

160-5-4-.09 LIMITED PUBLIC SCHOOL CHOICE.

(1) DEFINITION.

(a) Excessive travel time and distance -

1. The actual transportation time one way (on a school bus) to the school where the student has been assigned takes forty-five minutes longer than the transportation time (on a school bus) to the closer school where the student wants to be reassigned; or

2. The actual transportation distance one way (via the school bus route) to the school where the student has been assigned is at least 15 miles farther than the distance to the closer school where the student wants to be reassigned.

(b) Notification of a student's assignment - annual establishment of school attendance zones by the local board of education.

(2) REQUIREMENTS.

(a) With the approval of the local board of education, a student may be reassigned to another school within the district where the student resides if all of the following conditions under subsection (a) are met:

1. The school to which the student has been assigned does not have available permanent classroom space, and the student is assigned to nonpermanent classroom facilities for instruction.

2. Another school within the district where the student resides has permanent classroom space available.

3. The parent or guardian of the student has submitted a written request to the local board of education asking for the student to be reassigned to a school where permanent classroom space is available.

4. The parent or guardian assumes responsibility for providing transportation for the student if a request for reassignment is granted by the local board of education.

(b) With the approval of both the sending and the receiving local boards of education, a student may be reassigned to a school in another school district if all of the following conditions under subsection (b) are met:

1. A school in another school district is closer to the student's place of residence than the school to which the student has been assigned.

160-5-4-.09 (Continued)

2. The actual transportation time or distance on a bus one way to the school where the student has been assigned is determined to be excessive in terms of travel time or distance as defined in (1)(a)1 or (1)(a)2.

3. The school to which the student is requesting reassignment is offering an instructional program comparable to that offered in the school where the student was originally assigned.

4. The school in the other school system to which the student is requesting reassignment has available permanent classroom space.

5. The parent or guardian assumes responsibility for providing transportation for the student.

6. For the 2000-2001 school year, the parent or guardian of a student requesting reassignment shall submit written requests to the local board of education where the student wishes to be reassigned and to the local board of education where the student resides within seven days after the beginning of school or seven days after the effective date of this rule whichever is later. Beginning with the 2001-2002 school year, each local board of education is required to establish and annually publish the school attendance zones for the school system. The parent or guardian of a student eligible to request reassignment shall submit written requests each year to the local board of education for the school where the student wishes to be reassigned and to the local board of education where the student resides by no later than seven days following the publication of attendance zones. The responsible local boards of education shall respond to the requesting parent or guardian within 30 days of receipt of the request for reassignment.

(c) If both local boards of education agree to the reassignment, the state and federal funds earned by those students allotted to the sending school system shall be reallocated to the receiving school system.

(d) The receiving school system may elect to receive any part or all of the local five mill share directly from the sending school system correlated to the number of transferred students.

(e) The school system providing services may apply to the state for reimbursement in an amount equal to the difference between the dollar amount per full-time equivalent student represented by the state program funds received and the total dollar amount per full-time equivalent student expended by the system for a similarly enrolled student (excluding transportation costs).

160-5-4-.09 (Continued)

(f) If the parties are unable to reach a satisfactory agreement regarding a request to reassign a student to another school, the parent or guardian may request an appeal of the decision(s) made by the local board(s) of education. Such appeal shall comply with the procedures in O.C.G.A. § 20-2-1160 and State Board of Education Rule 160-1-3-.04 School Law Tribunals and Appeals.

(g) Nothing in this rule shall be construed to interfere with desegregation plans in effect or any subsequent implementation thereof.

(h) Nothing in this rule shall be construed to alter contractual relationships between two or more school systems.

Authority O.C.G.A. § 20-2-294.

Adopted: September 14, 2000

Effective: October 5, 2000