



THE STATE EDUCATION DEPARTMENT / UNIVERSITY OF THE STATE OF NEW YORK / ALBANY,  
12234 NY  
Office of P12 Education

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Office of Accountability  
Title I, School and Community Services  
Room 365 EBA  
Tel. (518) 473295/ Fax (518) 4861762

October 2010

**NYS FIELD MEMO**  
**NCLB McKinney-Vento**  
**# 03 – 2010 A**

TO: District Superintendents  
Superintendents of Public Schools  
Charter School LEA Administrators  
Homeless Education Liaisons

FROM:

Roberto Reyes

SUBJECT: New York City Charter Schools and Community School District Preference for  
Homeless Students Charter School Q and A

This field memo is meant to clarify the **NYS Field Memo #3-2010: NYC Charter Schools and Community School District Preference for Homeless Students, issued July 2010.**

**Who can apply for admission to a charter school?**

Any child who is qualified for admission to a public school in New York State is also qualified for admission to a charter school.

**Must a student reside in the district in which the charter school is located?**

No. Students who are qualified for admission to a public school in New York State may apply for admission to any charter school in the state, including those located outside of the school district where the student is residing.

**What is a charter school admission lottery?**

If the number of applications for a particular charter school is greater than the capacity of the grade level or building, the charter school must accept students by a random selection process, often times referred to as a lottery.

**Who gets preference for a charter school admission lottery?**

Charter schools must give preference to applications from the following students:

- Students returning to the charter school,
- Students residing in the school district or, for students in New York City, students residing in the community school district in which the charter school where they are applying is located, and
- Siblings of students already enrolled in the charter school.

**Can a student who is homeless in New York City be accorded a preference in more than one community school district?**

Yes. If a student who is homeless would like to apply to several charter schools, his/her application will be accorded a preference in the admission lottery for:

- Any charter school located in the community school district in which s/he was last permanently housed; and
- Any charter school located in the community school district in which her/his temporary housing is located.

**Does the July 2010 guidance apply to students who live outside of New York City? If so, in which school districts may a student who is homeless claim a preference for purposes of a charter school admission lottery?**

The same logic in the guidance applies to students who live outside of New York City. Thus, an application from a student who is homeless will be accorded a preference in the admission lottery for:

- Any charter school located in the school district in which s/he was last permanently housed; and
- Any charter school located in the school district in which her/his temporary housing is located.

**May a student apply to a charter school even if s/he will not be given preference in the lottery?**

Yes. Any student who is qualified for admission to a public school in New York State may apply to any charter school in the state.

**How can charter schools inform parents who are homeless about the school district or community school district preferences that should be accorded to their children in any charter school lottery?**

Charter schools are encouraged to adapt their forms and procedures to ensure that applicants who are homeless are accorded the proper preference in any admissions lottery. For example, charter schools may:

- Distribute applications at local shelters, food pantries, and other locations where students experiencing homelessness may frequent, making clear that students temporarily residing in the school district or community school district where the charter school is located will be accorded a preference in any admissions lottery.
- Adapt their applications to include a notice to students who are homeless about charter school lotteries. For example,

For Students in Temporary Housing (for example, living in shelters, doubled-up, in motels): you may be given a preference in the admissions lottery if your temporary housing location or your last permanent housing is in the community school district/school district where \_\_\_\_\_ Charter School is located. Please contact \_\_\_\_\_ [insert the name of the charter school's McKinney-Vento Liaison] for more information.

- Adapt their applications to include information about housing status and/or the address of the applicant's temporary housing location and last permanent housing. For sample language asking about an applicant's housing status, please see the State Education Department's model Housing Questionnaire, available at [https://www.nysteachs.org/files/ugd/10c789\\_d4703a16f603461fab76ac16d9d8385d.pdf](https://www.nysteachs.org/files/ugd/10c789_d4703a16f603461fab76ac16d9d8385d.pdf)

Field Memo #3 2010 is posted on NYSED's website at:

<http://www.p12.nysed.gov/nclb/guidance/memos/03-2010.html> and  
on NYS-TEACHS website at:

[https://www.nysteachs.org/files/ugd/6642c2\\_79adcb3583084eccb3252d74fcfded3e.pdf](https://www.nysteachs.org/files/ugd/6642c2_79adcb3583084eccb3252d74fcfded3e.pdf)