

AMEND BOARD REPORT 08-0827-PO2
AMEND BOARD REPORT 05-0824-PO3
AMEND BOARD REPORT 04-0526-PO2
**ADOPT A NEW COMPREHENSIVE POLICY ON THE ENROLLMENT AND TRANSFER
 OF STUDENTS IN THE CHICAGO PUBLIC SCHOOLS**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING:

That the Board of Education amend the Comprehensive Policy on the Enrollment and Transfer of Students in the Chicago Public Schools.

POLICY TEXT:

I. ENROLLMENT

Enrollment decisions should be made in the best educational interest of the child. The Board of Education shall enroll all children between the ages of five and twenty-one seeking admission who live in the City of Chicago. Decisions concerning enrollment shall be in accordance with the Second Amended Consent Decree.

A. Students Enrolling In Chicago Public Schools

1. General Rule

Children who enroll in the Chicago Public Schools ("CPS") and live within the attendance area of a particular school shall be accepted for enrollment in that school.

2. Exceptions to the General Rule

The general rule governing enrollment shall not apply in the following situations:

- a. Where a school has been designated for controlled enrollment, enrollment eligibility is subject to the requirements set out in the CPS Controlled Enrollment Policy.
- b. Where the school has no established attendance boundary, such as a magnet school, or a school with established selective enrollment admissions criteria. For schools with no attendance boundaries, admissions shall be in accordance with the requirements established by the Board. In particular, the Board's Policy on Magnet and Selective Enrollment Schools and Programs (~~Board Report 08-0227-PO2, as amended or otherwise modified~~) and the Options for Knowledge Guide issued annually by CPS identify the admissions requirements for magnet and selective enrollment schools.
- c. Where a school offers a preschool program, eligibility for preschool program enrollment is subject to preschool enrollment eligibility criteria and enrollment procedures as further described in section I.A.7 of this Policy. Except when otherwise specified by the Board, enrollment in a school's preschool program does not establish eligibility or priority to enroll in the school's kindergarten program.

3. Age of First Enrollment

~~In accordance with Board Rule 6-2, children may enroll in kindergarten or 1st grade if they have reached the age of 5 or 6 years respectively on or before September 1st. To enroll in kindergarten and 1st grade, a student must satisfy the age eligibility requirements specified in Board Rule 6-2. Children must be 3 or 4 years old, but not yet 5 years old, on or before September 1st in order to be age eligible for a CPS preschool program.~~

4. Enrollment of Students With Disabilities

Where a student with disabilities seeks to enroll in his or her attendance area school, the attendance area school must immediately enroll that child. If the attendance area school believes that it is unable to implement the student's Individualized Education Program (IEP) or 504 Plan, the school must then contact the Office of Specialized Services for appropriate review and placement determination and provide interim services until proper placement is effected by the Office of Specialized Services. If a student with disabilities' IEP or 504 Plan requires an accessible building, an attendance area school or magnet school that constitutes the nearest building that meets the student's accessibility needs must accept the students, upon the request of the Office of Specialized Services, even if the student *has not applied or has not been accepted* into the school.

Every school, including magnet schools, magnet cluster schools, GEAP schools, military academies and selective enrollment schools, shall strive to meet the minimum enrollment targets of students with disabilities established by the *Corey H.* court monitor. If a school is below the minimum enrollment target, the school and the Office of Specialized Services shall determine whether the placement of a program for students with low incidence disabilities is appropriate to assist the school in meeting the minimum enrollment target.

5. Enrollment of English Language Learners ("ELL"), also known as Limited English Proficient Students

The parent/guardian of all new students enrolling for the first time and all re-enrolling students who have not attended a Chicago Public School for one year or more must complete a Home Language Survey (HLS) at time of enrollment. If either question on the HLS is answered yes, the school will use the state-prescribed screening instrument to measure the student's English language proficiency to determine eligibility to receive bilingual education services. The administration of the state-prescribed screening instrument is subject to the requirements set in the Board's Bilingual Education Policy including the exceptions noted therein for certain categories of ELL Limited English Proficient students.

Where an ELL Limited English Proficient student seeks to enroll in his or her attendance area school and the school does not offer a bilingual education program aligned with the child's English language proficiency, 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 another 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 needs. The school shall contact the Office of Language and Cultural Education for any placement in an alternate program or for assistance in developing the student's language proficiency in the attendance area school. ELLs who also have an IEP will be provided both bilingual education services as well as services required under their IEP.

6. Enrollment in a New School or Branch

For any new school or branch not identified in the annual Options for Knowledge Guide issued by CPS, the application deadline identified in the Options for Knowledge Guide will not apply. CPS will issue application requirements and deadlines as appropriate for such schools.

7. Enrollment in Preschool Programs

Enrollment in a CPS preschool program is subject to the application and eligibility requirements that are specific to each CPS preschool program and based on applicable federal or state requirements. Enrollment in any CPS preschool program is subject to availability of space. The parent or guardian seeking enrollment for a child must satisfy all documentation requirements set out in this Policy as well as additional program eligibility documentation requirements as set out in the Preschool Programs Guidelines issued by the Office of Early Childhood Education ("Preschool Program Guidelines"). Modified enrollment eligibility requirements may apply to children exiting the State of Illinois' Early Intervention Program as specified in the Preschool Program Guidelines.

Enrollment in a preschool program is not subject to school attendance boundary requirements. Parents/guardians may seek to enroll their child at any school offering a preschool program for which they are eligible. If there are more applicants than available spaces for a preschool program at a particular school, students will be prioritized for placement in accordance with the Preschool Programs Guidelines. Students with disabilities shall have their preschool program placement determined by the Office of Specialized Services based on a review to determine the appropriate classroom setting. If a student with a disability has an IEP in place at the time of preschool enrollment, the Office of Specialized Services will work with the Office of Early Childhood Education in determining the appropriate preschool placement for the student. If the school believes after enrollment in any preschool program that a student may have a disability, the preschool program must begin the special education referral process and continue the student's enrollment in the program until an IEP is developed and appropriate program placement is determined.

Except when otherwise specified by the Board, enrollment in a school's preschool program does not establish eligibility or priority to enroll in the school's kindergarten program. Kindergarten enrollment is subject to the standard enrollment eligibility requirements established for a school. Modified kindergarten eligibility requirements apply to schools participating in a federally-funded grant program that requires preschool students to be eligible to enroll in the school's kindergarten program as indicated by the terms of the grant.

Withdrawal of a student enrolled in a CPS preschool program shall comply with the conditions and requirements set out in the Preschool Program Guidelines.

B. Enrollment of Students Identified as Homeless

Schools must enroll homeless students in accordance with the CPS Policy and Procedures on Education of Homeless Children and Youth (~~Board Report 96-1120-PO3, as amended or otherwise modified~~) which instructs a school to immediately enroll the child even if the child is unable to produce records normally required for enrollment. Pursuant to the CPS Homeless Education Policy, nothing shall prohibit a 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 permanently housed children. It shall be the duty of the enrolling school to immediately contact the school last attended by the child to obtain relevant academic and/or other records.

C. Proof of Age and Address

The parent/~~guardian or legal guardian~~ of a child seeking enrollment shall present to the school principal or designee proof of a child's age. All necessary immunization and other medical records shall also be provided as required by the Board's Policy on Student Health Examinations, Immunizations and Dental Examinations and Eye Examinations (~~Board Report 08-0827-PO3, as amended or otherwise modified~~). To enroll a child in any school the person seeking enrollment for the child must also present evidence of current address.

The parent/guardian shall promptly notify the school of any change of address, phone number(s) and other contact information and shall promptly reply to school requests to complete an emergency contact form at least two (2) times per school year. Schools shall ensure that change of address and emergency contact information is promptly entered into IMPACT, the District's system of record.

1. Proof of age includes, but is not limited to, the following documents:
 - a. Child's birth certificate;
 - b. Child's baptismal record;
 - c. Passport;
 - d. Court documents; and
 - e. Medical records.

2. Proof of current address includes, but is not limited to, any **two** of the following documents:
 - a. Current utility bills;
 - b. Illinois driver's license or State of Illinois identification card;
 - c. Deed;
 - d. Employer identification card;
 - e. MediPlan/Medicaid Card;
 - f. Voter registration card;
 - g. Court documents;
 - h. Illinois Department of Public Aid card;
 - i. Stamped United States Post Office change of address form; ~~and~~
 - j. Illinois state aid check/social security check; and
 - k. Other identification card issued by a federal or state agency or foreign government consulate, such as a Matricula Consular.

If the person enrolling a student fails to provide a proof of student age document, the school shall provide notice by certified mail that within thirty (30) days, he/she must provide:

- A certified copy of the student's birth certificate; or
- Other reliable proof of the student's identity and age; a passport, visa or other governmental documentation; and
- If a birth certificate is not available, an affidavit explaining why the birth certificate could not be produced.

Failure to provide the required documentation shall result in the immediate notification of the Chicago Police Department.

D. Proof of Guardianship or Custodianship

Adults acting in the role of guardian or custodian may enroll a child upon providing proof of guardianship or custodianship which may include the following:

1. A valid court order;
2. The most recent tax return naming the child as a dependant;
3. Health insurance coverage for the child;
4. Any public aid documents covering the child; or
5. Appropriate documents authorizing or establishing custodianship.

Any other form of proof shall be presented to the appropriate Area Management Support Director or other designated oversight office for review.

E. Proof of Temporary Custodianship

Adults acting in the role of temporary custodian to a child due to circumstances involving the parents, legal guardians or child, may enroll a student with applicable documentation of residency and status as temporary custodian, which may include a notarized letter from the parent authorizing the temporary custody and the reason. Enrollment by a temporary guardian is subject to the limitations set out in Section I.H. of this Policy.

F. Enrollment of Students Who Transfer from a Private School, Foreign School, Charter School or Other School District

1. **Grade Placement.** Students who were previously enrolled in a private school (including home school), foreign school, Charter School or other school district who seek enrollment in the Chicago Public Schools are subject to transcript evaluation to determine proper grade placement and also in any grade may be evaluated to verify for appropriate grade placement. Schools shall consult with the Office of P-12 Management on placement determinations when a transfer student's transcript is incomplete or missing. Further, schools shall follow the Office of Specialized Services' Procedural Manual on students with disabilities transferring from other schools outside CPS districts. Schools shall follow the Office of Language and Cultural Education's guidelines to ensure appropriate grade placement of ELL transfer students based on educational attainment of the child, not English language proficiency.

2. **Proof of Good Standing.** A student suspended or expelled for any reason from any public or private school in Illinois or any other state must complete the entire term of the suspension or expulsion before being admitted into the Chicago Public Schools. Students transferring from another Illinois public school must produce the Illinois State Board of Education "Student Transfer Form" completed by their former school verifying that they are "in good standing" and are not currently being disciplined by a suspension or expulsion. Failure to provide this form will result in the denial of enrollment of the transferring student. The parent or guardian of students transferring from an out-of-state public school or any private school must certify in writing that the student is not currently serving a suspension or expulsion imposed by the school or school district from which the student is transferring. Failure to certify in writing that a student transferring from an out-of state public school is not currently serving a suspension or expulsion will result in the denial of enrollment of the transferring student. Failure to certify in writing that a student transferring from a private school is not currently serving a suspension or expulsion will result in referral to the Chief Education Officer or designee to review the student's suspension or expulsion status.

Transferring students currently expelled from another school may be assigned to an alternative placement if space is available as reviewed by the Chief Executive Officer or designee. Students who have been expelled from a CPS Charter School shall be evaluated on a case-by-case basis for appropriate placement. Students with disabilities who have been expelled by another school district and transfer into the Chicago Public Schools shall be assigned to an alternative placement in order to receive their IEP services.

G. Exemption from Providing Documentation

Homeless children or children in the care of the state (Department of Children and Family Services) shall be enrolled if they cannot produce their birth certificates, educational records, medical records, and/or proof of immunizations. Specific requirements regarding documentation waivers for homeless students are found in the CPS Policy and Procedures on Education of Homeless Children and Youth (~~Board Report 06-1120-PO3, as amended or otherwise modified~~).

H. Students Living with Adults Who Are Not Parents or Legal Guardians

Students may not, for the sole purpose of enrolling in a particular school, live with adults who are not their parents or legal guardians. If there is a finding that a child is living with an adult who is not the parent or legal guardian solely for the purpose of attending school in that attendance area, then:

1. 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. If there is a dispute as to what constitutes extenuating circumstances, the parent may seek a review by the appropriate Area Instruction Office.
2. If the parent or legal guardian of a CPS student lives outside the City of Chicago in violation of the residency requirement, that child's parent shall be charged tuition as calculated by the Board's Department of Revenue, in accordance with Board Rule 5-47 5-12 Non-Resident Pupils – Tuition.

I. Enrollment Options for High Schools That Have a Disproportionately Large Number of Students with Disabilities

Where a school has a 9th grade membership of 25% or more students with disabilities, the Office of Specialized Services shall offer other enrollment options to incoming 9th graders with disabilities. Such special education enrollment options shall be granted and administered in accordance with the Guidelines issued by the Office of Specialized Services.

J. Enrollment of Eighth Graders Into Ninth Grade

Elementary or middle school principals shall ensure that all eighth graders in their schools have been projected via IMPACT to enrolled in a high school by the end of April or such other date as determined by the Office of P-12 Management High Schools and High School Programs. The projection process is particularly important for students accepted for enrollment at a charter, selective enrollment or magnet high school and for students that communicate a change in residence. Those eighth graders who have not been accepted into a high school by this time shall be ~~enrolled in~~ projected to their attendance area high school.

K. Application and Admission to Magnet and Selective Enrollment Options for Knowledge Schools and Programs

Students seeking to enroll in a Magnet or Selective Enrollment school or program outside of their attendance area must apply in accordance with the Board's Policy on Magnet and Selective Enrollment Schools and Programs and the annual Options for Knowledge Guide issued by the Office of Academic Enhancement.

1. ~~Standard Application Process. Students seeking to enroll in an Options for Knowledge school or program outside of their attendance area (e.g. magnet school, magnet cluster school (neighborhood elementary schools with a magnet program), open enrollment school (neighborhood schools without a magnet program), Gifted and Enriched Academic Programs (GEAP) school, neighborhood high school with magnet programs, Majority to Minority transfer school, Military Academy and Selective Enrollment School) must submit an application by the deadline identified in the annual Options for Knowledge Guide which is usually set on a date in December.~~

~~Students are selected for available spaces in accordance with the selection process and criteria set out in the Options for Knowledge Guide, the Board's Policy on Magnet Schools and Programs (Board Report 08-0227-P02 as amended or otherwise modified) and the Second Modified Consent Decree.~~

- ~~2. The Office of Academic Enhancement will operate a Majority-to-Minority Transfer Schools Application Process ("M to M Transfer Process") as described in Section II.C. of this policy. The M to M Transfer Process will be held for those Majority-to-Minority receiving schools that have spaces available. Parents will be notified of application status in accordance with the procedures established for this program by the Office of Academic Enhancement. The Office of Academic Enhancement is authorized to hold more than one M to M Transfer Process in a school year.~~
- ~~3. End-of-Year Citywide Options Process will be held for those elementary magnet schools, magnet cluster schools, and elementary open enrollment schools that still have spaces available. Parents will be notified of application status in accordance with the procedures established for these programs by the Office of Academic Enhancement.~~

~~For magnet schools, magnet cluster schools and open enrollment schools with spaces available after the End-of-Year application process, the Office of Academic Enhancement shall accept applications to fill available spaces. Spaces in these schools will continue to be filled through the Office of Academic Enhancement process until the first day of school or the date the Office of Academic Enhancement cancels the waiting list for those schools.~~

~~For magnet schools, magnet cluster schools and open enrollment schools with spaces available after a school year has commenced and after the Office of Academic Enhancement has cancelled any waiting lists, the principal may, in his or her discretion, accept applications to fill available spaces during the then current school year. Copies of all such applications whether accepted or not, shall be forwarded to the Office of Academic Enhancement.~~

L. Open Enrollment:

Open Enrollment schools are neighborhood schools without a magnet program. Students seeking to enroll in an Open Enrollment school outside of their attendance area must submit an application in accordance with the annual Options for Knowledge Guide issued by the Office of Academic Enhancement.

An Open Enrollment application will not be considered if it would lead to overcrowding or cause a school to exceed its enrollment cap or if it would exclude enrollment opportunities for the following:

- a. Students living within the attendance area;
- b. Students identified for controlled enrollment transfers under the CPS Controlled Enrollment Policy;
- c. Students identified for special program placement by the Office of the Chief Executive Officer; or
- d. Students identified for School Choice transfers required by the No Child Left Behind Act as set out in Section II.D.5. of this policy; or
- e. ~~Students who may otherwise enroll pursuant to Majority-to-Minority transfers that would enhance desegregation as described in Section II.C. of this policy.~~

Based on the foregoing considerations, the CEO or designee shall notify schools identified as ineligible to receive Open Enrollment students. Schools identified as ineligible may not enroll students who reside outside their school's attendance area without the approval of the Office of Academic Enhancement.

For eligible Open Enrollment schools with spaces available after a school year has commenced and after the Office of Academic Enhancement has cancelled any waiting lists, the principal may, in his or her discretion, accept applications to fill available spaces during the then current school year. Copies of all such applications whether accepted or not, shall be forwarded to the Office of Academic Enhancement.

4. ~~Options for Knowledge applications shall be maintained for the period of time specified in the Board's record retention schedule approved by the Local Records Commission.~~
5. ~~Residency. A student is not required to reside in the City of Chicago in order to apply to an Options for Knowledge school or program; however, the student must live within the City limits to enroll. In order to enroll or complete enrollment, the parent/guardian must prove Chicago residency by the July 1st prior to the start of the upcoming school year. Irrespective of a parent's/guardian's request to pay non-resident tuition, non-resident pupils are not eligible to enroll in an Options for Knowledge school or program, as set out in Board Rule 5-17, Non-Resident Pupils Tuition.~~

II. TRANSFER OF STUDENTS

As a general rule, children become students of the school in which they are enrolled ("home school"), and should not be unilaterally transferred or withdrawn by the school principal, unless by procedures pursuant to this or other CPS policies, in particular the withdrawal/removal from enrollment requirements set out in the Board's Comprehensive Policy on Absenteeism and Truancy (~~Board Report 06-0222-PO2, as amended or otherwise modified~~). 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. The following procedures shall apply to student transfers.

A. Student Transfer Following a Change in Residence

1. Elementary and Middle School Students

Absent extenuating circumstances, transfers of elementary and middle school students, whose parents/guardians change their place of residence to a new attendance area, shall be made at the end of the school year, provided the distance factor does not adversely influence the students' safety, attendance, and academic progress. Parents who immediately want to transfer their child(ren) to an attendance area school after moving from one attendance area to another shall be allowed to do so. Seventh and Eighth grade students whose parents change their place of residence, however, may remain in the school until graduation if they desire to do so, provided the distance factor does not adversely influence the students' safety, attendance or ~~and~~ academic progress.

2. High School Students

Absent students' extenuating circumstances, transfers of high school students within CPS, whose parents or guardians change their place of residence to a new attendance area, shall be made at the end of the current semester. High school students whose parents change their place of residence, however, may remain in the school until graduation if they desire to do so, provided the distance factor does not adversely influence the students' safety, attendance or ~~and~~ academic progress.

3. Preschool Students

Transfers of students participating in a CPS preschool school program may be made upon parent/guardian request due to a change of residence. All such transfer requests are subject to availability of space.

4. Elementary and High School Students Who Move Outside the City of Chicago

Students must reside within the limits of the City of Chicago to attend a Chicago Public School. Students whose parents or guardians move outside the City of Chicago during the school year may remain at the CPS school they were attending at the time of the move for the balance of the current school year without paying tuition. Thereafter, the student is not longer eligible to attend a Chicago Public School. Students found in violation of the residency requirement are subject to the penalties if such students want to continue attending the CPS school in which they were enrolled at the time they moved outside the city, their parents or guardians will be charged tuition, except in those circumstances described in Board Rule 5-12 5-17 Non-Resident Pupils – Tuition.

B. Transfers Into An Attendance Area School

Students attending a school outside their attendance area who wish to transfer to their attendance area school shall be enrolled as provided in section I.A. of this policy. If the school is a controlled enrollment school, transfer applicants shall be placed on the waiting list and offered enrollment as seats become available as described in the Board's Controlled Enrollment Policy.

~~C. Transfers and the Second Amended Consent Decree~~

~~If there are multiple applicants for transfer into a school, selection of students to be admitted shall be in accordance with the priorities established in the Second Amended Consent Decree.~~

~~In accordance with the Majority to Minority student transfer provisions of the Second Amended Consent Decree:~~

- ~~1. Minority students may transfer into any school, regardless of the school's racial/ethnic composition. Minority students from racially identifiable schools (85% or more minority) will be given priority of enrollment in schools that are 40% or more white.~~
- ~~2. White students may transfer into a school that is less than 40% white. White students from schools that are more than 70% white will be given priority of enrollment.~~
- ~~3. Students will be selected annually for transfers outlined in paragraphs 1 and 2 above in accordance with the timeframe set out in the Options for Knowledge Guide issued annually by CPS. Should any available spaces for majority to minority transfers remain following this annual selection process, an End-of-Year transfer process will take place; applications will be distributed in April, lotteries will be conducted in May, and student selection and enrollment will be completed prior to the last day of school.~~

C. D. Other Transfers

1. Best Interest of the Child

Transfers from a student's home school shall be granted at the request of a parent or guardian, when the student has been accepted for enrollment at another school. Also, transfers from a student's home school may be granted when it is clearly in the student's

best educational interest as determined by the Chief Area Officer ("CAO") Area Instruction Officer ("AIO"). Any disputes regarding proposed best interest transfers should be referred to the appropriate Chief Area Officer Area Instruction Officer or other designated oversight office for resolution.

2. **Students With Disabilities**

Transfer restrictions described in this policy do not apply to students with disabilities who require a transfer pursuant to their IEP or 504 Plan. The Office of Specialized Services identifies the school at which a student's IEP or 504 Plan can be implemented and to which the student will be transferred.

3. **English Language Learner Limited English Proficient Students**

If a student transfers to a school which does not offer a bilingual education program aligned with the child's English language proficiency, he/she must be given the option to transfer to the nearest school offering such a program. Pending identification and transfer to an appropriate school or, if the child opts to remain in the current school, he/she must be provided the most appropriate bilingual education services possible consistent with his/her bilingual instructional needs.

4. **Transfer Following a Finding of False Representation of Address**

Any student who has been fraudulently registered in a school as a result of falsification of address may be subject to immediate transfer to the proper attendance area school, after notice and opportunity to respond have been given to the parent or legal guardian or emancipated youth. Any appeals of fraudulent registration decisions shall be made to the appropriate Chief Area Office Area Instruction Office or other designated oversight office.

5. **Transfers Pursuant to the Choice Provisions of the No Child Left Behind Act**

- a. *School Choice Transfers.* Pursuant to the No Child Left Behind Act ("NCLB"), Section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6317), parents of children attending a CPS school that has been identified for "School Improvement" may apply for a transfer of their children to a non-School Improvement CPS school. Schools are placed in School Improvement status when they do not make Adequate Yearly Progress for two consecutive years. Schools that do make Adequate Yearly Progress may be required to accept students who attend schools with School Improvement status. Each year, upon release by the Illinois State Board of Education of its Adequate Yearly Progress list, CPS will identify those schools in School Improvement and develop a public school choice program ("Choice Program"). The Choice Program may give priority to categories of eligible students. Under the Choice Program, parents of eligible students shall receive notice of eligibility and a Choice Program application. Student placement in schools through the Choice Program is subject to a number of factors including capacity of those non-School Improvement schools. In developing the Choice Program, the Office of Academic Enhancement in collaboration with the Department of School Demographics and other departments shall determine enrollment and capacity at each affected school. Each year, CPS may modify its Choice Program to reflect changes in the number of (i) schools identified for School Improvement, (ii) schools no longer identified for School Improvement; and (iii) other factors including changes in the priority given to categories of eligible students.

The Board authorizes the Chief Executive Officer to the extent practicable, to incorporate a school choice transfer process, as specified in the No Child Left Behind Act (NCLB), within the enrollment process described herein for elementary magnet schools, elementary magnet cluster schools and high school magnet programs.

As part of its Choice Program, CPS shall ensure that it provides transportation assistance to transferring students, to the extent required by NCLB. A student transferring under the Choice Program is entitled to transportation assistance only as long as the school from which he/she transferred remains identified as a School Improvement school. The type of transportation assistance provided may include, but is not limited to, bussing, using public transportation, reimbursing parents for the cost of transportation, or any combination thereof.

- b. *Persistently Dangerous Transfers.* NCLB also mandates that students attending "persistently dangerous schools" as defined by 105 ILCS 5/10-21.3a, or identified on the list maintained in accordance with 105 ILCS 5/2-3.131 shall have the right to transfer to another school within the district consistent with NCLB and its regulations as well as applicable State laws. Further, students who are victims of certain violent crimes as defined by 725 ILCS 120/3(c) shall have the right to transfer to another school if the violent crime occurs on school property during school hours or at a school-sponsored event. Such transfer shall be made to another school within the district consistent with NCLB and its regulations as well as applicable State laws.

6. Homeless Education Students

School transfers that result from a student's homelessness shall be subject to the CPS Policy and Procedures on Education of Homeless Children and Youth (~~Board Report 96-1120-PO3, as amended or otherwise modified~~). Under the CPS Homeless Education Policy, no school shall deny or delay transfer of any homeless child or youth who is unable to produce school, medical, residency, or other records. It shall be the duty of the receiving school to immediately enroll the child and then immediately contact the school last attended by the child to obtain the appropriate transfer documentation including academic, medical and/or other records. Nothing shall prohibit a 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 permanently housed children.

7. Transfers Due to School Closings

Nothing in this policy shall prohibit the Board from authorizing the transfer of students due to school closings, school boundary changes, new school openings, overcrowding or other circumstances that the Board deems appropriate.

8. Transfers From Other Schools

Students wishing to transfer to a Chicago Public School from a private school, including home school settings, parochial school, charter school or another public school outside the district, shall comply with the enrollment requirements set out in Section I of this Policy.

9. Disciplinary Transfers

Students are subject to transfer for disciplinary reasons to another CPS school. Transfers will be made in accordance with the Board's Student Code of Conduct ("SCC") provisions regarding Disciplinary Reassignment, provided there is available space. Disciplinary Reassignments are listed in the range of disciplinary actions available under the SCC for disciplining students and may be issued either in conjunction with, or as alternative to, suspension for certain infractions of the SCC. Disciplinary Reassignments are reserved only for students who have been determined, pursuant to the SCC, to have engaged in continually disruptive or very serious acts of misconduct. All Disciplinary Reassignments must be approved and facilitated by the CAO AIO or their designee. Among the factors which an CAO AIO may consider are the safety of the victim involved in the SCC

infraction and whether the student subject to transfer would likely cease their disruptive behavior if placed in another setting.

10. Administrative Transfers

- a. Students enrolled in a Board-designated military academy may be subject to an administrative transfer due to non-compliance with the military standards as described in the Military Academy Guidelines.
- b. Students enrolled in a Board-designated dual credit high school may be subject to an administrative transfer due to a student's failure to comply with, or meet the requirements of, the student's school participation agreement.
- c. To the extent required by the Americans with Disabilities Act, in the event a parent or guardian with a disability is unable to access their child's school building, the student may be transferred to the nearest school that meets the parent's accessibility needs, offers the same program and for which the student meets any applicable enrollment criteria. All such transfer requests must be submitted to the Board's ADA Director for consideration.

11. Safety Transfers

A student may be transferred to another CPS school if the student's and/or other students' safety and/or well-being are jeopardized by remaining at the home school. All safety transfers must be approved, and facilitated and implemented by the CAO(s) AIO or their designee(s) in accordance with the safety transfer guidelines issued by the Chief Education Officer or designee.


LEGAL REFERENCES:

~~Second Amended Consent Decree entered by the U.S. District Court for the Northern District of Illinois on in the case U.S. vs. Chicago Board of Education No. 80 C 5124; Individuals with Disabilities Education Act, P.L. 108-446, as amended; Corey H. v. Board of Education of the City of Chicago, 92 C 3409; Salazar v. Board of Education 92 CH 5703; McKinney-Vento Homeless Assistance Act P.L. 100-77, as amended; and Sections 5/2-3.13a(a)-(b), 10-20.12, 10-20.12a, 10-22.6(g), 14-1 et seq., 14C-1 et seq., 26-1 et seq., 34-18, 34-18.2, 34-18(7) 34-18.24 and 45-1 et seq. of the Illinois School Code; 325 ILCS 50/5 and 325 ILCS 55/5 Board of Education of the City of Chicago Rules 6-1, 6-2, 6-3, and 6-8.~~

Approved for Consideration:


Barbara Eason-Watkins
Chief Education Officer

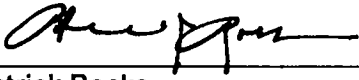
Respectfully Submitted:


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Noted:


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Approved as to Legal Form 


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