

Board Policy Document

STUDENTS

Series 500

Policy Title: Within-District Transfers Procedures

Code Number: AR501.8

Definitions:

Attendance Center: Any one of the District's elementary or secondary schools.

Attendance Center of Residence: The attendance center located within the boundaries of the Feeder System in which the student's residence is located.

Attendance Center Requested: The attendance center into which the applicant seeks to transfer.

Feeder Systems: A group of attendance centers that feed students to the same middle/high school, as follows:

East Feeder: Irving Elementary*, Spalding Park Elementary, Nodland / Sunnyside Elementary, Unity Elementary*, Morningside Elementary, East Middle School, East High School

North Feeder: Unity Elementary*, Bryant Elementary, Hunt Elementary, Leeds Elementary, Perry Creek Elementary*, North Middle School, North High School

West Feeder: Irving Elementary*, Liberty Elementary, Loess Hills Elementary, Perry Creek Elementary*, Riverside Elementary, West Middle School, West High School

*indicates a split feeder school

Grandfathered Status: A Board-approved exemption from the application of a new boundary change.

Sibling: Each of two or more children or offspring having one or both parents in common; a brother or sister.

Supporting Evidence: Any documents, audio, video or other type of evidence which supports the specific transfer request. Sole discretion shall remain in the District to determine the efficacy of any evidence provided.

For transfer applications based on childcare and health/safety exemptions, the following evidence is expected to be provided:

Child Care: (1) The name, address and phone number of the childcare provider, who/which must be located in the boundary of the Attendance Center Requested, (2) confirmation that the child is enrolled in grades TK-5, and (3) written permission for the District to consult directly with said provider.

Health/Safety: (1) Medical records, reports, tests, or other objective evidence from a qualified health care provider who may be, depending on the situation, a physician, school nurse, or other licensed professional, which should include specific reasons why the Attendance Center Requested can provide a significantly healthier environment for the student, or (2) Police reports, incident reports, counseling records, or other objective evidence from a professional who may be, depending on the situation, a law enforcement officer, a school counselor or other licensed school professional, a school nurse or other licensed health care professional, which should include specific reasons why the Attendance Center Requested can provide a significantly safer environment for the student, and (3) in either event, evidence of the provision of this evidence to the Building Administrator of the Attendance Center of Residence and his/her input regarding the claim of a significantly healthier/safer environment elsewhere.

Transfer Request Application: The Transfer Request Application form (Form 501.8-E) which may be obtained at any attendance center, at the Educational Service Center at 627 4th Street, Sioux City, Iowa 51101, or from the District's website.

Application/Procedures

A Transfer Request Application (Form 501.8-E) must be completed by the parent(s), legal custodian(s) and/or the guardian(s) of the student (the "applicant"). The Application must designate the Allowable Reason for Transfer and be accompanied by Supporting Evidence. The completed Transfer Request Application and Supporting Evidence must be submitted to the Director of Secondary Education or the Director of Elementary Education at the Educational Service Center, 627 4th Street, Sioux City, Iowa 51101. All Transfer Request

Applications should be date-stamped upon receipt, and the administrator designated by the Superintendent to process transfers will act on the requests. Except in child care cases, or other exceptional cases, such action should not be taken without the Superintendent or his/her designee seeking input from the Building Administrators of both the Attendance Center of Residence and Attendance Center Requested.

Allowable Reasons for Transfer

To be eligible for consideration, a transfer request must be based on one of the reasons listed below:

1. To accommodate childcare and transportation arrangements for students in grades TK-5.
2. For bona fide health or safety reasons.
3. To ensure the continuation of education through a particular attendance center.
4. To enable younger Siblings to attend the same secondary feeder system (when both students will be at the same secondary feeder system in the same year).
5. Upon an administration-initiated recommendation.
6. To participate in an elementary specialty school program.
7. To select Grandfathered Status after a boundary change where the Board has allowed for that option.
8. Upon a determination by the District under Board Policy 504.4 that the student has suffered bullying or harassment by another student enrolled in the District.

Within-District Transfer Application Standards

The District reserves the right to deny any transfer request for paragraphs (1) through (7).

The following standards will be applied in considering a Transfer Request Application for reasons in paragraphs (1) through (7):

1. Within-District transfers will generally only be allowed at the start of a quarter or semester. If the Superintendent or his/her designee determines that special circumstances apply, he/she may make an exception to this standard.
2. Transfer requests will be subject to space availability at the time the request is considered. Class size, program capacity, and building capacity restrictions are necessary in order to allow room for students who may move into the assigned school attendance area. A transfer request will not be approved if it would result in exceeding the average student-to-teacher ratio, program capacity or building capacity criteria listed below. The grade level student-to-teacher ratios below are for transfer purposes only; actual class sizes may vary from these ratios.
 - Kindergarten through Grade 2 – the average student-to-teacher ratio shall not exceed 25 students at the grade level into which the student wishes to transfer.
 - Grades 3 through 5 – the average student-to-teacher ratio shall not exceed 28 students at the grade level into which the student wishes to transfer.
 - The average student-to-teacher ratio shall be calculated including all students with IEPs at that grade level regardless of the amount of time spent in the general education classroom.
 - If a family has two or more Siblings at different elementary grade levels and the average student-to-teacher ratio exceeds the standard at one grade level, then the decision to approve or disapprove the transfer request will be made by the Director of Elementary Education.
 - Grades 6 through 12 – enrollment may not exceed building capacity.
 - Building capacity, for the purpose of making transfer decisions, is determined by multiplying the budgeted staffing ratio for the year (for those grades) by the number of core classrooms in that building.
 - A transfer may not cause a building or program to exceed capacity including Special Education programs.
 - Special Education program capacity is based on the type of program.
3. If a requested building is at capacity, the District may offer the student the opportunity to be assigned to a building that has capacity for additional students.
4. Any student under long-term suspension or expulsion will not be allowed to transfer until the suspension or expulsion is completed.
5. A 90-day period of ineligibility for participation in varsity level activities and athletics as outlined in Board Policy 503.6 applies to high school transfer students.
6. A specialized school may have additional transfer requirements that will be reviewed annually and approved by the Superintendent or his/her designee.

The following standards will be applied in considering a Transfer Request Application for reasons of bullying and harassment under paragraph (8):

1. A Transfer Request Application for reasons of bullying and harassment (paragraph (8)) may be submitted upon a final determination under Board Policy 504.4 that bullying or harassment has occurred.
2. The application shall be granted unless the attendance center has insufficient space as defined in Board Policy 501.8.
3. If the request is granted, the District shall transmit a copy of the form to the parent or guardian within five days after the District's action.
4. The parent or guardian may withdraw the request at any time prior to the District's action on the request.
5. A student who is granted enrollment in another attendance center within the District pursuant to a grant of an application under paragraph (8) bullying/harassment shall be eligible to participate immediately in varsity interscholastic athletic contests and athletic competitions as a member of a team from the receiving attendance center.

Notification of Decision

The applicant shall be notified in writing as to the decision of the District, with a copy to the Building Administrators of the Attendance Center of Residence and Attendance Center Requested.

For purposes of the commencement of any appeal period, a written decision shall be deemed delivered on the earliest of: the date on which it is deposited in the U.S. Mail, first class postage prepaid, addressed to the applicant at the address shown on the Transfer Request Application; the date on which it is hand-delivered to the applicant; or the date an email is sent to the applicant at the email address provided on the Transfer Request Application.

Appeal/Procedures

Appeal to Superintendent (Paragraphs (1) through (7)):

If an applicant wishes to appeal a denial of the transfer request under paragraphs (1) through (7), the appeal must be made in writing by the applicant, to the Superintendent at 627 4th Street, Sioux City, Iowa 51101, within two (2) weeks of the delivery date of the adverse decision. The Superintendent, or his/her designee, after giving such consideration as he/she shall determine appropriate, shall notify the applicant of his/her appeal decision in writing, with a copy to the Building Administrators of the Attendance Center of Residence and Attendance Center Requested.

Appeal to Board Committee (original appeal under Paragraph (8) or appeal of Superintendent's decision):

Following an adverse appeal decision by the Superintendent or his/her designee, or upon an original appeal of a denial of transfer under paragraph (8) (bullying and harassment), an appeal, if desired, must be made in writing, by the applicant, to the Board Policy Committee in care of the Superintendent at 627 4th Street, Sioux City, Iowa 51101 within two (2) weeks of the delivery date of the decision appealed from.

Appeals at this level will be considered only on the basis of previously unavailable new evidence, a procedural error that has a material impact on the outcome, or where substantial evidence indicates that the decision to deny the application was unreasonable in light of the Supporting Evidence.

If such an appeal has been timely filed, all Supporting Evidence submitted by the applicant shall be furnished to the Board Policy Committee (or such other ad hoc committee as designated by the Board) for review in advance of any decision. An appeal at this level will be limited to a review of the submitted written record.

The Board Policy Committee (or ad hoc committee) may elect to affirm or reverse the decision appealed from or remand to the Superintendent or his/her designee for review of new evidence.

The decision of the Board Policy Committee (or ad hoc committee) panel is final and the Superintendent or his/her designee shall notify the applicant in writing of the decision, with a copy to the Building Administrators of the Attendance Center of Residence and Attendance Center Requested.

Policy Development

First Adoption: June 14, 1988

Reviewed Date: May 16, 2023

Revision Adoption: April 23, 1996/August 26, 2003/July 20, 2009/July 22, 2013/January 8, 2018/
July 24, 2023

Legal Reference: Iowa Code § 279.8