



**Education Law Center**

*Making sure that all of Pennsylvania's children  
have access to quality public schools*

## **Transferring a Child Out of a Neighborhood Public School in the School District of Philadelphia (School Choice)**

**IMPORTANT:** ELC's publications are intended to give you a general idea of the law. However, each situation is different. If, after reading our publications, you have questions about how the law applies to your particular situation, contact us for a referral, or contact an attorney of your choice.

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**In general:** The School District of Philadelphia has several different ways by which children may be transferred to a different school within the District. In addition, there are other school options such as charter schools, cyber charter schools, and private schools.

If you feel like the neighborhood public school is not the right fit for your child, there are ways to get your child into another school. Keep trying and don't give up!

**Transfers Within the District**

- **Transfers under No Child Left Behind (NCLB)**

There are three transfer options under the No Child Left Behind Act (NCLB): if your child's school is not making **Adequate Yearly Progress (AYP)**, your child attends a **Persistently Dangerous School**, or your child is the **victim of a violent criminal offense**.

- **Child's School is Not Making Adequate Yearly Progress (AYP)**

Students who attend schools that have not made *AYP* for two years in a row (or more) have the option to transfer to a school in the District that is making *AYP*. The District calls this the **NCLB School Choice** transfer process. In the late Winter of every school year, a "**parent packet**" is sent out to parents at every school that has not made *AYP* for two years in a row or more. (To find out whether you school has made *AYP*, go to [www.paayp.com](http://www.paayp.com).)

The packet includes information on the schools that have been identified as “**receiving schools**” and lists the time, date, and location of information sessions that parents can attend to learn more about the transfer process. Receiving schools are schools that are making AYP and have been identified by the District as having enough space and resources to accept students from schools that are not making AYP.

To transfer under this option, ask your child's school for an **EH-35C form**, fill it out, and return it to your child's school. When filling out the form, you should select as many receiving schools as possible because a **transfer is not guaranteed under this option** and limiting the number of receiving schools on the form will decrease the chances that a student will be transferred. This transfer option only gives you the right to *apply* to send your child to a different school; it does not give your child the right to get into a better school in the District.

There is a **four-week window** to complete the application and submit it to your child's current school. Placement is **not** done on a first-come, first-serve basis. If your child does get picked to be transferred to another school, **the transfer will not take place until the next school year**. For more information about the District's NCLB School Choice transfer process, you can call the District's Title I office as **215-400-4220**.

- **Child Attends a “Persistently Dangerous School”**

If your child attends a school in the District that has been identified as a “**persistently dangerous school**,” you have the right to request a transfer to a safer school in the District. The list of persistently dangerous schools comes out at the beginning of each school year. You should be notified in writing by your child's school if her school is on the list (a full and updated list can be found at the Pennsylvania Department of Education (PDE) website at:

<http://www.pde.state.pa.us/> → Pre K-12 Schools → Student Services and Programs → Persistently Dangerous Schools).

To apply for a transfer, you should ask your school for an **EH-36E form** to fill out. Where the form says “Reason for Request,” you should write that your child attends a persistently dangerous school and that you want a transfer to a safer school. School assignments will be made by the **Office of Student**

**Placement** (215-400-4290). Parents do not have the right to choose a specific school. **The transfer should take place within 30 calendar days of the parent's request if there is a safer school available.**

- **Child is a Victim of a Violent Criminal Offense**

If your child is a **victim of a violent criminal offense** (like robbery or aggravated assault) at school, your child has the right to transfer to a safer school in the District. The incident must be thoroughly documented before you request a transfer. You **must** report the incident to the police. You should also file a **Serious Incident Report** which you can obtain from your child's school. The District must then transfer your child within 10 calendar days of your request.

Generally, transfers under this option are handled by the Regional Office unless the victim is also trying to transfer out of a persistently dangerous school, in which case the request will be handled by the Office of Student Placement. Depending on your situation, you should contact the **Regional Office** or the **Office of Student Placement** (215-400-4290) to follow up. To find the number for your school's Regional Office, call the District's Parent Assistance Hotline at 215-400-6161, go to [http://www.phila.k12.pa.us/regions/regional\\_schools\\_final.pdf](http://www.phila.k12.pa.us/regions/regional_schools_final.pdf), or call ELC's office.

- **Other Types of Transfers in the District**

- **Transfer for Extenuating Circumstances (EH-36E Transfers)**

Philadelphia sometimes allows transfers for "extenuating circumstances" - meaning there is a serious reason that the child should be moved from the neighborhood school. To apply for such a transfer, a parent should get a copy of the **EH-36E form** from the neighborhood school, fill it out, and return it to the neighborhood school. When filling out this form it is important to **be specific**. If you have it, you should **include documentation** that: 1) there is **physical and/or psychological danger** to the child in the current school; 2) there is a **School District Serious Incident report** that justifies this move; and/or 3) there is a **record of past efforts** by the school and parents to remedy the situation.

School assignments will be made by the Regional Office. **Parents cannot request a specific school.** If a transfer is approved and accepted by the parent,

the transfer is permanent unless the parent, at some point in the future, wants the child returned to the neighborhood school. A parent who is not informed of the results of the request within two weeks of submitting the completed and documented form to the home school should **follow up by calling the Regional Office. If the request is granted, the transfer will take place right away.**

- **Voluntary Transfer**

Students in the District have a right to voluntarily transfer to another school. The District accepts applications for voluntary transfers, beginning the **third Monday in September and running through the last Friday in October**, for the next school year.

**Elementary and middle school students**, including English language learners and children with disabilities, may apply to: special admission middle schools and other neighborhood elementary and middle schools within the School District of Philadelphia. Parents of **K-8<sup>th</sup> grade students** may obtain the **Voluntary Transfer Program Elementary/Middle School Pupil Transfer Application** at the current school or the **Office of Student Placement** at 215-400-4290.

**High school students**, including English language learners and children with disabilities, can apply to transfer to neighborhood high schools outside of their neighborhood attendance area, citywide admission high schools, and special admission high schools. Parents of **9<sup>th</sup>-12<sup>th</sup> grade students** can obtain the **High School Voluntary Transfer Program Application** from their school counselor or the **Office of Student Placement** at 215-400-4290.

## **OTHER SCHOOL OPTIONS**

- **Charter Schools**

Charter schools are public schools created by agreement ("a charter") with a local school board. They must be run as non-profit organizations and be free to students and parents. Charter schools are exempt from some -- but not all -- of the laws and regulations that apply to other public schools. Any child who lives in Pennsylvania can apply for admission to a charter school. First preference must be given to students who live in the District where the charter is located. If there is not enough space for all the students who apply, qualified students must be

selected randomly (e.g. by lottery). Non-resident students can be admitted if there is enough space. Each charter school has its own philosophy and application process, so you should contact the school to make sure that it will be a good fit before enrolling your child.

For more information (including a directory of all the charter schools in Philadelphia), visit the School District's Office of Charter Schools website at: [http://webqui.phila.k12.pa.us/offices/c/charter\\_schools](http://webqui.phila.k12.pa.us/offices/c/charter_schools). We also have several fact sheets about charter schools at our website, [www.elc-pa.org](http://www.elc-pa.org).

- **Cyber Charter Schools**

A cyber charter school is a **public** charter school that provides most of its instruction to its students **through the Internet or by some other electronic means**. Students who are enrolled in a cyber charter school do most of their schoolwork at home over the computer - they do not go to classes in a school building.

Each cyber charter decides how it will deliver its education program, so it's important to speak with someone at the school to find out what the school offers. Cyber charter schools usually provide their students with free computers and pay for, or reimburse families for, an Internet connection. Some schools may offer "in-person" activities in addition to computer-based programs. Any child who lives in Pennsylvania can apply for admission to any cyber charter school. For instance, a child can live in Philadelphia and still enroll in a cyber charter school which is located in Pittsburgh.

For a list of Pennsylvania's cyber charter schools, visit the Pennsylvania Department of Education's website at: [http://www.pde.state.pa.us/charter\\_schools/site/default.asp](http://www.pde.state.pa.us/charter_schools/site/default.asp) and click "Where Are They?" For more information about cyber charter schools, see ELC's fact sheet, *Cyber Charter Schools-Frequently Asked Questions*, at [www.elc-pa.org](http://www.elc-pa.org).

- **Private Schools**

Another option to the neighborhood public school is a private school. Many private schools in the Philadelphia area offer scholarships and other financial aid

to families. The **Black Alliance for Educational Options** (BAEO) at 215-851-1795 (BAEO's website is <http://philadelphia.baeo.org/>) and the **Children's Scholarship Fund Philadelphia** (CFSP) at 215-670-8411 (CFSP's website is <http://www.csphiladelphia.org/>) are two places that can provide more information about private school options in Philadelphia. The Children's Scholarship Fund Philadelphia publishes a booklet that lists nearly all the private schools in the Philadelphia-area for students in grades K-8.

**Funding for this brochure was provided by the Patricia Kind Family Foundation**

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