

1. Purpose:

Effective with the 2020-2021 school year, the Wirt County Board of Education will implement the requirements of §18-5-16 which stipulate that all county school systems shall enroll non-resident students in their schools.

Nonresident enrollment in the Wirt County Schools shall be subject to availability of space in a desired school or classroom. It shall be a cost free; and enrollment does not require approval of the board of education of the students' county of residence.

Nonresident parents/guardians and students who wish to exercise this option must complete an application form that is available in the central office of the Wirt County Board of Education, in the various county schools, and on the county web site. The completed form must be filed with Wirt County Schools by March 1 of the year preceding the school year for which open enrollment is desired for students entering grades Pre-K-12.

2. Definitions:

For the purpose of this policy the following definitions shall apply:

"Nonresident student" means a student who resides in this state and who is enrolled in or is seeking enrollment in a county school district other than the county school district in which the student resides.

"Open enrollment" means a policy adopted and implemented by a county board to allow nonresident students to enroll in any school within the district. Open enrollment is distinct from a mutual agreement of two county boards regarding mass transfer of students, as contemplated in §18-5-13(f)(1)(C) of this code.

3. Procedures:

3.1 Enrollment:

All nonresident applications for enrollment in Wirt County Schools must be submitted by March 1, and all written responses to parents will be provided by July 15th. Requests for a transfer must be processed through the office of the Attendance Director. Requests from families moving into the area will not be held to this timeline.

The following circumstances are considered "good cause" and are acceptable conditions for a timeline waiver request **IF** the change occurred / began after March 1.

- ❖ Change in family district of residence
- ❖ Change in the marital status of the student's parents resulting in a change in resident district
- ❖ Placement of the child in foster care resulting in a change of residence
- ❖ Adoption
- ❖ Participation in a foreign exchange program

All nonresident students shall meet the same enrollment requirement as resident students. These requirements may be found in (P) S.3.1. Age and Immunization

Requirements, (P) S.3.2. General Enrollment Requirements, and (P) S.3.3. Early Entrance into Kindergarten of the Wirt County Schools Policy Manual.

Nonresident students seeking admission to Wirt County Schools may be granted permission to enroll in the school of their choice under the following conditions:

- ❖ The enrollment at the school of choice and the specific grade level requested currently has and is projected to have vacancies for the upcoming school term;
- ❖ The school of choice's program of studies matches the needs of the nonresident student and will not require the addition of professional, support, or service personnel at the school;
- ❖ Nonresident students who are serving a long-term suspension or an expulsion imposed by their county of residence may not enroll in a Wirt County school until such time the terms of the suspension or expulsion have been fulfilled.

The Attendance Director, the principal of the proposed receiving school, and the Superintendent (or his/her designee), will review the application and any supporting data accompanying the application to determine if the application is complete and the circumstances at the school are such that the application may be approved.

Enrollment preferences

In considering enrollment requests, priority may be given to:

- ❖ Siblings of students already enrolled through the open enrollment policy;
- ❖ Secondary students who have completed 10th grade and, due to family relocation, become nonresident students, but express the desire to remain in a specific school to complete their education;
- ❖ Students who are children, grandchildren, or legal wards of employees;
- ❖ Students whose legal residences, though geographically within another county, are more proximate to a school within the receiving county, whether calculated by miles or transportation time; and
- ❖ Students who reside in a portion of a county where topography, impassable roads, long bus rides, or other conditions prevent the practicable transportation of the student to a school within the county, and a school within a contiguous county is more easily accessible.

Note: Students with priority status will be placed first and all other applicants will be processed based upon availability of space and the date on the application form.

Students in foster care

The Wirt County School shall comply with all enrollment requirements for children who are in foster care or who meet the definition of unaccompanied youth prescribed in the McKinney-Vento Homeless Assistance Act (42 U.S.C. § 11434a(6)).

Students with special needs

Nonresident parents/guardians of students with special needs may follow the same application procedures as those parents/guardians of students who do not have special needs. Special needs nonresident students may be accepted under the following guidelines:

- ❖ Space is available in an appropriate program within the receiving school that meets the student's needs;
- ❖ The proper documents regarding the student's placement in his/her current school are made available to Wirt County School System officials for review as a part of the application process; and
- ❖ The Wirt County School System **will not** create an appropriate placement program in order to honor a request for open enrollment purposes; and
- ❖ Per the West Virginia Code, the Wirt County Board of Education will provide transportation to and from the school of attendance, or to and from an agreed pickup point on a regular transportation route, or for the total miles traveled each day for the nonresident student to reach the school of enrollment if the nonresident student is a student with disabilities and has an individualized education program that specifies that transportation is necessary for fulfillment of the program.

Transportation

County boards of education are authorized, but are not required to uniformly provide nonresident student transportation. It is the Wirt County Board of Education's policy that nonresident students and his/her parent/guardian must supply transportation to school or to an existing Wirt County Schools bus route which may be utilized. Existing bus routes **will not** be extended to accommodate nonresident students.

Participation in athletics

Nothing in this policy supersedes the eligibility requirements for participation in extra-curricular activities established by the West Virginia Secondary School Activities Commission.

If a student wishes to change schools through inter-district open enrollment, the student should consult with the school administration and follow the guidelines for athletic eligibility as established by the West Virginia Secondary School Activities Commission.

Admission

Any nonresident applicant seeking to enroll in any school in the Wirt County school district will be required to provide documentation of the following in order to be admitted. Students with unsatisfactory grades, behavior and attendance may be denied admission.

All transfer students seeking enrollment must maintain satisfactory academic progress, attendance, and behavior. Failure to do so may result in termination of the transfer agreement.

Annual application required

For the purpose of accurate tracking of student enrollments, **only**, by the school system, an annual application is required.

West Virginia code provides that open enrollment in the school district continues until the student graduates, drops out of school, or until the parents/guardians notify the school district that they desire to terminate the open enrollment agreement.

4.0 Net Enrollment

For purposes of net enrollment as defined in §18-9A-2 of this code, whenever a student is transferred on a full-time basis from one school district to another district pursuant to the provisions of this section, the county to which the student is transferred shall include the student in its net enrollment.

5.0 Severability

If any provision of this policy or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this policy. Any changes or modifications due to legislative or state policy change may cause a modification to this policy by the superintendent.

Review Schedule:

This policy will be reviewed in accordance with the policy review schedule published by the superintendent.

Formerly: J-09 Out of County Transfer Policy, 2014, (please check date and add dates of other iterations of the policy.)

Authorization: WV Code: 18-5-16

Review: 8/11/2020, Comment 8/13/20; Comment 8/27/20

**OPEN ENROLLMENT APPLICATION
WIRT COUNTY BOARD OF EDUCATION**

1. Full Legal Name of Student: _____
2. Date of Birth: ____ / ____ / ____
3. Grade for 2020-2021: _____
4. Gender: Female or Male
5. Parent/Guardian _____
6. Telephone (Helpful to have more than one): _____
7. Resident Address Street/Box, City, Zip, County: _____

8. Email Address _____
9. Resident County _____ School _____
10. Is this application a request to continue education in Wirt County Schools following a move to a new school district? Yes or No
11. Is this application a request to continue your Open Enrollment in Wirt County Schools?
Yes or No
12. Please indicate if the applicant has a sibling currently under open enrollment.
Sibling Name: _____ School open enrolled _____

13. The student will be enrolled in the following (check all that apply):
Regular Education _____ Special Education _____
14. Is your child currently eligible for and receiving special education services? Yes or No
(Check all that apply)

_____ Autism	_____ Blindness and Low Vision
_____ Deaf/blindness	_____ Deafness
_____ Developmental Delay	_____ Emotional/Behavioral Disorder
_____ Gifted	_____ Hard of Hearing
_____ Intellectual Disability	_____ Orthopedic Impairment
_____ Other Health Impairment	_____ Specific Learning Disability
_____ Speech/Language Impairment	
15. Is your child currently being evaluated for special education services? Yes or No
16. Is your child currently receiving English Language Learning services? Yes or No

17. Is the student currently under suspension or expulsion from school? Yes or No

If yes, when will the suspension / expulsion be complete? _____

18. Will you request transportation assistance? Yes or No

19. This section should be completed if the application is being filed after March 1. Please indicate the circumstances which prompted this waiver request:

_____ Change in family district of residence

_____ Change in the marital status of the student's parents resulting in a change of residence

_____ Placement of the student in foster care resulting in a change of residence

_____ Adoption

_____ Participation in a foreign exchange program

***I certify the above information is true.**

Signature of Parent or Guardian

Date Signed

***CAUTION: Knowingly providing false information on this form will invalidate the application.**

Receiving District

The receiving district has the authority to take action on all applications (before or after deadline),

Date application was received: _____

If the child has an IEP date of consultation with the resident county shall be arranged before approval of the application.

Approved: _____

Signature of Superintendent

Date Signed

Denied _____

Signature of Superintendent

Date of School Board Action

If denied, indicate reason:

_____ Request was not filed by March 1 and does not meet good cause.

_____ Insufficient classroom space.

_____ Student under suspension or expulsion.

_____ Appropriate special education program is not available.