

August 28, 2002

**AMEND BOARD REPORT 96-0327-PO2**  
**AMEND BOARD REPORT 95-0524-PO2: UNIFORM POLICY ON**  
**ENROLLMENT AND TRANSFER OF STUDENTS IN THE CHICAGO PUBLIC SCHOOLS**

**THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:**

**SUBJECT:**

Enrollment and transfer of students in the Chicago Public Schools.

**PRESENT POLICY:**

Enrollment and transfers are currently governed by Section 6-1, 6-2, and 6-3 of the Rules of the Board of Education of the City of Chicago, the Illinois School Code, The United States Department of Justice Consent Decree, and prior enrollment policies.

**HISTORY OF BOARD ACTION:**

In 1980 the Chicago Public Schools and the United States Department of Justice entered into a Consent Degree which governs many of the present enrollment procedures. In 1982 the Board adopted the Comprehensive Student Assignment Plan which seeks to promote integration in the Chicago Public Schools. On May 22, 1991, the Board approved a modification of controlled enrollment policy. On April 27, 1994 the Board approved the Implementation of Open Enrollment in the Chicago Public Schools. On May 24, 1995 the Board adopted the Uniform Policy on Enrollment Transfer of students in the Chicago Public Schools. On March 27, 1996 the Board amended 95-0524-PO2.

**RECOMMENDATION:**

Amend ~~Revise~~ the Uniform Policy on Enrollment and Transfer of Students in the Chicago Public Schools as set forth below.

**I. ENROLLMENT**

It shall be the policy of the Board of Education to enroll all children between the ages of five and twenty-one seeking admission who live within the geographical boundaries of the City of Chicago in public schools operated under its control and supervision. Further, this policy is based upon the philosophy that enrollment decisions are to be made in the best educational interest of the child. All decisions concerning enrollment shall be made pursuant to the Comprehensive Student Assignment Plan, which will be reviewed and monitored by staff of the Bureau of Equal Educational Opportunity Programs and the Board of Education.

Children who enroll in the Chicago Public Schools for the first time and live within the attendance boundaries of a particular attendance area school shall be accepted in enrollment in that school, except that the school is not required to enroll a child:

- (a) where the Board of Education has approved the use of controlled enrollment as a remedy to alleviate overcrowding, unless the child seeking enrollment is:
  - (1) kindergarten age;
  - (2) a younger sibling of a child already enrolled;
  - (3) a child who requires special education or bilingual services and the Region is not able to provide in the receiving school the same level of such services as are available in the controlled enrollment school; or
- (b) where the school is a magnet school, unless that child has applied and been accepted for enrollment.

When a student has been accepted for enrollment at a magnet school, specialty school, options for knowledge program, voluntary transfer program, or open enrollment program, that student must complete registration no later than the last day of June of the school year preceeding the year for which the student is being enrolled.

When a child is seeking enrollment in his/her attendance area school for the first time in a Board approved controlled enrollment school, the child will be assigned to a designated receiving school. The attendance area school must contact the Bureau of Equal Educational Opportunity Programs for assistance in appropriate placement for the child, with the provisions of the Consent Decree and the Comprehensive Student Assignment Plan.

Where a special education student with an Individualized Educational Plan (IEP) documenting the need for special education or bilingual special education services seeks to enroll in the Chicago Public Schools for the first time in his or her attendance area school, and that school is unable to provide or develop the level of services required in the IEP, the attendance area school must enroll that child. The school must then contact the Department of Specialized Services for appropriate placement and provide interim services until proper placement is effected by the Department of Specialized Services.

When the attendance area school of a limited-English-proficient child enrolling in the Chicago Public Schools for the first time does not offer a bilingual education program appropriate to the child's needs, the child must be enrolled in the attendance area school and given the option to transfer to the nearest school offering such a program. Pending identification and transfer to a receiving school or, if the child opts to remain in the home school, the child must be enrolled and provided the most appropriate bilingual education services possible, consistent with his/her bilingual instructional category. The school must then contact the Department of Language and Cultural Education for appropriate placement.

If the parents or guardians of a homeless child choose to enroll the child in a school other than the school of origin, that school shall enroll the child even if the child is unable to produce records normally required for enrollment. Nothing in this policy shall prohibit the school from requiring parents or guardians of a homeless child to submit an address or such other contact information as the school may require from parents or guardians of nonhomeless children. It shall be the duty of the enrolling school to immediately contact the school last attended by the child to obtain relevant academic or other records.

The parent, legal guardian, or temporary custodian of a child seeking enrollment in a Chicago Public School for the first time shall present to the school principal or his/her designee proof of age and necessary medical records. (A temporary custodian is a caretaker of a child who is neither the parent nor legal guardian of that child.) To enroll a child in any attendance area school or open enrollment school, the person seeking enrollment for the child must also present evidence of current address.

Evidence necessary for the above proofs may include, but is not limited to, the following:

- Child's birth certificate
- Child's baptismal record
- Passport
- Utility bills
- Illinois driver's license
- Lease agreement
- Deed
- Employer ID
- MediPlan/Medicaid card
- State of Illinois ID
- Voter registration card
- Court documents
- Illinois department of public aid card

When children seeking to enroll in a CPS school are homeless or in the care of the state (Department of Children and Family Services) they shall be admitted if they cannot produce their birth certificates, educational records, medical records, and/or proof of immunizations. If a child seeking enrollment is being enrolled by an adult and/or service agency representative acting as a temporary custodian other than the parent or legal guardian, then the child shall be enrolled, provided that the adult submits for the child proof of age, proof of current address in the City of Chicago, and necessary medical records. If the parent or legal guardian lives outside the City of Chicago, the adult must also file with the principal or his/her designee, a completed copy of the "Tuition Waiver Form."

If a child is determined to be living with an adult who is not the parent or legal guardian, solely for the purpose of attending school in that attendance area, then:

- (a) If the parent or legal guardian lives within the City of Chicago, that child shall be enrolled in the school of the attendance area in which the parent or legal guardian lives, absent extenuating circumstances.
- (b) If the parent or legal guardian lives outside the City of Chicago, that child shall be charged tuition.

## II. TRANSFER OF STUDENTS

The Comprehensive Student Assignment Plan is designed to create and maintain the greatest possible number of stably desegregated schools, without restricting transfers that do not affect desegregation. Parents and students shall be informed of transfer opportunities, including open enrollment as summarized in the Board's policy on open enrollment (Board Report 96-0327-PO3), at the time of enrollment at any school and at the time of making any transfer. If there are multiple applicants for transfer into any school, selection of the students to be admitted shall be in accordance with the priorities established in the Comprehensive Student Assignment Plan. Under the Open Enrollment Plan:

- (a) Minority student may transfer from schools over 60 percent minority to schools less than 60 percent minority.
- (b) White students may transfer from schools less than 60 percent minority to schools over 60 percent minority.
- (c) Any child may transfer from a school 60-85 percent minority to a school more than 85 percent minority.
- (d) Students may freely transfer among schools that are more than 85 percent minority.
- (e) Students may apply for admission to one of the magnet schools operated by the district.

At the time of enrollment at any school, or at the time of making any transfer, parents shall be informed of the policies contained herein. Furthermore, they shall be apprised of the Board's Policy on controlled enrollment (as detailed in Board Reports pertaining to specific schools).

In the interest of continuity of educational programming, it shall be the Board's policy to limit transfers of students in the Chicago Public Schools to times in which both the students' and schools' disruptions will be minimized. Absent extenuating circumstances, transfers of elementary students within the Chicago Public Schools, whose parents change their place of residence to a new attendance area, shall be made at the end of the school year, unless the child moves outside the City of Chicago, in which case the transfer shall be made at the end of the school semester in which the move takes place. Transfers of high school students shall be made at the end of the semester in which the move takes place. High school students whose parents change their place of residence, however, may remain in the school until graduation if he/she desires to do so, provided the distance which the student is required to travel does not adversely influence the student's safety, attendance and academic progress.

Children become students of the school in which they are enrolled, and are not to be unilaterally transferred or withdrawn by the school principal, unless by procedures pursuant to this policy, except that transfers for non-attendance or for implementation of the Uniform Discipline Code must be approved by the Chief Executive Officer or his/her designee. If, however, a student attending a school outside the attendance area in which he or she lives elects to transfer to the school in the attendance area where he or she lives, the child shall be accepted, provided he or she meets enrollment requirements as described above.

Transfer restrictions do not apply to special education students who need to be transferred for an appropriate program and must be placed within ten days or by the beginning of the semester following an IEP conference. A special education child enrolled in a Chicago Public School outside the attendance area where he or she lives may elect to return to his or her attendance area school, provided that a program exists or can be developed to implement the child's IEP in that school. If such implementation cannot be done, the Department of Specialized Services shall be contacted by the school principal where the child is currently enrolled to determine the feasibility of alternative placement.

When a limited-English-proficient child transfers from a Chicago Public School offering appropriate bilingual education program services to a school which does not offer a similar appropriate program, the child must be given the option to transfer to the nearest school offering such a program. Pending identification and transfer to an appropriate receiving school or, if the child opts to remain in the school to which he/she has transferred, he/she must be enrolled and provided the most appropriate bilingual education services possible consistent with his/her bilingual instructional category.

Any elementary or high school child who has been registered in a school by falsifying his or her address for the purpose of enrollment may be subject to transfer to the proper attendance area school at the end of the school semester, after notice and opportunity to respond have been given to the parent or legal guardian/temporary custodian.

All decisions concerning transfers pursuant to this policy shall be made by the principal of the school to which the student is attempting to transfer and are reviewable by the Chief Executive Officer or his/her designee.

Pursuant to the No Child Left Behind Act ("Act"), Section 1116 of the Elementary and Secondary School Act of 1965 (20 U.S.C. Sec. 6317), parents of children attending a CPS school that has been listed for "School Improvement" for two or more years have the right to transfer their children to another non-School Improvement CPS school. Children who transfer to a non-School Improvement school shall be permitted to remain at the school until completing the highest grade at the school. Parents shall have 30 days to transfer children to a non-School Improvement CPS school after receiving notice of their right to transfer children who are attending a School Improvement attendance center. Students with the right to transfer under the Act may not transfer to any of the following non-School Improvement CPS schools, except by change in residence in cases where enrollment is based on residence in a school's attendance area, or unless approved by the Board on an individual basis:

- (1) An attendance center that exceeds or as a result of the transfer would exceed its attendance capacity.
- (2) 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 the NCLBA.
- (3) any attendance center if the transfer would prevent the school district from meeting its obligations under a state or federal law, court order or consent decree applicable to the Board.

Pursuant to the Act, students attending a “persistently dangerous” school have the right to transfer to another “safe” CPS school. Students who are victims of a “violent crime” on school property also have the right to transfer to another school.

**III. The Public Choice Systems Pilot Programs For the 2002-2003 School Year**

During the 2002-2003 school year, the Board intends to implement two new pilot programs, Public Choice Systems, designed to provide students attending certain schools identified as being in need of improvement for two consecutive years with additional public school choice consistent with the Act and state law. The two pilot programs, which are just for the 2002-2003 school year and will be subject to change, are the following:

**(1) The Paired Pilot Program**

Forty of CPS' lowest performing schools will be paired with at least two CPS schools that are not in need of improvement. The pairing of the schools shall be based on geographic proximity -- the non-improvement schools shall be within three bus miles of the improvement schools -- and space availability at the non-improvement schools. Transportation shall be provided to those students choosing to attend a non-improvement school consistent with Board policy.

**(2) The Elementary Magnet Cluster Pilot Program**

The Board will establish Elementary Magnet Cluster Pilot Programs, with a magnet cluster consisting of five to nine elementary schools, all located within geographic proximity. The schools' attendance areas will be collapsed into one attendance area encompassing all the schools in the cluster. Students attending any in the cluster shall be permitted to attend the cluster school of their choice. Each school in a cluster will have a specialized program area – Fine and Performing Arts, International CPS Scholars, Literature and Writing, Mathematics and Science, or World Language. All of the specialized program areas offered by the clusters will be designed to provide students in each community with a wide range of high quality academic programs. Instruction in the specialized program areas will be more intensive than the basic curriculum and will be integrated into the instruction of all curriculum areas at a school.

The Board shall provide transportation to students enrolled in an improvement school during the 2001-2002 school year who choose to attend a non-improvement school within the cluster consistent with Board policy. Students who attended a non-improvement school within the cluster also may choose to enroll in another non-improvement cluster school. The Board will not provide such students with transportation.

For both Public Choice Systems pilot programs, in the event that more students elect to attend a particular school than that school can accommodate, students will be prioritized consistent with the Act.

**RATIONALE:**

This policy brings a uniform application to state law, Board rules, and the previous enrollment and transfer policies of the Board of Education.

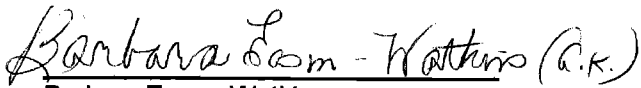
**FINANCIAL:**

No additional cost to the Chicago Public Schools.

**LEGAL REFERENCES:**

Consent Decree or the Desegregation Plan in United States v. Chicago Board of Education. 80 C 5124; Individuals with Disabilities Education Act, P.L. 101-476, as amended; Steward B. McKinney Act, P.L. 100-77, as amended; and Sections 10-20.12, 10-20.12a, 14-1 et seq., 14C-1 et seq., 26-1 et seq., 34-18, 34-18.2 and 45-1 et seq. Of the Illinois School Code; Board of Education of the City of Chicago Rules 6-1, 6-2, 6-3, 6-7, and 6-8.


**Reviewed for Consideration:**


  
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Barbara Eason-Watkins  
Chief Education Officer

**Noted:**

  
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Kenneth C. Gotsch  
Chief Fiscal Officer

**Respectfully Submitted:**

  
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Arne Duncan  
Chief Executive Officer *by PSM*

  
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Marilyn F. Johnson  
General Counsel