



Buena Vista ISD
Non-Resident Student Transfer Agreement
2022-2023 School Year

This is an agreement concerning the transfer of _____ (“Student”), a non-resident student, into the Buena Vista Independent School District (“Buena Vista ISD” or “District”) for the 2022-2023 school year. The Agreement is entered by _____ (“Parent”), on behalf of the Student, and Buena Vista ISD. The Agreement is effective only after being signed by both the Parent and the Superintendent.

1. *Non-resident status.* Students desire to enroll in Buena Vista ISD. Neither Parent nor Student is a resident of Buena Vista ISD, and the student is not otherwise entitled to enrollment in the District.
2. *Application only.* The Parent’s signature on this Agreement constitutes an application for transfer of the Student. The Parent understands that Buena Vista ISD has no obligation to enroll non-resident students. Buena Vista ISD will determine whether the transfer request is granted, and a request should not be considered granted until approved and signed by the Superintendent.
3. *No property interest.* The Parent and Student acknowledge that because the Student is not a resident of Buena Vista ISD, and student is not otherwise entitled to enrollment in the District, any right of the Student to become or remain enrolled or to receive any educational services is based on this Agreement and not on residence, state eligibility criteria, or entitlement provided by law. This Agreement does not create any property interest in favor of the Student becoming or remaining enrolled in Buena Vista ISD. This transfer application is for the named student only. District approval of this transfer creates no right or expectation that another student from the same family will be admitted as a transfer.
4. *Transfer criteria.* Transfer applications are considered on an individual basis without regard to sex, race, national origin, color, religion, disability, or ancestral language. In making transfer decisions, the Superintendent may consider facility space, instructional delivery, staffing, and support services. Additionally, to be eligible for transfer, the student must meet the following criteria as of the date of the transfer application:
 - a. Have a record of at least 90% school attendance (unless special circumstances are documented);
 - b. Did not engage in conduct or misbehavior in the current or preceding school year that resulted in DAEP placement, expulsion, or JJAEP;
 - c. Did not engage in conduct or misbehavior in the current or preceding school year that resulted in ISS and/or OSS more than once;
 - d. Did not engage in delinquent conduct or conduct in need of supervision in the current or

- preceding school year that resulted in probation or other conditional release; and
- e. Was not convicted of a criminal offense or on probation or other conditional release for a criminal offense in the current or preceding school year.
5. *Transportation.* The Parent understands that Buena Vista ISD will not provide transportation for non-resident transfer students, except as required by law.
6. *Extracurricular activities.* The Parent acknowledges that the constitution or rules of the University Interscholastic League will apply to the Student and that the Student is required to comply with those expectations. The Parent acknowledges that the constitution or rules of the University Interscholastic League may require the District to exclude the Student from participating in certain extracurricular interscholastic competitions.
7. *Behavior expectations.* The Parent and Student understand that the Student is required to comply with the same behavioral expectations as those required of resident students, and that those expectations are communicated through student handbooks, classroom rules, the Student Code of Conduct, and the directives of teachers and administrators.
8. *Rights & responsibilities.* Except as provided by this Agreement, the Parent and Student possess all rights and are held to all responsibilities and duties provided by law and policy for resident students and parents.
9. *Parent's right to cancel.* The Parent may cancel this Agreement by giving fifteen (15) business days written notice to the Superintendent or by becoming a resident of Buena Vista ISD.
10. *Consent to release records.* The Parent's signature below constitutes consent by the Parent for Buena Vista ISD officials to obtain and review, for the purpose of the application for transfer, copies of the Student's records maintained by any school district or child care center in which the Student has been enrolled, including the district in which the Student is currently enrolled, if any.
11. *Revocation.* Because an inter-district transfer is a privilege rather than a right, the District may revoke this Agreement for any lawful reason upon providing reasonable notification to the Parent. Lawful reasons include, without limitation:
- a. Notification by an agency of the state or federal government or from any court of competent jurisdiction that the transfer contemplated by this Agreement is not authorized by law or is in violation of a court order;
 - b. The Student's attendance falls below ninety percent (90%) in any semester, regardless of special circumstances, or is tardy to class on more than five (5) occasions;
 - c. The Student receives more than two (2) discipline referrals for minor violations of the Student Code of Conduct during the school year or (1) discipline referral for behavior that is punishable with mandatory DAEP placement or expulsion;
 - d. The Student or Parent engages in behavior that hinders the learning of other students or is disruptive to the educational process of the District on two (2) or more separate occasions;
 - e. The Student is arrested or charged with a felony or misdemeanor crime (other than traffic violations) or identified by the courts as a juvenile delinquent or child in need of supervision;
 - f. The Student earns a failing grade for the grading period in any class on two (2) or more six-week grading periods;
 - g. The Student's vaccination record becomes out of compliance with state law;

h. The Parent or Student fail to meet one of the exceptions for transfer established in District policy FDA (local);

i. The Student is unable to pass State Assessment as administered.

If Student meets any one of the preceding lawful reasons for revocation, Student’s transfer status will be reviewed by the transfer committee, and the Student’s transfer may be revoked. Upon revocation of this Agreement, Buena Vista ISD will send written notice to the Parent. The Parent agrees that in the event of revocation the Student will be immediately enrolled in the school district of residence, another public school, or a private school that meets the curriculum requirements of state law unless provided otherwise by policy FDA (local).

12. *Duration of the Agreement.* Unless canceled or revoked by its terms, this Agreement applies to the 2022-2023 academic year, and will expire on the last day of that school year. The Parent must reapply each year in order for the Student to remain enrolled in Buena Vista ISD. This Agreement creates no interest or right to attend school in Buena Vista ISD beyond the date of its expiration, cancellation, or revocation for lawful reason.

13. **I EXPRESSLY AGREE WITH AND ACCEPT ALL OF THE REASONS FOR REVOCATION OF THIS TRANSFER AS SET OUT IN THIS AGREEMENT. IN RETURN FOR Buena Vista ISD PERMITTING THE STUDENT TO TRANSFER INTO THE DISTRICT, I EXPRESSLY WAIVE AND RELEASE ANY AND ALL CLAIMS THAT I MAY HAVE REGARDING THE REASONS FOR REVOCATION OF THE TRANSFER.**

I have read, understand, and accept the conditions of this Agreement. I affirm that all information that has been furnished to Buena Vista ISD is true, correct, and complete. I understand that this transfer request will be rejected and my student's transfer may be revoked if I submit misleading, incomplete, or false information.

Signature of Parent

Date

Address

Phone #

I understand and accept the conditions of this Agreement.

Signature of Student

Grade

Date

APPROVED:

Superintendent of Buena Vista ISD

Date