

# CHARLOTTE-MECKLENBURG SCHOOLS

**POLICY**

**STUDENT ASSIGNMENT PLAN**

**CMS/NEPN Code:  
JCA**

Pursuant to North Carolina law, a student shall be assigned to a school by the Board of Education in accordance with the student's place of residence and a student assignment plan adopted by the Board. In the 2002 – 2003 school year, the Board implemented a new student assignment plan in which students who were residents<sup>1</sup> of Mecklenburg County participated in the Student Assignment Lottery (the Lottery) in order to receive school assignments. Through the Lottery, students could apply for assignments in their home schools, non-magnet schools<sup>2</sup> outside of their home school areas, and magnet programs. (Throughout this policy, references to “magnet programs” include partial and whole-school magnet programs, unless otherwise indicated.)

After conducting a Comprehensive Review of the Student Assignment Plan, in July 2005, the Board adopted a student assignment plan to be implemented with assignments for the 2006-2007 school year that, while retaining the basic framework of the earlier plan, included important changes affecting numerous students. As with the former plan, students who wish to attend non-magnet schools outside of their home school areas that have available seats or enter or change magnet programs must participate in the Lottery. However, effective with the 2006-2007 school year, students who plan to attend their home schools or magnet students who want to attend the magnet continuation schools for their magnet programs do not need to go through the Lottery. These assignments will be made automatically.<sup>3</sup>

An additional change from the previous student assignment plan applies to students in terminal grades who have “choiced-in” to non-magnet schools that are not their home schools. The guaranteed continuation schools for the next school level for these students will be their home schools. Students may apply for available seats in schools that are in the established feeder patterns of their current schools by participating in the Lottery. This change affects students in the 5<sup>th</sup> or 8<sup>th</sup> grades in 2005-2006 and subsequent school years.

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<sup>1</sup> Students who are non-residents of Mecklenburg County will be assigned to schools in accordance with Policy JFAB.

<sup>2</sup> “Non-magnet schools” are schools outside of a student's home school area for which the student may apply for a Lottery assignment as a “choiced-in” student.

<sup>3</sup> Students in terminal grades of magnet programs who want to attend their home schools for the subsequent school year rather than continue on to the designated magnet continuation school should notify the Student Placement Office of this intent during the Lottery application period. This process is described in more detail in the regulation that accompanies this policy.

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**Legal Reference: N.C.G.S. §7B-3507, §§115C-366, -366.2, -367, -368; 20 U.S.C. §6301 et seq.; 42 U.S.C. §11431 et. seq.**

**Previous CMS Policies: 5117, 5117.1, 5117.2A, 5117.3**

**Cross Reference: IHB, JCA-R, JCA-E1, JCA-E2, JEB, JFAA, JFAB, JFAC**

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A further change effective with the 2006-2007 school year applies to students who attend their home schools. Students who move into new home school areas during an instructional year may either attend their new home schools or remain in their current placements for the duration of the school year. However, effective with the subsequent school year, these students will be assigned to attend the home schools that serve their new addresses.

An exception to the above rule applies to students in the 11<sup>th</sup> grade in the 2007-2008 and subsequent school years. Students who move into a new home school area after beginning the 11<sup>th</sup> grade may remain at the school they attended in 11<sup>th</sup> grade for their senior year in high school with these stipulations:

- This exception applies only to students properly assigned to the school they attended in 11<sup>th</sup> grade.
- Students who choose to remain at their current schools are not eligible for transportation to the school.
- Younger siblings of rising seniors who choose to remain at their current schools will not have a sibling guarantee to attend the same school.<sup>4</sup>

As with the 2002-2003 plan, with designated exceptions, a family must provide transportation if their child is admitted to a non-magnet school outside the transportation zone or to a magnet program that does not serve the student's high school feeder area.

In addition, a student who wishes to apply for a magnet program must meet any eligibility requirements that may exist for the magnet program prior to submitting an application. Students and their parents<sup>5</sup> must also agree to fulfill program requirements in order to apply for and remain enrolled in magnet programs.

## I. School Attendance Areas

The Board of Education shall establish geographic boundaries for home schools and transportation zones, locations for magnet programs, and feeder patterns for home schools and magnet programs that identify the schools or programs at the next school level to which students have a guaranteed assignment (continuation

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<sup>4</sup> This paragraph was approved as a policy amendment on July 22, 2008 and is applicable to assignments beginning with the 2008/2009 school year.

<sup>5</sup> "Parent" is defined in Regulation JCA-R as "unless otherwise stated, one or both parents, legal guardian, or legal custodian of a student, or person acting *in loco parentis* to the student."

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schools). Effective with assignments for the 2006 – 2007 school year, the continuation schools for terminal grade students who are enrolled in non-magnet schools that are not their home schools will be the students' home schools.

The Superintendent is authorized to make minor changes within a school year to home school boundaries in response to the construction of new roads.

## **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/Priority Rankings**

Each year, CMS will conduct a Student Assignment Lottery through which students who do not want to be assigned to their home schools or magnet continuation programs may apply for a seat in three schools or magnet programs. Students (including siblings) who wish to attend magnet programs must meet eligibility requirements in place for a particular magnet program before they may submit an application.

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Students who submit timely applications for the Lottery will be placed in schools 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 Exhibits JCA-E1 and JCA-E2. The Superintendent shall establish a Lottery process that is fair, equitable, and consistent with the priorities of the Board.

In addition, a student to whom the district is required by the federal “No Child Left Behind Act” to offer placement in a non-Title I Choice School and who participates in the Lottery is guaranteed placement in a non-Title I Choice School.<sup>6</sup> Students to whom the district is required to offer this placement are:

- Rising Kindergarten students or newly enrolling students whose home schools are Title I Choice Schools who want to attend different schools;
- Current 5<sup>th</sup> graders whose middle school home schools or magnet continuation schools are Title I Choice Schools who want to attend different schools;
- Students in grades K – 4 and grades 6 and 7 currently assigned to Title I Choice Schools who want to attend different schools; and
- Other students who are currently assigned to Title I Choice Schools to whom the district is required by Federal law to offer the opportunity to attend different schools and who want to attend different schools.

#### **IV. Assignment to a School**

- A. A student will be expected to attend the school or magnet program to which the student is assigned in the Lottery. After a student receives a Lottery assignment, the student may not submit a new application for a different school or magnet program for the school year for which the assignment was made. For the school year for which the assignment was made, a student may

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<sup>6</sup> Title I Choice Schools are certain schools that receive Title I funds and have been identified for school improvement or corrective action or restructuring pursuant to the federal “No Child Left Behind Act.” The guaranteed placement is not to a *particular* non-Title I Choice School. The No Child Left Behind Act requires only that districts provide these students the opportunity to attend schools that are not Title I Choice Schools. Parents may decline the school offered by the district and choose to keep their child enrolled in a Title I Choice School.

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be placed in a different school or magnet program only in the following circumstances:

1. The student is invited to move to a vacant seat in a different school or magnet program through the open seat option process;
  2. The student is offered a seat in a different school or magnet program from a Wait Pool;
  3. The student is granted a reassignment or transfer by the administration or Board pursuant to Policy JFAC;
  4. The student moves to a different home school area;
  5. 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; or
  6. A student is in the English as a Second Language (ESL) program and the location of his or her ESL class is changed to a different school.
- B. Each year subsequent to the initial Lottery, only certain students will be required to submit a Lottery application in order to receive an assignment. These categories of students shall be described in Exhibits JCA-E1 and JCA-E2.
- C. After enrolling in their Lottery-assigned schools, students who wish to attend different schools for the next school year must participate in the Lottery. However, students who want to be assigned to their home schools for the next school year do not need to participate in the Lottery. These students should follow the process described in the regulations accompanying this policy and Policy JFAC, Student Reassignments and Transfers.

## **V. Applications Submitted After the Close of the Application Period**

- A. Students who are enrolled in CMS and submit a Lottery application after the close of the application period will be placed in their home schools.
- B. Students who were not enrolled in CMS during the application period and do not want to attend their home schools must complete applications. These students will be assigned to schools according to their indicated choices and the availability of seats.

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## **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, participate in the magnet program 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.

## **VII. English as Second Language (ESL) Students**

ESL services are provided at designated schools in each transportation zone and at all magnet programs. A student must waive ESL services to apply to a non-ESL school.

## **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 mail address of record of the student.

## **IX. Communications**

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

## **X. Regulations**

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

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