

**BOARD AGENDA ITEM**

**November 9, 2021**

***SUBJECT:***

Revision of Policy JFABC Admission of Transfer Students, Second Reading

***BACKGROUND INFORMATION:***

Students are assigned to schools according to the location of the residence of their parents/legal guardians, unless specifically authorized to attend a different school. The board has the authority to transfer and assign students within the district. Student transfers will comply with adopted board policy and state laws.

***ADMINISTRATIVE CONSIDERATION:***

Administration recommends the transfer of athletic eligibility of a student granted an intra-district transfer for an academic reason.

***RECOMMENDATION:***

Approve Policy JFABC Admission of Transfer Students, Second Reading

***ATTACHMENTS:***

Policy JFABC Admission of Transfer Students, Second Reading

***PREPARED BY:***

Salvatore Minolfo

## ADMISSION OF TRANSFER STUDENTS

Code **JFABC** Issued **8/2011/21**

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

Students are assigned to schools according to the location of the residence of their parents/legal guardians, unless specifically authorized to attend a different school. The board has the authority to transfer and assign students within the district. Student transfers will comply with adopted board policy and state laws.

### Disciplinary Transfers

The board or its designees may make disciplinary transfers to another school in lieu of suspension or expulsion but only after a conference or hearing with the parent/legal guardian.

Disciplinary transfers of students may be based on the commission of a crime, gross immorality, gross misbehavior or persistent disobedience, or for violation of the written rules, policies, or regulations established by the Aiken County Board of Education or the South Carolina State Board of Education.

### Intra-District Transfers

Student transfers from one school to another within the school district will be considered if at least one of the following criteria is met:

- Children or wards of persons who are employed by the School District of Aiken County will be permitted to attend school at the facility where the parent/legal guardian works or at the nearest school to the parent's work site on a space available basis. Transportation will be furnished by the parent/legal guardian.
- Students who need special services may be transferred based on the recommendation of the director of special programs. Such recommendation will be based on psychological tests, evaluations by the district testing staff, and written justification attached to the transfer request form.
- Medical/Psychological problems may be criteria for student transfers provided the request clearly identifies how the school assignment can, or will, have a material effect on the student's medical condition. Such a transfer request must be accompanied by a physician's or appropriate health care professional's statement supporting the transfer request.
- Hardship may be considered as criteria for student transfer. Problems such as those related to parent's work schedule, availability of childcare services near another school, and transportation difficulties may be considered as hardships.
- Rising seniors are excluded and may remain at their current school with due notification of their intent to the ~~chief officer~~ director of administration.
- An in-district transfer for academic reasons would also allow for a transfer of current athletic eligibility for the student, provided he or she also meets the eligibility parameters set by the South Carolina High School League (SCHSL) rules

Request for transfers will be submitted by the parent/legal guardian on the appropriate form to the director of administration. The form may be obtained from any school in the district and is

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available on the district website. The director of administration will make decisions regarding transfer requests and, in so doing, will follow the criteria set forth above. Decisions may be appealed within ten (10) days of notification to the area advisory council of the school being requested for final determination of the issue.

Transportation will be furnished by the parent/legal guardian. After September 1st of each year, a written request can be made to the district transportation manager for health and financial hardship consideration.

Students must transfer from one school to another immediately upon change of the parent/legal guardian's residence unless the parent/legal guardian elects for the student to remain until the end of the current school year in the original school. In such cases, transportation will be furnished by the parent/legal guardian.

### **Transfers into Schools with Magnet School Designation**

If a regular district school is also designated as a magnet school by the district, applications for student attendance from outside its zone will be subject to the following procedures:

- Attendance will be by regular attendance zone with an application process available for those desiring to transfer into the school.
- Parent/Legal guardian applicants must acknowledge that they have familiarized themselves with the school's curriculum requirements and increased parental involvement expectations.
- Up to the point of the school's designated class-level capacities, acceptance of qualified applications will be based upon chronological order of application.
- Priority consideration may be given for an applicant with a sibling already enrolled in the school.
- Thereafter, acceptance of qualified applications for student spaces in excess of available spaces will be based upon chronological date (and time) of application at any time a space becomes open. However, a lottery system may be utilized by the school's administrative staff, with the director of administration's concurrence, if it becomes apparent that it is a more equitable choice.

Application for transfers from a school with magnet designation will be the same as other applicable sections of this policy.

Except as stated above, students will not be allowed to transfer from their designated attendance areas.

### **Transfers into the District**

Students who have been in attendance at a school in another district will be accepted automatically by this district on the following basis:

- Students must be residing with a parent/legal guardian who is a legal resident of this district. The existence of a legal guardianship will be recognized upon the filing of an appropriate order or decree from a court of competent jurisdiction with the appropriate academic officer.
- Students who have been expelled from their previous school district of residence may not be admitted to this district's schools immediately upon request. In such cases, the student and his/her parent/guardian must submit an admission request to the Aiken County Board of

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Education.

- If not residing with parents/legal guardian, the student's admission will be governed by policy JFAB, *Nonresident Students*.

### **Transfers Pending Move of Parents/Legal Guardians**

Students may be enrolled for a new school year or upon initial entry during the school year at a school in an attendance zone into which the parent/legal guardian plans to move after the beginning of the school year, or after the date of the initial entry, subject to the following conditions:

- The residence which the parent/legal guardian plans to occupy is under construction, being renovated/repared, or is in the process of being purchased/obtained prior to the first day of attendance at a school in the attendance zone of such residence.
- Notarized verification of the date construction or renovations/repairs began and the date the residence will be ready for fulltime occupancy will be provided by the contractor or builder before the student is allowed to enroll.
- If an existing residence is purchased, or in the process of being obtained, but occupancy cannot be gained prior to the student's first day of school in the new attendance zone, notarized verification of the date of availability for occupancy will be provided by the realtor, or previous owner, prior to such school attendance.

### **Transfers Out of the District**

Requests, not due to residential change, for students to transfer out of the district must be presented in written form with detailed justification to the director of administration, who will submit the request along with appropriate recommendations for approval or denial to the board. If the student is released, the School District of Aiken County will assume no responsibility for tuition to the receiving district.

Transfers due to change of residence of parents/legal guardian, or change of legal guardian, will be granted provided the student has completed all payments due and returned textbooks and library books. No transcripts or records will be furnished to receiving schools until the above requirements are met.

### **Transfers in Connection with Juvenile Authorities**

The administration is authorized to make approvals at its discretion of temporary or permanent intra-district transfers in connection with requests from the department of social services or from juvenile authorities, provided that any intervention by such agency or authority on behalf of a student is appropriately authenticated and documented to the satisfaction of the administration.

### **Duration of Approved Transfers**

Once a transfer has been approved, it may remain in effect through the terminal grade of the school to which the transfer is approved. That is through fifth grade in elementary schools, through eighth grade in middle schools, and through graduation in the high schools. At the end of the terminal grade in elementary school and in middle school, the student will be assigned to the school serving the attendance area in which the student resides. Exceptions are temporary assignments of kindergarten classes for housing purposes only.

This policy does not apply to the assignment of preschool disabled children, all special education placements, four-year-old classes, and kindergarten. Area advisory councils and/or the director of

**The School District of Aiken County**

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administration may make exceptions to student assignment as required to appropriately house students in the facilities available with due notification to the parents/legal guardians of the affected students.

Adopted 9/9/75; Revised 1/10/84, 7/26/88, 7/23/91, 11/24/92, 4/23/02, 2/17/12, 3/10/15, 9/27/16, 8/11/20, 11/9/2021

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### Legal References:

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

1. Section 59-19-90(9) - Authority of board to transfer and assign students.
2. Section 59-19-510 - Parent/legal guardian's right to appeal certain adverse decisions to the board.
3. Section 59-63-30, *et seq.* - Qualifications for attendance.
4. Section 59-63-210 - Grounds for suspension, expulsion, or transfer students.
5. Section 59-63-217 - Barring enrollment of student on the basis of adjudication of delinquency.
6. Section 59-63-250 - Transfer of students in lieu of suspension or expulsion.
7. 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.
8. Section 59-63-470 - Transfer of students when enrollment threatens to disturb peace.

#### B. S.C. State Board of Education Regulations:

1. R43-273 - Transfers and withdrawals.