

JCA - CHANGE OF SCHOOL OR ASSIGNMENT POLICY

Note: There were some questions about this policy and the School Board's role. Areas highlighted in yellow are contained within RSA 193:3. Per law school board approval is required when the total reassignments exceed 1% of ADM-R. See #7)

In circumstances where the best interests of a pupil warrant a change of school or assignment, the Superintendent is authorized to re-assign 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 procedure.

1. The parent or legal guardian or superintendent of another SAU may make a written request to the Superintendent for a change of school assignment. In the request, the parent/legal guardian should state why the best interests of the pupil warrant a reassignment.
2. The Superintendent will fully consider this written request, will meet with the parent/guardian, if necessary, and will make a decision concerning the re-assignment request.
3. The Superintendent's decision shall 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.
4. 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.
5. The Superintendent will issue a written decision to the parent/guardian. The Superintendent's decision will be final and binding.
6. The total reassignments or transfers made under this policy in any one school year shall not exceed one (1) percent of the average daily membership in residence (ADM-R) of a school district, or five (5) percent of the ADM-R of any single school, whichever is greater.
7. Reassignments made under this policy which exceed the percentages provided in #6 above, must have the prior written approval of the School Board.
8. Pupils reassigned under this policy shall be counted in the ADM-R of a given pupil's resident school district.
9. 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.
10. Said pupil's resident district shall forward any tuition payment due to the District to which said pupil was assigned.
11. The cost of transportation for any pupil re-assigned under this policy shall be the sole responsibility of the parent/legal guardian.

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

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.

Statutory/Regulatory/Policy/Handbook Cross References

RSA 193:3, III (Change of School Assignment)

RSA 193:3, I & II (Manifest Educational Hardship)

RSA 193:14-a (Change of School Assignment; Duties of State Board of Education)

Policy JEC (Manifest Educational Hardship)

Policy JFAB (Admission of Non-Resident Students)

Handbook (None)

APPROVED/REVISED: December 9, 2004, August 20, 2009