

**ADMISSION, RESIDENCY, PLACEMENT, TRANSFER, AND WITHDRAWAL**

**Admission:** The following students shall be admitted to the District if they meet the age, immunization, and good standing requirements set forth in this policy:

- A. Students who are legal residents of the District;
- B. Students who have a legal transfer into the District;
- C. Students who have been accepted by the District on a tuition basis; and
- D. Foreign students who have been accepted by the District as Non-immigrant (F-1) Students.

A home-schooled student who wishes to be admitted to the District may only be enrolled on a full-time basis. Part-time admission or enrollment is not allowed.

**Age Requirements:**

- A. Minimum Age: A child must be four (4) years old on or before September 1 in order to enroll in the District's early childhood program. A child must be five (5) years old on or before September 1 in order to enroll in kindergarten. A child must be six (6) years old on or before September 1 in order to enroll in first grade, unless otherwise entitled to enroll by law.
- B. Maximum Age: All students who have not completed the twelfth grade shall be eligible to attend school in the district until they reach twenty-one (21) years of age on or before September 1 of the school year in which enrollment is sought; provided that upon submitting evidence to the Board of Education showing that the student was unable to attend school because of physical disability or service in the United States Armed Forces or auxiliary organizations by reason of which it was impossible to complete the twelfth grade before the age of twenty-one (21), a student may attend school in the District until the student attains the age of twenty-six (26).
- C. Students with Disabilities: Students with disabilities may be entitled to attend school from three (3) years of age. The District's Special Education Director should be contacted to determine eligibility of students with disabilities for early admission.
- D. Proof of Age: Unless identified as homeless in accordance with the McKinney-Vento Homeless Education Assistance Act, any student who is enrolling in school for the first time shall present upon enrollment a birth certificate which verifies the student's age. If a birth certificate is not presented within four (4) weeks after its

request, the student's enrollment may be terminated depending on the circumstances.

**Immunization Requirements:** No student shall be permitted to enroll in the District unless the student presents to the school at the student's initial enrollment either:

- A. Certification from a licensed physician or authorized representative of the State Department of Public Health that such student has received, or is in the process of receiving, immunizations required by the Department of Public Health, or that such student is likely to be immune as a result of the disease; or
- B. A Certificate of Exemption form stating that the child is exempt from the immunization requirements on the ground that (1) the physical condition of the student is such that immunization would endanger the life or health of a student, signed by a physician; (2) the parent, guardian or person having legal custody of the child objects to such tests or immunizations for religious reasons; or (3) the parents, guardian or person having legal custody of the student claims an exemption for personal reasons. A copy of the Certificate of Exemption will be forwarded to the Department of Public Health for review and approval.

**Good Standing Requirement:** A student must be in good standing at the time of withdrawal from any previous school in order to enroll in the District. A student who has been suspended from a public or private school in the State of Oklahoma or another state for a violent act or an act showing deliberate or reckless disregard for the health or safety of faculty or other students shall not be entitled to enroll in the District, and no public school shall be required to enroll such student, until the terms of the suspension have been met or the time of suspension has expired.

#### **Residency Requirements:**

- A. Categories of Residency: The following students shall be considered legal residents of the District:
  - 1. Students whose parent, legal guardian or legal custodian holds legal residence in the District.
  - 2. Students who have been placed in a foster home within the District (a) by the person or agency holding legal custody pursuant to court order, or (b) by a state agency having legal custody; provided that "foster home" means a family home, other than the home of a parent, step-parent, grandparent, brother, sister, uncle, or aunt, which provides full-time care for five or fewer children.
  - 3. Qualified students under a Special Power of Attorney as required by the Compact on Educational Opportunity for Military Students.
  - 4. Students whose full-time care and custody is provided by an orphanage or a child care facility supported by charity.

5. Students who reside in the District and are supporting themselves entirely by their own efforts.
6. Students who have been placed in a public or private residential child care or treatment facility and whose place of legal residence cannot be determined.
7. Students who are homeless persons as defined by the law.
8. Any other students provided for by law.

**B. Procedures for Determining Residency - The following procedures shall be used to determine the residency of a student in the District:**

1. An admissions form shall be completed for each student initially enrolling to attend school in the District. All other students may be requested to complete an admissions registration form at enrollment or at other times at the discretion of the Administration.
2. In determining the residency of a student, the Administration may require proof of residency and/or affidavits or verification of residency.
3. If a student is denied admission to a school in the District by the Administration, the student shall be notified of the reasons for the denial in writing. The student may appeal the denial to the District's Residency Officer in writing, stating the reasons for the appeal. The District's Residency Officer shall be the Superintendent. The District's Residency Officer shall consider the appeal and shall notify the student of the appeal decision in writing, stating the reasons for the decision. The decision of the District's Residency Officer shall be final.
4. If a student has been admitted to attend school in the District after establishing a bona fide legal residence in the District, and thereafter moves and is no longer a resident of the district, the student shall be permitted to complete the current school year; provided that, if the District determines that the student did not in fact establish a bona fide legal residence in the District, the student's permission to attend school shall be revoked and tuition shall be charged for the days attended.

Residency by Military Order – A student whose parent or legal guardian is transferred or is pending transfer to a military installation within the state while on active military duty pursuant to an official military order will be considered in compliance with the residency requirements as provided by law. District shall accept enrollment applications by electronic means, including enrollment in a specific school or program within the District and course registration. The parent or legal guardian shall provide proof of residence in the District within ten (10) days of the published arrival date provided on the official documentation. The following may be provided to show proof of residence:

1. A temporary on-base billeting facility,
2. A purchased or leased home or apartment, or
3. Federal government or public-private venture off-base military housing.

For purposes of this policy:

“Active military duty” means a full-time military duty status in the active uniformed service of the United States including members of the National Guard and Military Reserve on active duty orders; and

“Military installation” means a base, camp, post, station, yard, center, homeport facility for any ship or other installation under the jurisdiction of the Department of Defense or the United States Coast Guard.

**Power of Attorney:** A parent or legal custodian of a child, through a properly executed power of attorney and without compensation, may delegate to another person, for a period to exceed twenty-four (24) hours but not to exceed one (1) year, certain powers regarding the care and custody of the child as provided in law. The parent or guardian may withdraw or revoke the power of attorney at any time. The attorney-in-fact shall have those powers specified by law, including the right to enroll the child in school and to have access to all education records., or those powers specifically delegated to the attorney-in-fact.

**Withdrawals:** Students who attend school as resident students may be withdrawn from school:

- A. By the submission of proof that the student’s residence for school purposes has changed or is about to change to another school district;
- B. By the submission of proof that the student has attained the age of eighteen (18);
- C. If the student has attained the age of sixteen (16), upon written agreement between the principal and the parent, guardian or custodian of the student that such withdrawal is in the best interests of the student and/or community, and that the student shall thereafter be under the supervision of the parent, guardian or custodian until the student has reached the age of eighteen (18); and
- D. By administrative action, if the student has had ten (10) consecutive unexcused absences.

**Placement and Assignment:** Students, including students who have been home- schooled, shall be assigned to a grade level or class based upon an assessment of the student’s age, maturity, grades received, standardized test results, and/or abilities in accordance with Administrative Regulations.

Third grade students shall be retained as required by law in accordance with District Regulations.

A parent or guardian of multiple-birth siblings may request that the children attend the same school and be placed in the same classroom or in separate classrooms if the children are in the same grade level at the same school and meet the eligibility requirements of the class. The parent or guardian must request the classroom placement no later than fourteen (14) days after the first day of each school year or fourteen (14) days after the first day of attendance of the children during a school year if the children are enrolled in the school after the school year commences. The school may recommend classroom placement to the parents and provide professional education advice to the parents to assist them in making the best decision for their children's education. A school must provide the placement requested by the children's parent or guardian, unless the Board makes a classroom placement determination following the school principal's request. At the end of the initial grading period, if the school principal, in consultation with the children's classroom teacher, determines that the requested classroom placement is disruptive to the classroom environment, the school principal may request that the Board determine the children's classroom placement.

**Placement of Student Victims:** Upon the Superintendent’s receipt of notice from a juvenile bureau that a student of the District has been adjudicated, or that adjudication has been withheld, an offense subject to the Juvenile Sex Offender Registration Act, the District shall notify the victim and parent or guardian of the victim of their right to request to be separated from the offender at school and during school transportation. If the victim requests to be separated from the offender, the District shall take appropriate action as required by law. The decision of the victim shall be final and not reversible.

**Student Transfers:** Subject to certain exceptions provided for by law, the transfer of a student from the district in which the student resides to District shall be granted at any time during the school year unless the requested transfer exceeds 75% capacity of the grade level or program sought for each school site within the District. District’s Board will meet by the first day of January, April, July and October each year to establish the number of transfer students the school has the capacity to accept in each grade level for each school site within the District. District’s capacity will be published on District’s website and reported to the State Department of Education (“SDE”). As of January 1, 2022, District’s capacity is as follows:

- **Pre-kindergarten:** No more than 20 students per classroom or 10 students per adult in the classroom.
- **Kindergarten:** No more than 20 students per teacher (excluding PE and Music classes), unless an additional class would have fewer than 10 students or unless a teacher’s assistant is hired.
- **Grades 1-3:** No more than 20 students per teacher (excluding PE and Music classes), unless an additional class would have fewer than 10 students or unless a teacher’s

assistant is hired.

- **Grades 4-6:** No more than 20 students per teacher (excluding PE and Music classes), unless an additional class would have fewer than 16 students.
- **Secondary:** No more than 140 students per day (excludes PE and music classes).
- **Special Education:** Determined by availability of the appropriate program, services and case-load for teachers currently on staff at site or grade level requested in accordance with state law.

In order for a student to be transferred, the parents of the student must first submit an application form specified by the State Board of Education (“SBE”) to the District Superintendent. If the capacity of a grade level for each school site within the District is insufficient to enroll all eligible students, District shall select transfer students in the order in which District received the student transfer applications.

A transfer may be denied if it will exceed 75% enrollment capacity, or for student discipline or attendance issues. District will begin receiving applications for the subsequent school year on or after January 1<sup>st</sup> each school year. District will not approve or deny transfer applications until after the Board’s July 1<sup>st</sup> capacity determination.

All student transfers are good only for the school year during which the transfer is granted. For all subsequent school years, students already attending school in the District on a transfer will be automatically placed at the top of the applicant list for the following school year. District may deny the continued transfer of a student based on the same criteria considered for a new transfer, which includes 75% capacity, student discipline and attendance issues.

If the grade a student is entitled to pursue is not offered in the student’s resident district, the transfer will be automatically approved. In addition, a student whose parent or legal guardian is employed as a teacher in the District shall be allowed to transfer to the District regardless of capacity.

Any child in the custody of the Department of Human Services (“DHS”) in foster care who is living in the home of a student who transfers to the District may attend the District as provided for by law.

The brother or sister of a student who transfers to District may attend school in the District so long as the District has capacity and the brother or sister does not meet the criteria as a basis for denial. Applications will be considered in the order in which they are received by the District and a separate application must be submitted for each student who desires a transfer.

On or before the first day of January, April, July and October, the Superintendent will file with the SBE and each resident district a statement showing the names of the students who were granted transfers, their resident districts and their grade levels.

If a transfer request is denied by the District, the parent of the student may appeal the denial to District’s Board within ten (10) days of the notification of the denial as provided for by law and regulation. District’s Board will consider the appeal at its next regularly scheduled board meeting so long as the appeal is received prior to the statutory deadline for posting the Board agenda. If the appeal is not received prior to the deadline for posting the agenda, the Board shall schedule a special

meeting to consider the appeal. The appeal process will be paper-only and will take place in executive session in order to protect student privacy. During executive session, the Board will review written documentation from the Superintendent regarding reasons for the transfer denial and information from the parent/guardian regarding why the transfer should have been approved. The vote to uphold or reject the Superintendent's transfer denial will be held in open session.

If the Board upholds the denial, the parent may appeal the denial to the SBE within ten (10) days of the notification of the Board's decision. The SBE will adopt guidelines for this process.

**Special Education and Gifted Education Transfers:** Transfers regarding these students will be considered in accordance with law and SDE regulations.

**Military Parent Transfers:** Students who are dependent children of a member of the active uniformed military services of the United States on full-time active duty status and students who are the dependent children of a member of the military reserve on active duty orders shall be eligible for admission to the District regardless of its capacity if: a) at least one (1) parent of the student has a Department of Defense-issued identification card; and b) at least one (1) parent can provide evidence that he or she will be on active duty status or active duty orders, meaning that the parent will be temporarily transferred in compliance with official orders to another location in support of combat, contingency operation, or a natural disaster requiring the use of orders for more than thirty (30) consecutive days.

**McKinney-Vento Act:** The Education for Homeless Children and Youth ("EHCY") program is authorized under the McKinney-Vento Homeless Assistance Act ("McKinney-Vento Act"), as amended by Every Student Succeeds Act ("ESSA"). The mission of the EHCY program at the Oklahoma State Department of Education ("OSDE") and District is to ensure educational equity and success for students experiencing homelessness by providing support according to the McKinney-Vento Act.

Homeless children and youth are defined as those who lack a fixed, regular, and adequate nighttime residence. Determinations will be made on a case-by-case basis as provided for in the Student Handbook. The District McKinney-Vento Liaison is \_\_\_\_\_ and may be reached at (phone) \_\_\_\_\_. Each site will also have a McKinney-Vento liaison, who can be reached through the Administration office at each school site.

The McKinney-Vento Act provides homeless children and youth the following rights:

1. To immediately enroll in school;
2. To attend school in school of origin or in the attendance area where the family currently resides;
3. To receive transportation to school of origin if requested by parents/guardians/unaccompanied youth and is in the best interest of the child;
4. To receive comparable services as other schoolmates including but not limited to transportation and supplemental services;
5. To attend school along with children who are not homeless;
6. To have their rights posted in all schools and other places around the community that low-income families and high-risk families may visit.
7. To be free of segregation and stigmatization with the nature of their living situation

remaining confidential under the Family Educational Rights and Privacy Act (“FERPA”).

District Responsibilities: District will immediately enroll the child or youth, even without records that are normally required for enrollment, or if the child or youth has missed application or enrollment deadlines during a period of homelessness. District will assist with obtaining immunizations or other required health records. District will presume that the school of origin is in the child’s best interest and will continue such enrollment even if the child becomes permanently placed during the academic year unless contrary to the request of the parent, guardian or unaccompanied youth. District will enroll the homeless child or youth with non-homeless students who live in the attendance area in which the child or youth is living and eligible to attend. District will consider student-centered factors related to the child or youth’s best interest and will provide a written explanation of the reasons for the decision, including information regarding the right to appeal if District sends the child to a school other than the one requested. District will enroll the child or youth immediately in the school in which enrollment is sought if a dispute arises pending final resolution of the dispute and will provide services comparable to those received by other students in the school. Information regarding the homeless child or youth’s living situation will be confidential and coordination efforts with local agencies providing services to homeless children or youth and their families will be made.

Dispute Resolution: Parents, guardians, or unaccompanied youth experiencing homelessness may disagree with District on issues related to McKinney-Vento services, enrollment, and/or school selection. In most cases, issues can be resolved without outside intervention. When a dispute arises over eligibility, school selection, or enrollment and cannot be resolved independently, the following procedures will be invoked:

- The child or youth “shall be immediately enrolled in school in which enrollment is sought, pending final resolution of the dispute, including all available appeals.
- The parent, guardian, or unaccompanied youth must be provided with a written explanation of any decisions related to school selection or enrollment made by the school, district or state involved, including the rights of the parent, guardian, or unaccompanied youth to appeal such decisions.
- The parent, guardian, or unaccompanied youth must be referred to the local liaison, who will carry out the dispute resolution process as expeditiously as possible.

McKinney-Vento dispute procedures apply to any dispute arising under the McKinney-Vento Act, including disputes over questions such as: eligibility, school selection, participation, and transportation. Every effort will be made to resolve the complaint or dispute at the District level before it is taken to the OSDE. District will inform the Complainant of District’s Complaint Resolution Procedure when a question concerning the education of a homeless child or youth arises.

1. Notify District’s homeless liaison:

- a. Request a copy of or access to District’s Board policies addressing the education of homeless children and youth and review them. Make an appointment with the homeless liaison to discuss the complaint.
- b. If the dispute is not resolved at the point, Complainant may file a Complaint in writing to District’s homeless liaison for further review.
- c. The Complaint should include a request that a written proposed resolution of the dispute of a plan of action be provided within five (5) days of the date the Complaint was received by the homeless liaison. A review of the proposal or plan

of action with the homeless liaison should follow. An extension may be mutually agreed upon; however, every effort should be made to resolve the Complaint in the shortest time possible.

2. If the dispute is not resolved at the District homeless liaison level, the Complaint may be forwarded to the Superintendent for review followed by a meeting with the Superintendent to discuss the dispute. The Complainant should request from the Superintendent a written resolution within five (5) days of the date of the discussion. The parties may mutually agree upon an extension; however, every effort should be made to resolve the Complaint in as short a time as possible.
3. If the dispute is not resolved at the Superintendent level, the Complainant may take the matter before the Board for resolution. If this effort for resolution fails, the Complaint may be taken to the OSDE.