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School Attendance AreasA. Generally

Students must attend school in the zone where their parents or legal guardians reside. The superintendent or his designee may, however, assign a student to a school in a different attendance zone if a specialized instructional program, determined to be most appropriate for the student by the superintendent or his designee, is available in that school but not in the school serving the student's attendance zone. In such cases in which students are assigned full time to another building because of a specialized program, e.g., magnet schools, IEP determined placements, the reassigned students will have no further involvement in the school serving the student's attendance zone, e.g., student activities or athletics.

Although a high school student may take a course or courses at a school different from the one in his or her attendance zone, upon approval by the superintendent or his designee, this student will be eligible for extra curricular activities only at the school serving his or her attendance zone.

B. Designation

The board shall adopt those attendance areas as considered appropriate by the board. The following will be among the factors to be considered:

1. Capacity of facilities
2. Racial composition of the student population
3. Geographic or other hazardous conditions

C. Change of Residence Within the City

If parents or guardians move within the city during the school year, their children shall transfer to the school serving their new residence. However, if the parents or guardians would like their children to remain in the school in which they are presently enrolled, the parents or guardians must make a written request for an exemption to the principal of that school at the time of the change in residence. Such a request must specify whether the children are to complete either (1) the remainder of the current school year or, if they meet the eligibility criteria below, (2) the remainder of the school's program. A decision on the request will be made by the superintendent or his designee and will be based on, among other things, factors such as the number of grades the child has completed at the current school and the enrollment in the current grade at both schools. A student may not change interscholastic teams, after a change of residence, in a particular sport or season as defined by the VHSL.

In order for a request to be considered that a student remain in the current school for the remainder of that school's program, the student must have completed a

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minimum of four consecutive years in one elementary school, or two consecutive years at one middle or high school at the time of the change of residence. After the student has completed either (1) the remainder of the current school year, or (2) the remainder of that school's program, the student must then attend the school serving his new residence

D. Elementary Child Care

A parent/guardian may request an alternative school assignment for elementary students if there is a documented hardship involving a working parent/guardian and the need for child care services. The following procedures will be used to implement this policy:

1. Alternative placement of elementary children will be based on documented evidence of hardship.
2. No transportation adjustments will be made due to the alternative placement and parents must insure that the children arrive and depart at the scheduled hours. If a bus serving the student's base school stops at the child care facility, the student must attend the base school and no alternative placement will be provided. If there is an established bus stop for the assigned alternative school that serves the private child care provider's home or the child care facility, and no bus for the base school, the student may ride the bus to the alternative placement. Students receiving alternative placements may not ride buses for the schools for innovation or the Gifted Opportunity (GO) Center unless they have been accepted into one of these programs. No individual bus schedules will be developed for reassigned students.
3. Alternative assignments will be made on a space available basis.
4. Decisions regarding elementary school reassignments will be based on an application/approval process handled by the Department of Student Services.
5. Only one alternative placement will be made during a child's elementary years. If a change occurs in the child care situation, the parent/guardian may choose to return to the base school.
6. Each child for whom an elementary school reassignment is requested must be approved on an individual basis.
7. Elementary school reassignments will be valid for a period of one year. Parents/guardians must reapply for consideration annually.

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8. Parents/guardians must insure that reassigned students maintain good attendance as well as consistently arrive and depart school according to the published hours of operation for elementary schools.
9. Reassignments may be revoked for students who experience issues related to truancy; including, but not limited to, excessive absences, tardies, or early dismissals, and repeated late pick ups from school and the child/children may be required to attend the school serving the legal residence of the parent/guardian.
10. Parents/guardians must notify the Department of Student Services of changes in their work schedule that would affect the documented work-related hardship. Work-related changes that no longer warrant a reassignment and/or failure on the part of the parent/guardian to notify the Department of Student Services of such changes may result in revocation of the elementary school reassignment. The child/children may be required to attend the school serving the legal residence of the parent/guardian.
11. Providing false information to obtain an alternative placement will automatically void the reassignment and the child/children will be required to attend the school serving the legal residence of the parent/guardian.
12. Applications for elementary school reassignments must be received in the Department of Student Services by November 30 of each school year. No reassignments will be considered for the school year after this date with the exception of families who move into the city of Lynchburg after November 30.
13. Elementary school reassignment does not apply to elementary schools for innovation.
14. Students who have completed a minimum of four consecutive years in one elementary school may continue in that same school until the end of their elementary program without completing further elementary school reassignment applications.
15. Upon completion of the elementary school program, the student must then attend the middle school serving his or her residence.

Legal Reference:

Code of Va., § 22.1-79.Powers and duties.--"A school board shall:

1. See that the school laws are properly explained, enforced and observed;

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2. Secure, by visitation or otherwise, as full information as possible about the conduct of the public schools in the school division and take care that they are conducted according to law and with the utmost efficiency;
3. Care for, manage and control the property of the school division and provide for the erecting, furnishing, equipping, and noninstructional operating of necessary school buildings and appurtenances and the maintenance thereof by purchase, lease, or other contracts;
4. Provide for the consolidation of schools or redistricting of school boundaries or adopt pupil assignment plans whenever such procedure will contribute to the efficiency of the school division;
5. Insofar as not inconsistent with state statutes and regulations of the Board of Education, operate and maintain the public schools in the school division and determine the length of the school term, the studies to be pursued, the methods of teaching and the government to be employed in the schools;
6. In instances in which no grievance procedure has been adopted prior to January 1, 1991, establish and administer by July 1, 1992, a grievance procedure for all school board employees, except the division superintendent and those employees covered under the provisions of Article 2 (§ [22.1-293](#) et seq.) and Article 3 (§ [22.1-306](#) et seq.) of Chapter 15 of this title, who have completed such probationary period as may be required by the school board, not to exceed 18 months. The grievance procedure shall afford a timely and fair method of the resolution of disputes arising between the school board and such employees regarding dismissal, suspension, or other disciplinary actions and shall be consistent with the provisions of the Board of Education's procedures for adjusting grievances except that there shall be no right to a hearing before a fact-finding panel;
7. Perform such other duties as shall be prescribed by the Board of Education or as are imposed by law;
8. Obtain public comment through a public hearing not less than 10 days after reasonable notice to the public in a newspaper of general circulation in the school division prior to providing (i) for the consolidation of schools; (ii) the transfer from the public school system of the administration of all instructional services for any public school classroom or all noninstructional services in the school division pursuant to a contract with any private entity or organization; or (iii) in school divisions having 15,000 pupils or more in average daily membership, for redistricting of school boundaries or adopting any pupil assignment plan affecting the assignment of 15 percent or more of the pupils in average daily membership in the affected school. Such public hearing may be held at the same time and place as the meeting of the school board at which the proposed action is taken if the public hearing is held before the action is taken. If a public hearing has been held prior to the effective date of this provision on a proposed

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consolidation, redistricting or pupil assignment plan which is to be implemented after the effective date of this provision, an additional public hearing shall not be required;

9. (Expires July 1, 2010) At least annually, survey the school division to identify critical shortages of teachers and administrative personnel by subject matter, and report such critical shortages to the Superintendent of Public Instruction and to the Virginia Retirement System; however, the school board may request the division superintendent to conduct such survey and submit such report to the school board, the Superintendent, and the Virginia Retirement System; and

10. Ensure that the public schools within the school division are registered with the Department of State Police to receive from the State Police electronic notice of the registration or reregistration of any sex offender within that school division pursuant to [§ 9.1-914](#).

(Code 1950, §§ 22-72, 22-97; 1954, cc. 289, 291; 1956, Ex. Sess., c. 60; 1959, Ex. Sess., c. 79, § 1; 1966, c. 691; 1968, c. 501; 1970, c. 71; 1971, Ex. Sess., c. 161; 1972, c. 511; 1975, cc. 308, 328; 1980, c. 559; 1985, c. 8; 1987, c. 402; 1991, cc. 553, 668; 1994, c. 596; 1996, cc. 485, 790, 798; 1997, c. 382; 2004, c. 563; 2006, cc. 857, 914.)

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