

OFFICE OF THE SUPERINTENDENT

Millburn Public Schools

INFORMATION ITEM

April 4, 2011

To: Board of Education Members

From: Ellen E. Mauer, PhD

Subject: Policy 7:30-Student Assignment and Intra-District Transfer

This policy is revised and first changes the title of the policy from Student Assignment to Student Assignment and Intra-District Transfer. There are new sections on Attendance Area and Transfers within the District. All legal references and cross references are updated.

We can use this as our first reading and place this on the consent agenda for next time.

## Students

### Student Assignment and Intra-District Transfer 1

#### Attendance Areas

The School District is divided into school attendance areas. The Superintendent will review the boundary lines annually and recommend any changes to the School Board. <sup>2</sup> The Superintendent or designee shall maintain a map of the District showing current school attendance areas. Students living in a given school attendance area will be assigned to that school. <sup>3</sup> Homeless children shall be assigned according to Board policy 6:140, *Education of Homeless Children*.

#### Transfers Within the District 4

A student's parent(s)/guardian(s) may request a transfer for their child to a District school other than the one assigned. A request should be directed to the Superintendent, who, at his or her sole discretion, may grant the request when the parent(s)/guardian(s) demonstrate that the student could be better accommodated at another school, provided space is available. If a request is granted, the parent/guardian shall be responsible for transportation. <sup>5</sup> The provisions in this section have no applicability to transfers pursuant to: (1) Title I covered in Board policy 6:15, *School Accountability*, or (2) the Unsafe School Choice Option covered in Board policy 4:170, *Safety*.

#### Class Assignments

The Superintendent or designee shall assign students to classes.

LEGAL REF.: 105 ILCS 5/10-21.3, 5/10-21.3a, and 5/10-22.5.

CROSS REF.: 4:170 (Safety), 6:15 (School Accountability), 6:30 (Organization of Instruction), 6:140 (Education of Homeless Children)

---

**The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.**

<sup>1</sup> State law requires that intra-district transfers be covered by policy and controls this policy's content (105 ILCS 5/10-21.3a).

<sup>2</sup> School attendance areas must be periodically revised, if necessary, to prevent or eliminate segregation by color, race, or nationality (105 ILCS 5/10-21.3).

<sup>3</sup> State law grants boards broad authority concerning assignment of students to schools (105 ILCS 5/10-22.5). A child is presumed to be a resident of the district in which the child's parents, or custodial parent after a divorce, reside. The facts surrounding a transfer of custody will determine whether residency for school attendance purposes has changed. Turner v. Board of Education North Chicago Community High School District 123, 294 N.E.2d 264 (Ill. 1973).

<sup>4</sup> The details for intra-district transfers are determined locally; State law does not address when, or even if, intra-district transfers should be granted. See sample policy 6:15, *School Accountability*, for transfers pursuant to Title I.

<sup>5</sup> To limit the acceptable reasons supporting a transfer request, a board should consider this alternative: "...when the parent(s)/guardian(s) demonstrate that the student could be better accommodated by the educational program at another school ..."

## **Students**

### **Student Assignment**

The Building Principal shall assign students to classes.

LEGAL REF.: 105 ILCS 5/10-21.3 and 10-22.5.

ADOPTED: May 20, 2002