

APPROVED: April, 2014; November, 2014

JCA

REVISED: November, 2014

REAFFIRMED:

JCA - CHANGE OF SCHOOL OR ASSIGNMENT

The general practice of the district is to assign pupils to attend the school maintained by the district. Pupils in Kindergarten through eighth grade are presumed to be assigned to attend Deerfield Community School. Pupils in grades nine through twelve are presumed to be assigned to attend Concord High School, the high school maintained by the district in accord with a long-term tuition agreement.

In circumstances where the best interests of a pupil warrant a change of school or assignment, the Superintendent is authorized to reassign a pupil from the public school to which he/she is currently assigned to another public school, or to approve a request from another Superintendent to accept a transfer of a pupil from a school district that is not part of the SAU, under the following conditions and procedures.

The authority of the Superintendent to reassign a pupil is limited by state law to a small percentage of the pupils residing in the district. Therefore, reassignment of a pupil will only occur when the requestor demonstrates that it is in the best interests of the pupil to be assigned to attend another public school. The Superintendent's authority is also limited to reassigning pupils to another public school or public academy, and he/she has no authority under this policy to assign a pupil to a private school.

This policy lays out the general conditions and procedures applicable to all requests for reassignment, as well as more specific procedures for reassignment when an eighth grade student seeks reassignment to a high school other than Concord High School.

General Conditions and Procedures for Reassignment

The following general conditions and procedures apply to all requests for reassignments:

1. Either the parent/legal guardian or the Superintendent of a different SAU may make a written request to the Superintendent for a change of school assignment. In the request, the parent/guardian should state why the best interests of the pupil warrant a reassignment. The Superintendent may develop any application forms, and require such information and documentation as he/she deems appropriate.
2. The Superintendent will fully consider this written request, will meet with the parent/ guardian, if he/she deems it necessary, and will make a decision concerning the reassignment request.
3. The Superintendent's decision will be based on the best interests of the pupil, as determined by the Superintendent. The Superintendent may develop administrative regulations concerning the factors that will be considered in making such a determination. The factors that will be considered, and weighed by the Superintendent as he/she deems appropriate include, but are not limited to the following:
 - a. Any ADA access issues regarding the school facility to which they are assigned, which present unique challenges to students.
 - b. Any unique physical or mental condition that the student possesses which would be better addressed through reassignment.

- c. Evidence that a student's education will be adversely affected if the student attends, or continues to attend the school to which they are assigned.
 - d. Whether or not a student's Individualized Education Plan, ["IEP"] or Section 504 Plan can be properly implemented in the school to which the student seeks reassignment.
 - e. Whether an older sibling will be attending the requested school with the pupil subject to the reassignment request.
 - f. Whether the student has a unique educational need that will be better addressed by reassignment.
 - g. Whether the student's conduct and disciplinary record presents a significant conduct risk to the school of reassignment.
 - h. Whether or not the student has been accepted by the public school or academy to which they seek assignment.
 - i. Whether the principal(s) of the student's current school support reassignment, or are aware of any reason why reassignment is not in the best interests of the student.
 - j. Other unique facts that would support the premise that reassignment is in the best interests of the student.
4. The following factors shall not be considered as persuasive factors in determining what is in the best interests of the student:
- a. Parental or guardian preference;
 - b. Requests for a change in placement that must be determined by IEP Team;
 - c. Family convenience; or
 - d. Sports or Co-Curricular Interests.
 - e. Transportation or physical distance from the school.

Parents and guardians are cautioned to carefully consider all NHIAA guidelines with regard to student transfers, and to determine whether a transfer may jeopardize the pupil's ability to compete in sports.

5. If the Superintendent determines that the best interests of the pupil warrant a reassignment, he/she may approve reassignment of the pupil to: (a) another school within the same school district; (b) another school district within the same SAU; or (c) a school district in another SAU, subject to the pupil meeting the admission requirements of such school, and subject to the agreement of the Superintendent of the receiving SAU.

6. The Superintendent will issue a written decision to the parent/guardian. The Superintendent's decision will be final and binding.

7. The total reassignments or transfer made under this policy in any one school year will not exceed one (1) percent of the average daily membership in residence of a school district, or five (5) percent of the average daily membership in residence of any single school, whichever is greater.

8. Reassignments made under this policy that exceed the percentages provided in Paragraph #7 must have the prior written approval of the School Board, which shall not be granted in the event that the request will cause the district to exceed the percentage set forth in the contract with the Concord School District.

Application for a Change in High School Assignment

As a matter of law and policy, all eighth grade students, unless placed elsewhere through the IEP process or Section 504, are assigned to attend Concord High School. The following additional procedures apply to an application for a change in high school assignment.

1. Parents/Guardians shall not be permitted to apply for a change of high school assignment until the child who is the subject of the application is attending or has passed eighth grade.
2. The Superintendent shall establish the opening and closing dates for high school reassignment applications.
3. The Superintendent may, develop an application form, establish an application review process and require such documents as she/he deems appropriate. The Superintendent may appoint an application review committee of administrators, guidance counselors, and/or other staff members as deemed appropriate in the district.
4. The Superintendent may establish such additional review criteria as he/she deems appropriate. The Superintendent may establish a process for granting and denying otherwise qualified applications when more applications are received than may be granted as a matter of law.
5. The Superintendent and any committee review process, including all applications and supporting documentation shall be deemed confidential.
6. The Superintendent shall set the date on which he/she shall issue their decision.

Count of Reassigned Pupils, Tuition Payment and Rate, and Transportation

Pupils reassigned under this policy will be counted in the average daily membership in residence of a given pupil's resident school district. Said pupil's resident district will forward any tuition payment due to the District to which the pupil was assigned.

The Superintendents involved in the reassignment of a pupil will jointly establish a tuition rate for each such pupil. Some or all of the tuition may be waived by the Superintendent of the receiving district for good cause shown or pursuant to any applicable policies of the receiving district, presuming said action is not contrary to law.

The cost of transportation for any pupil reassigned under this policy will be the sole responsibility of the parent/guardian.

Role of the Department of Education

The Superintendent of the pupil's resident SAU will notify the Department of Education within thirty (30) days of any reassignment made under this policy.

Manifest Educational Hardship Change of Assignment

When a parent/guardian believes that an initial assignment has been made which will result in a manifest educational hardship to the pupil, the parent/guardian may seek a change of assignment in accordance with applicable provisions of RSA 193:3 and Board Policy JEC – Manifest Educational Hardship.