

REFERENCE COPY

FILE: JCB
Critical

EXPLANATION: INTRADISTRICT TRANSFERS

Editor's Note: The district's custom language has been retained and is now in the "Transfer Requests" section. Your old custom language said "Transfer of a student from one elementary room to another within..." and the paragraph went on to say "school" instead of "room" elsewhere. I'm assuming "room" was a mistake, and it should say "school," so I made that change in this ref copy. Intradistrict transfers, the topic of this policy, are transfers between schools, so if you did mean to reference classroom assignments, then we should remove that language from this policy, because it is not appropriate for the topic covered by JCB. I would recommend moving that to handbooks only.

Districts with multiple attendance areas for any grade (more than one elementary, middle school, high school, etc.) should have this policy. If your district does not have multiple attendance areas, this policy is not needed.

MSBA has rewritten this policy for clarity and to remove the reference to the No Child Left Behind Act of 2001 (NCLB). The Elementary and Secondary Education Act was reauthorized as the Every Student Succeeds Act (ESSA) in December 2015 and will go into effect in the 2017–18 school year. MSBA has decided to use the more generic legal reference to the "Elementary and Secondary Education Act of 1965" so that this and other policies do not need to be revised in the future simply because a new name has been assigned to the same law.

MSBA has also revised this policy to add a reference to the district's obligations to homeless students. The McKinney-Vento Homeless Assistance Act requires districts to determine which school a homeless student should attend by looking at the best interests of the student. There is a preference for attending the student's "school of origin." This might require the district to enroll a student in a school that is different than the school assigned to the student's current residence. The details of the district's obligations to homeless students are outlined in policy IGBCA.

MSBA has removed references to transfers between school buildings due to a school being identified as a school in need of improvement. These transfers were initially required under NCLB. If a school was identified as "in need of improvement," the district was required to notify parents and students that they could request to transfer to another district school that was not so labeled.

Under the ESSA, schools will still be identified by the Department of Elementary and Secondary Education (DESE) for comprehensive support and improvement. However, under the new law the district is not required to allow students attending those schools to transfer

to other district buildings that are not so identified. Districts may allow the transfers, but they are not required to do so.

MSBA suspects that most districts will not want to allow students to transfer between buildings. Further, many districts do not have multiple options for each grade level and therefore there is no school to which students could transfer. For these reasons, this policy does not include the option to transfer out of a school identified for improvement. Districts that want that option should add the following language to the end of the policy:

Students enrolled in a school identified under federal law for comprehensive support and improvement may transfer to another district school that has not been so identified as long as the transfer will not result in overcrowding or excessive class sizes. If multiple students request to be transferred, the district will give priority to the lowest-achieving students from low-income families as determined by the district. Once a student transfers to another district school, the student will be permitted to remain in that school until the student has completed the highest grade in that school.

Federal law still requires districts to allow students to transfer if a school building is designated as "persistently dangerous" under state and federal law. MSBA has left this language in the policy but has moved it to the end in a less prominent location. Thankfully, very few schools are labeled persistently dangerous in Missouri.

MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.

Board Secretary		Business Office		Coaches/Sponsors
Facility Maintenance		Food Service		Gifted
Human Resources	X	Principals		Library/Media Center
Health Services	X	Counselor		Special Education
Transportation		Public Info/Communications		Technology

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INTRADISTRICT TRANSFERS

All students must transfer between district schools when their residence changes to a different attendance area, unless exempted by the superintendent or designee. Further, the district maintains the ability to transfer students between schools as needed.

Students with disabilities may be assigned to attend a school outside the student's attendance area by the Section 504 team or pursuant to the student's individualized education program (IEP). Administrators participating in these decisions will notify the admissions office as soon as the decision is made to place a student outside his or her attendance area.

The superintendent or designee may direct the intradistrict transfer of students for the health, safety or welfare of the student, to maintain discipline and safety in the schools, to better meet the educational needs of the student or to address overcrowding in school.

Voluntary Transfers to Schools Outside Attendance Areas

Students who have previously transferred to a school outside the student's attendance area due to school improvement measures mandated by federal law will be allowed to continue attending the school they transferred to until they have completed the highest grade offered in that school. The district will not provide transportation to these students.

Students enrolled in a school identified as persistently dangerous pursuant to federal and state law may transfer to another public school within the district that has not been so identified. A student who has been a victim of a violent criminal offense on school property as defined by state regulation may, upon request, transfer to another public school in the district. The transfer will be allowed in accordance with law.

Otherwise, students may request to transfer to a different district school subject to available space and eligibility as determined by the district. Once a student has begun attendance at a school, he or she cannot transfer to another school until the next semester begins unless the student's residence changes to a new attendance area or unless otherwise required by law. The parent/guardian must submit a request to transfer to the district school prior to the beginning of the new semester. Transportation will not be provided to students transferring to schools outside the student's attendance area, unless required by law.

The Board will establish attendance areas for all of the district's school buildings, and students who live within an attendance area will be required to enroll in the designated building unless one of the following exceptions applies.

Reassignment

The superintendent or designee may reassign a student to a different building for the health, safety or welfare of the student, to maintain discipline and safety in the schools, to better meet the educational needs of the student or to address overcrowding in school.

Students with Disabilities

Students with disabilities may be assigned to attend a school outside their attendance area by their Section 504 team or pursuant to their individualized education programs (IEPs). Administrators participating in these decisions will notify the admissions office as soon as the decision is made to place a student outside his or her attendance area.

Homeless Students and Students in Foster Care

As required by law, students placed in foster care or students who qualify as homeless may attend or continue to attend the school of origin when it is determined that it is in the student's best interest, even when the student is placed in a home or temporarily resides in a home in another attendance area or in another school district.

Transfer Requests

A student or his or her parent/guardian may submit a request to transfer the student to a different district elementary school. Student transfer requests must be submitted to the district school prior to the beginning of the new semester and will be contingent on available space and eligibility as determined by the district. Transfer requests will be granted only when there is evidence that the student or the school will benefit from such a transfer. If, after a transfer has been granted, principals find that transferred students are doing unsatisfactory work or are not living up to the terms agreed upon in the transfer, the matter should be promptly reported to the superintendent's office, and the transfer may be revoked. Principals may recommend that certain students be transferred from one school to another, but the final disposition of the transfer remains with the superintendent. Once a student has begun attendance at a school, he or she cannot transfer to another school until the next semester begins unless the student's residence changes to a new attendance area or unless otherwise required by law. Transportation will not be provided to students transferring to schools outside the student's attendance area unless required by law.

Transfers Allowed by Federal Law

Students enrolled in a school identified as persistently dangerous pursuant to federal and state law may transfer to another public school within the district that has not been so identified. A student

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who has been a victim of a violent criminal offense on school property as defined by state regulation may transfer to another public school in the district upon request.

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Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Adopted: 08/11/2003

Revised: 06/13/2005; 04/08/2013;

Cross Refs: FC, School Closings, Consolidations and Reorganizations
IGBA, Programs for Students with Disabilities
IGBCA, Programs for Homeless Students
IGBE, Students in Foster Care

Legal Refs: § 162.1190, RSMo.
5 C.S.R. 20-100.210
Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 - 1417
The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213
~~No Child Left Behind Act of 2001~~ The Elementary and Secondary Education Act of 1965, 20 U.S.C. §§ 6301 - 7941, 6311, 7912
McKinney-Vento Homeless Education Assistance Improvements Act of 2001, 42 U.S.C. §§ 11431 - 11435
34 C.F.R. Part 104
34 C.F.R. Part 300

Camdenton R-III School District, Camdenton, Missouri