

ASSIGNMENT OF STUDENTS TO SCHOOLS

The following table is intended to illustrate the Lynn Public Schools Assignment of Students to Schools Policy in a basic and user-friendly manner. Scenarios are covered in more detail within the policy provisions below.

Move Type	Time of Year	Rule	Exception/Appeal
Within Lynn (elementary/middle)	During school year	May transfer immediately or may choose to complete current school year at current school (if adequate attendance). Must transfer thereafter.	Superintendent may allow student to complete any number of additional school years at current school.
Within Lynn (elementary/middle)	During summer recess	Transfer immediately.	Superintendent may allow student to complete any number of additional school years at current school.
Lynn to another Mass city/town (any grade)	April, May, June (while school is in session)	May transfer immediately or may choose to complete current school year at current school (if adequate attendance). Must transfer thereafter.	None.
Lynn to another Mass city/town (any grade)	Months other than April, May, June (while school is in session)	Transfer immediately.	Superintendent may allow student to complete current year only at current school.
Lynn to another state or country (any grade)	Any	Transfer immediately.	None.

Introduction

Residence means the place where a student dwells permanently. Generally, students will be required to attend school based upon where they reside. This is the case as it relates to city/town of attendance, and as it relates to the multiple elementary/middle school districts within the City of Lynn.

Pursuant to Massachusetts General Laws Chapter 76 § 1, each student shall attend school in the city/town the student resides... unless the student attends school in another city/town. Pursuant to Massachusetts General Laws Chapter 76 § 5, students have the right to attend the public schools of the city/town where they actually reside, and no school committee is required to enroll a person who does

not actually reside in the city/town unless said enrollment is authorized by law or by the school committee.

Consistent with said Laws, this policy governs the following circumstances:

- Lynn Public Schools elementary/middle school students who change residences from one elementary/middle school district to another elementary/middle school district within Lynn (hereinafter referred to as “Lynn Students”);
- Lynn Public Schools students in any grade who change residences from Lynn to another Massachusetts city/town (hereinafter referred to as “Non-Lynn Students”); and
- Students who change residences from Lynn to another state or country.

This policy does not govern any other circumstances not referenced above including, without limitation, the following examples: Lynn residents attending school outside of their area of residence on the basis of Special Education criteria/disability, homelessness, foster care, voluntary desegregation, due to participation in a dual language program, or due to disciplinary removal/change of placement.

Lynn Students

1. In the case of Lynn Students who change residences within Lynn at any point during the school year, parents/guardians may choose to transfer to the elementary/middle school of their new Lynn neighborhood. Should parents/guardians choose not to transfer them, such Lynn Students shall be allowed to complete their current school year at their current school, so long as their attendance remains regular and punctual. Continued attendance at their current school for the remainder of their current school year shall not require any special permission, appeal, or request of any kind. Transportation will not, however, be provided, unless the student otherwise qualifies on the basis of Special Education criteria/disability.
 - a. Notwithstanding the foregoing, should any such Lynn Student’s attendance at their current school not remain regular and punctual, the Principal may request that the Superintendent transfer the student to the elementary/middle school of their new Lynn neighborhood at any point. The Superintendent (or their designee) shall have the discretion to allow or deny the Principal’s request.
 - b. All Lynn Students who change residences within Lynn at any point during the school year shall attend the elementary/middle school of their new Lynn neighborhood by the start of the next school year. They may not continue at their current school beyond the current school year in which they change residences, unless for cause satisfactory to the Superintendent (or their designee), as described below.
2. Lynn Students who change residences within Lynn during the summer recess between school years shall attend the elementary/middle school of their new Lynn neighborhood, effective immediately for the start of the upcoming school year. They may not return to their current school, unless for cause satisfactory to the Superintendent (or their designee), as described below.

Appeal to Superintendent by Lynn Students

In the discretion of the Superintendent (or their designee), Lynn Students described in paragraphs 1(b) and 2 above may be allowed to continue at their current school for one or more years beyond the school year in which they change residences. If such permission is granted, transportation will not be provided (except if the student otherwise qualifies on the basis of Special Education criteria/disability).

Parents/guardians should request such permission in writing to the Superintendent, and the Superintendent (or their designee) may consider the following in making a determination:

- Best interests of the student, current school, and new neighborhood school;
- Student's grade level (in particular, as it relates to students who will be entering grades 5 or 8 in the next year);
- Student's ability to maintain good attendance, including arriving to school on time;
- Student's behavior (if not related to Special Education criteria/disability);
- Input of the Principals of the current school and new neighborhood school;
- Class sizes at the current school and new neighborhood school; and/or
- Any other relevant non-discriminatory factors.

Should the Superintendent (or their designee) grant such permission, the Superintendent (or their designee) may later revoke such permission, on any reasonable basis, at any time.

Non-Lynn Students

1. In the case of Non-Lynn Students who change residences from Lynn to another Massachusetts city/town in the months of April, May, or June (while school is in session), parents/guardians may choose to transfer to the school of their new city/town of residence. Should parents/guardians choose not to transfer them, such Non-Lynn Students shall be allowed to complete their current school year at their current school, so long as their attendance remains regular and punctual. Continued attendance at their current school for the remainder of their current school year shall not require any special permission, appeal, or request of any kind from the Lynn Public Schools. Transportation will not, however, be provided. Additionally, it shall be the exclusive responsibility of the parent/guardian to ensure that continued attendance at the current school in Lynn is permissible by the new city/town of residence.
 - a. Notwithstanding the foregoing, should any such Non-Lynn Student's attendance at their current school not remain regular and punctual, the Principal may request that the Superintendent transfer the student out of the Lynn Public Schools at any point. The Superintendent (or their designee) shall have the discretion to allow or deny the Principal's request.
 - b. All Non-Lynn Students who change residences from Lynn to another Massachusetts city/town in the months of April, May, or June shall transfer out of the Lynn Public Schools before the start of the upcoming school year. No exception may be made to this provision by the Superintendent or any other person.

2. Non-Lynn Students who change residences from Lynn to another Massachusetts city/town in months other than April, May, or June (while school is in session), shall transfer immediately out of the Lynn Public Schools, unless for cause satisfactory to the Superintendent (or their designee), as described below.

Appeal to Superintendent by Non-Lynn Students

In the discretion of the Superintendent (or their designee), Non-Lynn Students described in paragraph 2 above may be allowed to continue at their current school through the end of the school year in which they change residences, but not for any longer. If such permission is granted, transportation will not be provided.

Parents/guardians should request such permission in writing to the Superintendent, and the Superintendent (or their designee) may consider the following in making a determination:

- Best interests of the student and current school;
- Student's grade level (in particular, as it relates to students currently in grades 5, 8, or 12);
- Student's ability to maintain good attendance, including arriving to school on time;
- Student's behavior (if not related to Special Education criteria/disability);
- Input of the Principal of the current school;
- Class sizes at the current school;
- Parent/guardian's acknowledgment that it shall be the exclusive responsibility of the parent/guardian to ensure that continued attendance at the current school in Lynn is permissible by the new city/town of residence.
- Any other relevant non-discriminatory factors.

Should the Superintendent (or their designee) grant such permission, the Superintendent (or their designee) may later revoke such permission, on any reasonable basis, at any time.

In no instance may such permission extend beyond the current school year in which the Non-Lynn Student changes their residence.

Out-of-State/Country Transfers

1. Students who change residences from Lynn to another state or country shall transfer immediately out of the Lynn Public Schools. No exception may be made to this provision by the Superintendent or any other person.

Obligation of Families and Questions of Residency

1. Should any Lynn Public Schools student change residences (whether within Lynn or outside of Lynn), such student's parent/guardian shall inform the Principal within ten (10) school days.
2. Should there be any question of residency, the Lynn Public Schools reserves the right to conduct an investigation. School officials will use reasonable discretion in deciding how to determine the

circumstances of a child's residence. Because residency may change during the course of a school year, the Lynn Public Schools may continue to verify residency by any reasonable means.

3. Prior to the Lynn Public Schools making a final determination that a student is not a resident of Lynn, the parent/guardian of the student shall have the right to notice of the belief that the student is not a resident of Lynn, an explanation for the basis of that belief, and an opportunity to present any evidence to the contrary to the Office of the Lynn Public Schools Supervisors of Attendance.

Effective Date

This Policy shall be effective immediately and prospectively as of the date of adoption by the Lynn School Committee. This policy shall not apply retroactively to students who have been granted prior permission to continue at their current school of attendance. Such students shall be grandfathered.

Adopted by the Lynn School Committee

October 13, 2022

Replaces former Policy JECC