

SCHOOL CHOICE OPTIONS PROVIDED BY  
THE NO CHILD LEFT BEHIND ACT

The Board acknowledges that the Federal *No Child Left Behind Act of 2001* ("NCLBA") 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 or his/her designee 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 or his/her designee 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 or his/her designee 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 or his/her designee 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 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  
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Title IX, Section 9532 of the No Child Left Behind Act of 2001