

## **Policy JFABC Admission of Intra-District Transfer Students**

*Issued 10/18*

Purpose: To establish the basic structure for the transfer of students within to the district.

The school board establishes attendance zones, which define the school a child is expected to attend based on the location of the child's residence, i.e. "home school". In all cases of exception to a home school assignment, there must be adequate space, faculty, staff, and curriculum availability to accommodate the exceptions. The school board delegates the authority to grant intra-district transfers to the superintendent or his/her designee.

The district will consider transfer requests under the following circumstances:

- Students living in any given attendance area will have first choice for school attendance in their home schools over intra-district transfer students.
- The parents/legal guardians desiring to transfer a child to a school in another attendance area must submit a request in writing to the superintendent or his/her designee on or before August 1st of each school year. This request must be made on the Request for Transfer/Release form and must specify the school they wish their child/children to attend.
- Once an intra-district request is granted, student transfers are effective through the highest grade at the assigned school. Upon the completion of the highest grade at the assigned school, a Request for Transfer/Release form shall be submitted, as set forth above, for the new school. Failure to provide a Request for Transfer/Release form upon the completion of the highest grade at an assigned school will result in the student automatically returning to his/her home school for the following school year.
- Principals from both schools must be in agreement with the transfer of the student. In the case of a student with a disability, the IEP team must also be in agreement with the transfer. If both of the schools' principals are not in agreement with the transfer of the student and/or if the IEP team determines that a transfer is not appropriate, the superintendent may rescind the decision of either principal and return the student to his/her home school.
- If the transfer is granted, all of the school rules must be observed. If school rules are not followed, the student will be returned to his/her home school.
- Students will not be allowed to change schools after August 1st, except for semester courses, change in residence, or special cases as approved by the superintendent or his/her designee.
- The district may refuse a transfer for a new or subsequent year if class size would increase to a number that is not in accordance with board policy or which otherwise adversely impacts the receiving school. This provision applies to any student who is not attending his/her home school, including children of district employees. The district may revoke a transfer, as set forth in this policy.
- As a professional courtesy, children or wards of district employees may be permitted to attend school at the facility where the parent/legal guardian is assigned or, if the grade level or program for which the child is eligible is not offered at that facility, a facility that does.

### **Elementary and Middle**

A student may not transfer to a school out of his/her attendance area if the enrollment will result in a class greater than 25 in academic subjects or if the requested transfer will cause the size of the class where he/she will be leaving to be less than 15. If the transfer is granted and a new

student moves into the attendance area causing the class size to exceed 25 students before the end of the first semester, the last student(s) transferring in may return to his/her home school.

### **High School**

Requirements of the South Carolina Department of Education Regulation R-43-234 (Defined Program, Grades 9 - 12) governing class size will be followed for students requesting a transfer within the district. If class size exceeds this maximum, the student's request will be denied.

A student may not transfer to a school out of his/her attendance area for the purpose of improving class rank. All transfer requests must be approved by the principal at both the sending and receiving school. If a student's home high school does not offer a specific course in a student's personalized pathway, the student may attend the other high school in the district for that class period(s). Students need to be prepared to provide their own transportation if district transportation is not available.

### ***High school sports***

Parents/legal guardians are responsible for reviewing the South Carolina High School League Regulations to determine the effect of an intra-district transfer on their child's eligibility to participate in district sports programs.

### **Intra-District Transfer Considerations**

The following transfer requests will receive priority consideration:

- Lack of course offerings
- Childcare availability
- Parental hardship
- Medical/Psychological

Extraordinary circumstances under which a transfer may be granted include the following:

- Transfers necessitated by parental separation that mandate the parent awarded custody to move out of the previous attendance area for the remainder of the school year.
- Death or serious illness necessitating removal to another attendance area for the convenience of the temporary guardian.
- Transfers authorized by the superintendent that are deemed necessary to avoid disturbance of the peace, riot, or civil disturbance.
- Such other circumstances that the board, through its designee, the superintendent, may deem necessary in order to insure the best interest of the student and the school system in general.

### **Revocation**

Intra-district transfer is a privilege in most cases. A student's transfer may be revoked for reasons including, but not limited to, the following:

- Repeated tardiness and/or other irregularities of attendance;
- Repeated consequential violations of the discipline code;
- Failure to show yearly successful completion of the desired program;

- Submission of incorrect information; and
- Employee separation from the district.

The principal will send written notification to the parents/legal guardians of the revocation and the right to appeal to the director of student services or designee (option: or superintendent or his/her designee). Elementary and middle school students may be returned at the end of the semester. High schools and middle school students enrolled in high school credit courses will return at the end of the semester or end of the school year to ensure that the student obtains the proper course credit. Students may not be returned to their zoned schools before the ten (10) school-day appeal ends. The appeal must be made within ten (10) school days to the director of student services or his/her designee (option: or superintendent or his/her designee) and must state the reason(s) for the appeal. During the appeal, the student is to remain at the school to which he/she was transferred. The decision of the director of student services or his/her designee is final.

Adopted 10/24/06; Revised 10/23/18

#### Legal References:

S. C. Code of Laws, 1976, as amended:

[Section 59-19](#)-90(9) - Authority of board to transfer and assign students.

[Section 59-19](#)-510 - Parent/legal guardian's right to appeal certain adverse decisions to the board. [Sections 59-63](#)-30, *et seq.* - Qualifications for attendance.

[Section 59-63](#)-210 - Grounds for suspension, expulsion, or transfer students.

[Section 59-63](#)-217 - Barring enrollment of student on the basis of adjudication of delinquency. [Section 59-63](#)-250 - Transfer of students in lieu of suspension or expulsion.

[Section 59-63](#)-425 - Transfer of high school students who are victims of physical abuse, harassment, or stalking by a classmate when restraining order is violated.

[Section 59-63](#)-470 - Transfer of students when enrollment threatens to disturb peace.

S.C. State Board of  
Education

Regulations: [R43-](#)

[273](#) - Transfers

and withdrawals.

