more Open Enrollment Periods with associated lotteries. An enrollment period starts on a designated date, lasts for at least three weeks, and ends at a designated date and time. Shortly after the Enrollment Period ends, an Open Enrollment Lottery will be held on a particular date at a particular time and location.

During an Open Enrollment Period, any student (including siblings of currently Attending students) may become Applicants by submitting an LOI as described above. Siblings of currently Attending students are not given preference during Open Enrollment Periods.

The first Open Enrollment Lottery will be held on the fourth Tuesday in March each year. If a Lottery must be rescheduled, the Governing Council may approve such a change at a duly noticed meeting. In the case of an emergency, the Governing Council's Enrollment & Outreach Committee may approve the necessary scheduling change and work with the administration to ensure that parents are notified promptly of the change. Additional Open Enrollment lotteries may be scheduled with the approval of the Governing Council's Enrollment & Outreach Committee. Such lotteries must be advertised at least two weeks in advance.

## Phase 4: First-come, First-served Enrollment Period

After the last enrollment lottery, there shall be first-come, first-served enrollment for the duration of that school year. Any student may become an Applicant by delivering a signed First-come, First-served Application (FFA) to the school office during posted office hours or by appointment. At the time the FFA is received by the office, Applicants shall become Admitted or Waiting (depending on whether the grade in question has seats available or not) on a first-come, first-served basis. If an open seat is available, the student will be considered Admitted at that time; if an open seat is not available, the student shall be added to the end of the Waiting List for that grade at that time.

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## Lottery Meetings

Each Sibling and Open Enrollment Period will end with a public Enrollment Lottery Meeting. At this meeting, a Lottery shall be held for admission of Applicants to a particular grade when the number of Applicants exceeds the number of available seats for that grade. Lotteries shall start with Kindergarten and proceed to each successive grade for which at least one LOI was submitted. If there is sufficient space available in a particular grade to accommodate all applicants for that grade, then no Lottery need be held for that grade – all applicants to that grade will summarily become Admitted.

When a Lottery is needed, the following random drawing steps will be repeated until all Applicants for a given grade are Admitted or Waiting (that is, placed on a Waiting List for their grade):

1. The Executive Director, Governing Council member, or a designee, will randomly draw one applicant name.
2. If there are **no openings** for the grade, then that applicant's name will be added to the end of the Waiting List for that grade.
3. If there **is an opening** for the grade, then that applicant will become Admitted into that grade at that time.
  - a. If the Applicant (now Admitted) has siblings who are Applicants during this Enrollment Period, then at this point, each of those siblings will either be Admitted to their respective grades (if there is sufficient room) or added to the Waiting List for their respective grades (if there is insufficient room).

This process may be automated by a computer system, in which case the applicant names in step #1 will be selected randomly by the computer.

A member of the Governing Council will be present for the drawing to witness the Admitted student rosters and Waiting Lists for each grade.

## Accepting an Offered Seat

Once a parent is contacted that a seat has been offered to their student, the parent has 48 hours to respond to accept the offered seat. If the parent fails to accept the seat by the 48-hour deadline, the parent will be deemed to have rejected the offered seat and the available seat will be offered to the next student on the Waiting List (if any), made available for the next Lottery, or made available for First-Come, First-Served enrollment. If a parent will be unavailable to respond for 48 hours, arrangements must be made with the school office in advance. **Note that the 48-hour acceptance period applies only to the Children of Employees Lottery, the Sibling Lottery, and the First-come, First-served Enrollment Period. The acceptance period for the Open Lottery is two weeks.**

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## Waiting Lists

After the school year has started, when a seat becomes available in a grade, the parents of the student at the top of the Waiting List for that grade, if any, shall be contacted within two school days in accordance with the Notification section below.

## Deadline to Enroll

Parents must complete all steps required for the student to be Enrolled by the deadline, or make alternative arrangements with the Executive Director. If a parent verbally declines the offer of the available seat, or fails to complete the requirements for being Enrolled by the deadline, then that student will not have become Enrolled for the given school year. If the student was on a Waiting List, then the student's name will be removed from the Waiting List for that grade and the available seat offered to the next student on the Waiting List (if any).

## Advertising

At a minimum, Enrollment Periods will be advertised on the school's website, but may also be advertised in local newspapers, distribution of flyers, or other means deemed appropriate by the Enrollment Group. When the medium reasonably permits, advertisements shall include the following information at a minimum: the start and end dates of the Enrollment Period, the Enrollment Lottery Meeting date, time, and place (except in the case of the First-come, First-served Enrollment Period), and the process for submitting LOIs to the school, or instructions on how to find such information.

## Notification

Parents of students who are offered available seats or who are Admitted shall be notified as soon as possible. Parents will typically be notified via e-mail, unless the parent makes alternate arrangements with the school office in advance. The parent is responsible for notifying the school office in advance if their e-mail address changes.

## Full Time Enrollment

The EVCA only accepts students for full-time enrollment, except in unusual circumstances pre-approved by both the Executive Director and the Governing Council. All such students must still apply and be admitted through the standard admission process.

## Enrollment of Expelled Students

Students expelled from the EVCA or another school for drug violations or violence shall not be admitted to the EVCA during the time of their expulsion.

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## Disenrollment

Students may be disenrolled for the following reasons:

- When a student has amassed ten consecutive unexcused absences;
- Upon expulsion (see the EVCA Expulsion Policy);
- An invalid enrollment<sup>5</sup>.

In the case of an invalid enrollment, the administration shall follow the procedure described in 6.10.4.9 NMAC.

## Classroom Placement

The EVCA Governing Council has an explicit goal that each class of a given grade is taught the same rigorous curriculum and provides a safe, focused educational environment for the students. Permitting parents to select one class over another in K-6<sup>th</sup> grades has historically led to a number of issues that negatively affect the overall ability of the school in these areas.

Prior to the 4<sup>th</sup> quarter mid-term grade reports, each K-5<sup>th</sup> grade student's existing teachers will confer and make placement recommendations for that student for the following year. The placement recommendations will be based on a concerted effort to balance next year's classes to maximize efficient allocation of educational resources consistent with applicable federal and New Mexico state law. Anticipated teacher/student interactions may be considered secondarily. A copy of the resulting classroom roster shall be given to the Governing Council's Enrollment & Outreach Committee.

If a parent has an education-based reason to appeal the decision, they may speak with the Executive Director, who is granted the authority to modify the placement decision so long as doing so does not negatively impact the learning environment for other students in the grade. The Executive Director shall report all such modifications to the placement decisions at the Governing Council's next regular meeting.

## Revision History

Revision Date	Description
<a href="#">21 Oct 2021</a>	<a href="#">Updated to reflect Revisions to New Mexico Administrative Code (NMAC) 6.12.13 adopted on April 20, 2021 that outlines the student dental examination requirements for enrollment. Updated to reflect Senate Bill 51 passed during</a>

<sup>5</sup> 6.10.4 NMAC (rev 11-13-09)

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	<a href="#">the 2021 session, which provides for an enrollment preference for students whose parents are employees of the charter school.</a>
14 Mar 2020	Clarified 48-hour deadline for certain enrollment actions and added the Accepting an Offered Seat section.
12 Dec 2019	Updated school address. Revised to accommodate use of computerized LOIs and lottery drawings. Added minimum age requirement.
31 May 2018	Modify wording to be consistent with PEC contract negotiation recommendations.
29 May 2018	Added enrollment caps, target dates for the Sibling and first Open Enrollment windows, the order in which a lottery is held (starting with Kindergarten), and specifying how soon a waiting list student should be notified of an empty seat.
4 Apr 2018	Strengthen wording to make it clear that all LOIs have to be received in the office prior to the deadline.
7 Jan 2018	Gives parents 48 hours to accept an offered seat. Explicitly states that telephone calls are the preferred method of contact.
30 Jul 2017	Created the option for parents to turn in LOIs other than in person.
3 Jan 2017	Added requirement for non-discrimination notices in enrollment publications.
11 Aug 2016	Clarified when the First-come, First-served enrollment begins.
22 July 2016	Eliminated Mandatory Meeting, 40 <sup>th</sup> day enrollment limit, and prohibition on 11 <sup>th</sup> and 12 <sup>th</sup> grade enrollments.
17 Mar 2016	Added Classroom Placement section.
4 Jan 2016	Updated to new format. Revised to prohibit transfers in after 10 <sup>th</sup> grade and enrollment periods after the 40 <sup>th</sup> day of a school year. Revised to give siblings of admitted students stronger preference. Revised to use first-come, first-served enrollment once the school year has started. Added the section on Enrollment of Expelled Students.

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