

Book	Policy Manual
Section	Policies for Board 33-2
Title	Vol. 33, No. 2 - February 2019 Revised SCHOOL CHOICE OPTIONS PROVIDED BY FEDERAL LAW
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#### 5113.02 - SCHOOL CHOICE OPTIONS PROVIDED BY FEDERAL LAW~~THE NO-CHILD-LEFT-BEHIND-ACT~~

The Board of Education acknowledges that the Federal ~~No-Child-Left-Behind-Act-of-2001 ("NCLBA")~~ Elementary and Secondary Education Act (ESEA), as amended, provides that the parents/guardians of students enrolled in a Title I school that has been listed for "School Improvement" for two (2) or more years, have the right to transfer their children to another school in the District, provided there is a school that provides instruction at the students' grade level(s) and such school has not been identified as being in the process of school improvement, corrective action, or restructuring. If there is not a qualifying school in the District, the Superintendent shall contact neighboring districts and request that they permit students to transfer to a school in one of those districts if the parent/guardian requests a transfer. The Superintendent shall also offer Supplemental Educational Services (SES) if a transfer within the District is not possible.

Students attending a "persistently dangerous" school, as defined by State law have the right to transfer to another "safe" school in the District. If there is not another "safe" school in the District providing instruction at the students' grade level(s), the Superintendent shall contact neighboring districts and request that they permit students to transfer to a school in one of those districts if the parent/guardian requests a transfer.

Furthermore, a student who is a victim of a "violent crime" on school property also has the right to transfer to another school. If there is not another school in the District providing instruction at the student's grade level, the Superintendent shall contact neighboring districts and request that they permit that student to transfer to a school in one of those districts providing instruction at the student's grade level if the parent/guardian requests a transfer.

The Board of Education authorizes such transfers in accordance with AG 5113.02.

Children who transfer within the District in accordance with this policy will be permitted to remain at the school of transfer until completing the highest grade at the school.

Title I, Section 1116(b)(1)(E) of the ~~No-Child-Left-Behind-Act-of-2001~~Elementary and Secondary Education Act, as amended  
 Title I, Section 1116(e) of the Elementary and Secondary Education Act, as amended~~No-Child-Left-Behind-Act-of-2001~~  
 Title IX, Section 9532 of the Elementary and Secondary Education Act, as amended~~No-Child-Left-Behind-Act-of-2001~~

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Legal Title I, Section 1116(b)(1)(E) of the Elementary and Secondary Education act, as amended  
 Title I, Section 1116(e) of the Elementary and Secondary Education Act, as amended  
 Title IX, Section 9532 of the Elementary and Secondary Education Act, as amended