

CHARLOTTE-MECKLENBURG SCHOOLS

POLICY

STUDENT ASSIGNMENT PLAN

CMS/NEPN Code:

JCA

Draft Revisions

5/12/16

As provided by North Carolina law, all students under the age of 21 years who are domiciled in Mecklenburg County and who have not been removed from school for cause or have not yet obtained a high school diploma are entitled to be enrolled in public school.¹ Students shall be assigned to a particular school by the Board of Education in accordance with the student's place of residence and a student assignment plan adopted by the Board.

~~GUIDING PRINCIPLES FOR STUDENT ASSIGNMENT~~²

~~In making decisions regarding the student assignment plan, the Board shall follow these Guiding Principles for Student Assignment, which are based on our Vision, Mission, Core Beliefs and Commitments, our Theory of Action, and input from the community.~~

~~The Mission of Charlotte Mecklenburg Schools is to maximize academic achievement by every student in every school. Effective school based leadership and teaching, differentiated staffing, and equitable and differentiated allocation of resources as expressed in Policy ADA (Equitable Distribution of Resources) have the greatest potential impacts on individual student learning. In addition, an effective student assignment plan can contribute to positive, supportive learning environments. The Board of Education is committed to creating such environments.~~

~~Home Schools~~

~~Home Schools are the foundation of our academic instruction delivery model. Since accomplishing our mission requires that every home school maximize student achievement, home schools are our first priority when making student assignment and operational decisions. Every student will be guaranteed an opportunity to attend a home school within proximity to where he/she lives.~~

~~Magnet Schools~~

~~Magnet Schools (Full and Partial) offer students opportunities for learning outside the assigned home school in environments that combine three characteristics:~~

- ~~1. A track record of consistently high student achievement~~
- ~~2. A track record of narrowing achievement gaps at a rate that exceeds the aggregate rate of home schools~~

¹ Students with a disability who receive Exception Children services are entitled to be enrolled in school until they turn 22 years old.

² The Guiding Principles were adopted by the Board on August 10, 2010 and incorporated into this policy on November 9, 2010.

Date of Adoption: 3/11/65, 8/10/70, 4/28/98

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Revised: 8/17/71...11/27/01, 11/23/04, 10/25/05, 7/22/08, 12/9/08, 11/10/09, 11/9/10, 12/11/13, Draft Revision 5/12/16

Legal Reference: N.C.G.S. § 7B-3507, §§ 115C-366, -366.2, -367, -368; 42 U.S.C. § 11431 et. seq.

Cross Reference: ADA, IHB, JCA-R, JCA-E, JEB, JFAA, JFAB, JFAC, JFAC-R

Comment [SC1]: Delete this section & insert 2016 adopted Goals & GPs

- ~~3. One or more of the following: an academically distinct program, demonstrated innovation in creating high academic growth, and/or a student population that is distinctly more diverse than neighboring home schools.~~

Stability and Predictability

~~In order to generate and sustain community support, the student assignment plan must provide students and families with stability and predictability. To that end, the Board of Education commits to the following:~~

- ~~1. The Board shall consider current and future population growth, potential demographic shifts, and other factors in order to create assignment patterns that are sustainable over time.~~
- ~~2. The Board shall consider undertaking a comprehensive district wide review of the student assignment plan every six years.~~
- ~~3. The Board reserves the right to make changes to the assignment plan on a localized basis due to the following factors: the opening and/or closing of schools, overcrowding, or underutilization. With the exception of situations deemed to constitute an emergency threat to the safety of students and/or staff, the Board will notify students and families of potential changes no fewer than nine months in advance and will approve any decision no later than November 15 affecting the school year beginning in the following calendar year, while striving to provide more ample notice whenever possible. The Board may alter this schedule in circumstances where the Board deems it appropriate to delay approval of changes in the assignment plan until December 15.~~
- ~~4. The current sibling guarantee that includes meeting eligibility requirements for magnet programs remains in effect.~~

Diversity

~~The student assignment plan will reflect the demographics of the school feeder areas in order to create diverse learning environments that better prepare students to live in our increasingly diverse country and to compete successfully in the global workforce.~~

Effective use of Capital Resources

~~The student assignment plan must be cost effective and make efficient use of our facilities and transportation resources. We will develop a facility use policy that includes overcrowding and underutilization, as well as alternative teaching delivery methods to maximize student achievement while reducing facilities and transportation costs.~~

Decision Matrix

~~While the Board will be mindful of our Mission, our commitment to Equity, and all aspects of our Guiding Principles when making student assignment decisions, only certain components currently can be measured objectively. Therefore, in order to provide fact based starting points, the Board directs the Superintendent and staff to include the following prioritized decision making rubric in any proposed changes to the student assignment plan.~~

- ~~1. Home Schools—Proximity will be based in priority order on:
 - a. travel distance from home to school;~~

- ~~b. keeping entire neighborhoods assigned to the same school (staff shall use its discretion in considering commonly accepted neighborhood boundaries, zoning decisions, covenant agreements, HOAs, etc); and~~
- ~~c. to the extent possible, keeping whole elementary zones intact in middle and high school feeder patterns.~~
- ~~2. Stability and Predictability—the likelihood that the proposed assignments may be sustained over a period of time without adjustment.~~
- ~~3. Diversity—consideration for creating a relative balance of economically disadvantaged students (EDS), with the understanding that there is currently a predictive link between poverty levels and achievement gaps.~~
- ~~4. Effective use of capital resources—the total projected operating and replacement costs of facilities and transportation resources over a defined period of time.~~

Community Involvement

Along with our commitment to these Principles, the Board calls upon our community to join us in preparing our students to become productive citizens. For all our students to succeed, they need the support of more than just the CMS staff. Students, families, community members and groups, businesses, philanthropic groups, and other governmental bodies must become more aware of how their decisions impact students and join us in making educating all students a top priority. We call upon our entire community to act now to support individual students and schools.

STUDENT ASSIGNMENT PLAN POLICY

I. School Attendance Areas

- A. The Board of Education shall establish geographic boundaries for home schools and transportation zones, and other zones of choice, locations for magnet programs and other school options, and feeder patterns for home schools, ~~and~~ magnet programs, and other school options that identify the schools or programs at the next school level to which students have a guaranteed assignment (continuation schools).
 - 1. Attendance areas shall be determined based on the Goals and Guiding Principles set forth at the beginning of this policy.
 - 2. Any such action shall be taken only after the Board has held a public hearing on the initial proposal.
 - 3. With the exception of situations that constitute an emergency threat to the safety of staff or students, the Board will notify students and parents³ of potential changes to the student assignment plan no less than nine months in advance of the school year in which the changes would be effective.

Comment [SC2]: Adjust this to say first Board meeting in November?

³ “Parent” is defined in Regulation JCA-R as “unless otherwise stated, one or both parents, legal guardian, or legal custodian of a student.”

- B. Notwithstanding the above, the Superintendent is authorized to make minor changes within a school year to home school boundaries in response to the construction of new roads or new subdivisions.⁴

II. Determination of Student Residence

- A. Except as set forth below, the residence of a student is defined as the domicile of the student’s parent. A student’s domicile may be changed only in the event the parent has abandoned the parent’s former domicile with no intention of returning to it, established actual residence in another location, and evidenced an intention to remain in the new location permanently or indefinitely. A minor may not select, acquire, or change his/her domicile to a domicile other than that of the minor’s parent.
- B. Notwithstanding the domicile of a student’s parent:
 - 1. The residence of a married student shall be the domicile of the student rather than the domicile of the student’s parent.
 - 2. The residence of a student who is an emancipated minor shall be the domicile of the emancipated student.
 - 3. The residence of a student who is residing in a group home, foster home, or pre-adoptive home shall be the group home, foster home, or pre-adoptive home. A pre-adoptive home is one in which a child is placed by a county Department of Social Services or licensed child-placing agency.

III. Lottery Process

The Lottery will be used ~~only~~ to make assignments to magnet programs and other school options and other programs as may be approved by the Board. ~~Otherwise,~~ the Lottery will not be used to make assignments to non-magnet schools. Effective with the 2011-2012 school year, students (including students formerly entitled to a sibling guarantee) who wish to attend non-magnet schools other than their home schools may request a transfer through the process set forth in Policy JFAC, “Reassignments and Transfers,” and its accompanying regulation, JFAC-R.⁵

The Superintendent shall establish a Lottery process that is fair, equitable, and consistent with the priorities of the Board.⁶

A. Magnet Lottery

Each year, CMS will conduct a Magnet School Options Lottery through which students who wish to newly enter a school option and or magnet program or change to a different school option or magnet program may apply for a seat in

Comment [SC3]: Strategy Discussion:
Expand lottery for: 1) choice of different home school? If so, what would be the allowable criteria?
2) “Choice out” of underperforming home school per SA Goals? Would need to establish criteria.

Comment [SC4]: Exhibits need to reflect consultant advice & BOE decision re 1) criteria for choice of different home school; and 2) magnet/school options lottery priorities.

Comment [SC5]: Delete if BOE decides to expand lottery to include other school options & home schools.

⁴ The Superintendent is authorized to take such action only when a school boundary splits an area in which a new subdivision has been developed and in which no students yet reside. The Superintendent may modify the boundary to include the entire subdivision based on newly established or existing streets or lot lines, thereby assigning students who will live in the subdivision to the same school.

⁵ All CMS Policies and regulations are available on the CMS website: www.CMS.k12.nc.us.

⁶ Lottery Priorities are set forth in Exhibit JCA-E.

three [school options or](#) magnet programs. Students (including siblings) who wish to attend [school options or](#) magnet programs must meet eligibility requirements in place for a particular [magnet](#) program before they may submit an application or be admitted to the program. Students and their parents must also agree to fulfill program requirements in order to apply for and remain enrolled in [school options and](#) magnet programs.

The following categories of students do not need to participate in the Lottery:

- Students who want to be assigned to their home schools for the next school year; these students should follow the process described in the regulations accompanying this policy and Policy JFAC, Student Reassignments and Transfers.
- Students in terminal grades of [school options or](#) magnet programs if they wish to be assigned to the continuation program for their particular [school option or](#) magnet program.

Students who submit timely applications for the Lottery will be placed in [school options and](#) magnet programs at which there are available seats in the appropriate grade levels based on the assignment of a random number for each applicant and the guarantees and priority rankings set forth in the current student assignment plan adopted by the Board, set forth in Exhibit JCA-E.

~~B. Title I Choice Lottery~~

~~Note: This section was removed by the Board on December 11, 2013.~~

~~Students who received assignments under the former Title I Choice process are permitted to remain in the schools in which they were placed through the terminal grade. During the 2013/14 school year, CMS will provide transportation for students in the 5th and 8th grades placed in the schools through the former Title I Choice Lottery.~~

IV. Assignment Rules

A. Non-Magnet Assignments

1. Home School Guarantee

Every student will be ~~guaranteed an opportunity to attend the home school designated by the Board to serve his or her residence.~~ assigned to a designated home school within proximity to where he/she lives.

2. Change of Residence During School Year

Students who move into new home school areas during an instructional year may either attend the home school serving their new address or remain in their current placements for the duration of the school year. Effective with the subsequent school year, these students will be assigned to attend the home school that serves their new address. Transportation will not be provided to students who elect to remain in their current placements for the remainder of the school year in which they moved.

3. Exceptions

An exception to the above rule applies to the following students: ~~in the 11th grade.~~ Students who move into a new home school area ~~after during or immediately after the school year prior to beginning the 11th terminal grade of their current school~~ may remain at ~~the that school to which they were properly assigned in 11th grade for their senior year in high school~~ with these stipulations:

- a. Students who choose to remain at their current schools are not eligible for transportation to the school.
- b. Younger siblings of rising seniors students who choose to remain at their current schools under this exception will not have a sibling guarantee to attend the same school.

4. Continuation Schools

For students who, under prior student assignment rules, were assigned through the Lottery to non-magnet schools that are not their home schools, the continuation schools for the next school level are their home schools.

B. Magnet and School Options Assignments

A student is expected to attend the magnet program or school options to which he or she is assigned in the first or second magnet Lottery. For the school year for which the assignment was made, a student may be placed in a different magnet program only in the following circumstances:

- 1. The student is offered a seat in a different magnet program from a Wait Pool;
- 2. The student is granted a reassignment or transfer by the administration or Board pursuant to Policy JFAC; or

Comment [S6]: Staff recommends expanding the group of students who may “stay put” in their current school if they move outside the school’s attendance area in their next-to-last year in the school.

Comment [SC7]: Need further discussion in light of expected transfers/reassignments for students “choicing out” of low performing schools. Will these students have a guarantee to attend the continuation program/school for their new school? Or will they return to the feeder pattern for the school from which they “choiced out”?

Comment [SM8]: My initial thought is that they would return to the home school feeder area. This gets confusing when there are multiple feeds to the next level. However, there could be different thinking in that we could provide a dedicated feed in situations where there are many.

Comment [SC9]: If the decision is to expand the lottery to include school assignments to magnet/school options & transfers between home schools, this section needs to be changed to eliminate limit to magnet/school options.

3. A student is in the Exceptional Children Program (EC) and has an Individual Education Plan that requires a program not located in the student's current school.

After enrolling in their Lottery-assigned school options or magnet programs, students who wish to attend different magnet programs for the next school year must participate in the Lottery for that school year.⁷

C. Transportation

With designated exceptions,⁸ students who reside outside the designated transportation zone for the program in which they are enrolled are not eligible for CMS-provided transportation. A family must provide transportation if their child is admitted to a magnet program that does not serve the student's high school feeder area.⁹

Comment [S10]: This is a rewording without changing the substance.

V. Lottery Deadlines

- A. All lottery applications must be submitted via an online process established by the Superintendent. Late applications will not be accepted.
- B. Students who are enrolled in CMS and miss a Lottery deadline will be placed in their home schools or magnet continuation program.
- C. Students who were not enrolled in CMS during the application period, or who were enrolled but not registered, who miss a Lottery deadline will be placed in their home schools. Students who do not want to attend their home schools may apply for a transfer or reassignment according to the process described in Policy JFAC and its accompanying regulation.

VI. Participation in Partial-School Magnet Programs by Non-magnet Program Students

A non-magnet student assigned to a school that houses a partial-school magnet program may, with the permission of the principal, take classes in the magnet program only if the student otherwise meets any eligibility criteria in place for the magnet program. An exception to this general rule applies to partial magnet high school International Baccalaureate programs. For those programs, only students who live within the transportation zone for a particular high school IB magnet program may participate in that magnet program.

Comment [SC11]: This section is a strategy issue; needs input from consultant & superintendent.

VII. Contingent Assignments

Comment [SC12]: Strategy Issue: Does the Board want to continue this process, which allows students to be sent back to their home schools from magnets and other "non-home" schools.

⁷ In some circumstances, students may be able to apply for reassignment to a different school through the reassignment/transfer process provided in Policy JFAC and its accompany regulation.

⁸ Exceptions include students who received a transfer from a school that is persistently dangerous and students identified as entitled to McKinney-Vento services .

⁹ Transportation rules are set forth in detail in Regulation JCA-R.

- A. Except as may be inconsistent with federal law, all assignments to schools other than the ~~guaranteed~~ ~~designated~~ home school are contingent upon a student following all disciplinary and attendance rules and, for students not eligible for or not using CMS transportation, the student's parents arranging for reliable transportation to and from school.
- B. A student may be reassigned to his or her home school if the student:
1. Violates the Code of Student Conduct,
 2. Has an excessive number of unexcused absences or tardies, and/or
 3. Is not transported from campus in a timely manner after the end of the school day or after-school activity.
- C. In addition, students assigned to magnet programs may be reassigned to the home school if they do not fulfill all requirements of the Magnet Compact for their particular magnet program.
- D. A detailed description of the specific circumstances in which this rule will be applicable and the process that will be followed to reassign these students to their home schools is set forth in Regulation JCA-R.

VIII. Notice of Assignment

Notice of student assignment must be made prior to the effective date of the assignment. Notice of assignment may be given by noting the assignment on the report card of the student or any other means that will adequately ensure the delivery of written notice to the parent, including sending the notice of assignment by mail to the address of record of the student.

IX. Communications

It is the intent of the Board that the administration will develop techniques to communicate effectively with parents and students about the student assignment plan and the various school choices that are available to each student.

X. Comprehensive Review

Beginning with the 2011-2012 school year, the Board will consider conducting a comprehensive review of the student assignment plan at least every six years.

XI. Regulations

The Superintendent shall adopt regulations and develop procedures to implement the details of ~~the student assignment plan~~ this policy.