

TRANSFER AND SCHOOL CHOICE OPTION

A. **Transfer to Another Attendance Center**

Students are to attend the school within whose attendance boundaries they reside. Except as provided in B below, students will not be permitted to transfer to or attend a school in the District unless they reside within the attendance area of that school at the commencement of the school term. On a case-by-case basis, the Superintendent may approve a student's transfer to or enrollment in a school other than that within whose attendance area the student resides provided that the Superintendent determines that, due to particular facts and circumstances of the case, it is necessary to better protect the health, safety, or well-being of the student.

B. **School Choice Option**

In accord with the provisions of State and Federal law, the parents of students attending a school in the District that is Title I funded and in year one (1) or later of improvement status of **or** that is on corrective status shall have the option to transfer to another school in the District not identified for school improvement subject to seat space availability and applicable financial limitations. The Superintendent or designee(s) shall develop procedures to implement this policy. These procedures shall include, but need not be limited to the following: **the conditions set forth below:**

- 1. A student may not transfer to an attendance center that exceeds or, as a result of the transfer, would exceed its attendance capacity.**
- 2. A student may not transfer to an attendance center for which the Board has established academic criteria for enrollment, if the student does not meet the criteria, provided that the transfer must be permitted if the attendance center is the only attendance center serving the student's grade that has not been identified for school improvement, corrective action, or restructuring under Section 1116 of the Federal Elementary and Secondary Education Act of 1965. ¹**

¹ Please note that State law allows for this exception. However, Federal regulations provide that a District may not state "lack of capacity" as a basis to deny a transfer. As a result, the District should consult with the Illinois

State Board of Education regarding compliance if attendance capacity is an issue.

- 3. A student may not transfer to any attendance center if the transfer would prevent the District from meeting its obligations under a State or Federal law, court order, or consent decree applicable to the District.**

The Superintendent shall develop procedures to implement this policy. These procedures shall include, but need not be limited to, the following:

1. Development of student capacity figure for each attendance center based upon the Health and Life Safety Code of Illinois.
2. Development and maintenance of a list of the lowest achieving students in rank order, from low income families who are attending each school in the District on improvement or corrective status and a list in rank order of achievement level of all other students attending each such school.
3. Development of a Notice letter to the parents of all students attending a school in the District in improvement or corrective status to inform them of the school choice option available under the provisions of this policy and applicable law. This Notice letter is to include notice of the obligation of the parent to elect the choice option within thirty (30) days of the date of the letter, and information regarding the obligation of the District to provide transportation. **The Notice Letter is subject to approval by the Illinois State Board of Education prior to sending it to parents.**
4. Development of procedures to assure that the Notice letter referred to in item 3 above is, to the extent practicable, in a language the parents can understand, and sent out ~~in a timely fashion, when possible, not later than June 1st of each successive school term.~~ **at least fourteen (14) days before the beginning of the school year, unless the State has received a waiver from this requirement. If a waiver is received, the Notice Letter must be sent by the beginning of the school year.**
5. In the extent necessary, the Superintendent shall endeavor to seek the interest of any neighboring secondary school district for intergovernmental agreements related to school choice.

**BOARD OF EDUCATION
GENEVA COMMUNITY UNIT
SCHOOL DISTRICT #304**

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Students who attend any school in the District as the result of the exercise of the school choice provided for in this policy shall be entitled to enroll in classes and participate in activities in the same manner as all students who attend that facility. They shall be entitled to complete their secondary education at the receiving school and they shall be entitled to transportation to the receiving school for so long as their home school fails to make adequate yearly progress.

20 U.S.C. 6316
20 U.S.C. 6317
105 ILCS 5/10-21.3a
34 C.F.R. 200.44

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