

Subdistrict Student Transfers

Series: J32

Reference: W. Va. Code §§18-5-16, **18-5-16, 18-5-16a, 18-5-16b**

Issued: 04.16.1992

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03.26.2009; 06.17.2009; 01.20.2011; 08.26.2011; 05.06.2013

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The purpose of this policy is to establish the appropriate school for students in Kanawha County based on where they reside and to permit students to transfer within the county and from outside the county to schools that are not in the areas they reside.

### **32.01 Definitions**

- a. Home School – For the purposes of this policy “home school” means the designated school within the attendance area where the student resides.
- b. High School Choice Program – This type of transfer occurs when a student in a Kanawha County high school (grades 9-12) applies and is accepted to another high school in Kanawha County based on the specific school program and class offerings at that school.
- c. Inter-County Transfers – This type of transfer occurs when a student from one county transfers to another county.
- d. Out-of-Area Transfer – This type of transfer occurs when a student of Kanawha County transfers to another school in the county.

~~32.01~~ **32.02 Attendance Areas.** The Superintendent shall cause to be published both a text description and a map of the attendance area for each school. Proposed modifications of attendance areas shall be placed on first reading at a regularly scheduled meeting. The Board shall not take action upon such proposed modification until the next ensuing regularly scheduled meeting.

~~32.02~~ **32.03 Exceptional Students.** The ~~Department~~ Office of Exceptional Students shall designate the “home school” for exceptional students who are required to receive specialized educational and related services that are not available at their home ~~in the appropriate~~ school within the attendance area of their residence.

~~32.03~~ **32.04 Attendance Requirements and Registration.** Except as hereinafter provided, students shall be required to attend their home school ~~the appropriate school within the attendance area where they reside.~~

Applications for admission to the public schools shall be made at the appropriate school located within the attendance area of student residence. Residence shall be determined by the residence of the custodial parent[s], legal guardian, or legally responsible adult or institution. Owning or leasing property within an attendance

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area does not constitute residence, unless the family actually resides in the premises. Kanawha County Schools may make home visits to determine residency. The principal or other person responsible for admission and registration procedures may require the submission of information to verify residence such as property tax receipts, utility bills, current driver's license, rental agreement, voter registration information, etc. If evidence exists to indicate that the information concerning residency may be erroneous, an investigation shall be conducted by the receiving school, and a report provided to the Superintendent's designee. If it is determined that erroneous information concerning residency was given the student will be referred to their correct school of attendance.

Kindergarten students must register in their home school. After registration, if they wish to transfer, they must follow the Out-of-Area transfer policy as described for Elementary students.

~~32.04 **School Registration.** Applications for admission to the public schools shall be made at the appropriate school located within the attendance area of student residence. The principal or other person responsible for admission and registration procedures may require the submission of information to verify residence, such as property tax receipts, utility bills, current driver's license, rental agreement, voter registration information, etc. If evidence exists to indicate that the information concerning residency may be erroneous, an investigation shall be conducted by the receiving school, and a report provided to the Superintendent's designee. If it is determined that erroneous information concerning residency was given the student will be referred to their correct school of attendance.~~

**32.05 Out-of-Area TransfersEnrollment/ and Continuing Status.** Except as otherwise provided in this policy, upon the approval of student's out-of-area transfer application of a student to attend a school outside the area of residence, such student shall continue to attend the schools of the receiving school's attendance area and any subsequent change in attendance area will be subject to the application requirements of Sections 32.04 and 32.056 of this Policy. ~~Furthermore, subject to the provisions of this policy, any student who has been approved to attend school outside the area of residence may elect to continue to attend the school or schools fed by the school to which the student has transferred.~~

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Notwithstanding the foregoing, any student who is granted an out-of-area transfer effective with for 2013-14 school year and thereafter, may have his or her out of area status rescinded in the event there is overcrowding in the student's grade level or in the school the student is attending. In the event a student's out-of-area status is rescinded, the student and/or parent will be notified by April 1, of the rescission of the out-of-area status, effective with the beginning of the next school year.

Students who live outside of the attendance area of the school in which they are enrolled, who are consistently tardy or absent from school, as defined by the school rules or policies, or who become chronic behavior problems, may have their transfer status revoked.

~~In addition to the foregoing, once a student's application for an out-of-area transfer is approved, all the student's siblings, including half siblings and step siblings, living at the same residence, shall be permitted to enroll in the out-of-area school without the requirement for additional application(s), so long as the original student or any sibling is attending the out-of-area school; provided that, f~~For any out-of-area transfer effective after July 1, 2013, the privilege of siblings being permitted to attend the same out-of-area school is rescinded, however the parents of the siblings may apply and be considered for out-of-area transfer.

### ~~32.05~~ **32.06 Out-of-Area Transfer Application Procedure.**

In the event a an out-of-area transfer is sought for an elementary school student, application shall be completed by the student's parent or guardian and sent to the Assistant Superintendent for Elementary Schools. ~~Kindergarten students must register in their home school.~~

~~If admission~~ an out-of-area transfer is sought for a student in ~~at a~~ Middle or High School ~~outside the attendance area of student resident~~, other than to attend a High School Choice Program, the application shall be made at the school to which they wish to transfer. The form will then be forwarded to the home school for review. When the transfer has been reviewed at the home school, the transfer form will be sent to the appropriate Assistant Superintendent's office for final approval.

The All Out-of-Area transfer requests ~~Request for Transfer~~ shall be made on the appropriate form, ~~and n~~No phone applications ~~shall~~will be accepted. Requests for

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Out-of-Area Transfers will be accepted beginning April 1 of each year for the ensuing school year.

### **32.07 High School Choice Program Transfers.**

Students transferring to attend a High School Choice Program must have a schedule that reflects this program.

In order to remain in the High School Choice Program, a student must meet the following criteria:

- a. maintain a 3.0 GPA in the program of choice and a 2.0 overall GPA at the end of each semester;
- b. not be consistently tardy or absent from school; and
- c. maintain acceptable conduct, which is defined as not being suspended for more than ten days cumulatively during any school year or not committing any Level III or Level IV offense, as described in Kanawha County Schools Student Behavior Policy.

In the event a student exits a High School Choice Program for any reason other than conduct described in paragraphs b and c above, the student may elect to remain at the same school for the remainder of the school year and be provided regular educational programming, or the student may elect to return to the home school. At the end of the applicable school year, the student must return to the home school. If the student exits that High School Choice Program for reasons described in paragraphs b and c above, the student may be required to return to the home school immediately.

**32.06 32.08 High School Choice Program Application Procedure.** In the event a student wishes to apply for placement in a High School Choice Program, the application is to be made electronically and online and the completed application will be forwarded to the Assistant Superintendent's office. Requests for High School Choice Programs will be accepted electronically from April 1 through July 1 for the ensuing school year.

Applications for the High School Choice Program are to be made through the Kanawha County Schools web site at <http://kcs.kana.k12.wv.us>.

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**~~32.07~~ 32.09 Out-of-Area Transfer Criteria.** The following criteria shall be considered with respect to applications for all out-of-area transfers to attend schools outside the attendance area of student residence:

- a. At the Elementary level, a transfer request may be approved if the addition of the student adheres to the sStudent-teacher ratio limitations: Kindergarten, 17 to 1; grades 1-3, 20 to 1; grades 4-5, 22 to 1.
- b. At the middle school level, a transfer request may be approved if the additional student does not cause the average number of students per teacher in the core courses to be higher than 23 in grade 6 or 25 in grades 7-8. Core courses include English, Social Studies, Science and Math.
- c. Grades 9-12; All out-of-area high school transfers, including as a part of the Students may apply to transfer to a High School Choice Program, will be subject to space availability in the classes the student desires to take. ~~Students transferring to attend a High School Choice Program must have a schedule that reflects this program.~~

~~In order to remain in the High School Choice Program, a student must meet the following criteria:~~

- ~~a. the student must maintain a 3.0 GPA in his or her program of choice and a 2.0 in his or her overall GPA at the end of each semester;~~
- ~~b. the student must not be consistently tardy or absent from school; and~~
- ~~e. the student must maintain acceptable conduct, which is defined as not being suspended for more than ten days cumulatively during any school year or not committing any Level III or Level IV offense, as described in Kanawha County Schools Student Behavior Policy.~~

~~In the event a student exits a High School Choice Program for any reason other than conduct described in paragraphs b and e above, the student may elect to remain at the same school site for the remainder of the school year and be provided regular educational programming, or the student may elect to return to his or her home school. At the end of the applicable school year, the student must return to his or her home school. If the student exits that High School Choice Program for reasons~~

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~~described in paragraphs b and c above, the student may be required to return to his or her home school immediately.~~

~~All out of area high school transfers will be subject to space availability. Parents and students may also request an out of area transfer, which will be considered on the basis of the best interest of the student and the school district and on a space available basis.~~

- ~~d. Each Assistant Superintendent who approves or disapproves transfer requests shall, when making such a determination, bear in mind the effect that granting or denying the request would have on the racial makeup and balance of the home school and the receiving school.~~
- d. The best interest of the student and the school district; including how the transfer would affect the balance of the home school and the receiving school.
- e. Each Assistant Superintendent and principal reviewing the transfer application shall take into consideration any factors relevant to the best interest of either the student or the school district.
- f. With respect to exceptional students, receipt of written acknowledgment that the basis for the application is nonprogrammatic.
- g. The Superintendent shall have final authority to approve or disapprove any transfer and to rescind or revoke any transfer.

~~32.08 Out of Area Enrollments/ Continuing Status. Except as otherwise provided in this policy, upon the approval of an application of a student to attend a school outside the area of residence, such student shall continue to attend the schools of the receiving school's attendance area and any subsequent change in attendance area will be subject to the application requirements of Sections 32.04 and 32.05 of this Policy. Furthermore, subject to the provisions of this policy, any student who has been approved to attend school outside the area of residence may elect to continue to attend the school or schools fed by the school to which the student has transferred.~~

~~Notwithstanding the foregoing, any student who is granted an out of area transfer effective with for 2013-14 school year and thereafter, may have his or her out of area~~

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~~status rescinded in the event there is overcrowding in the student's grade level or in the school the student is attending. In the event a student's out of area status is rescinded, the student and/or parent will be notified by April 1, of the rescission of the out of area status, effective with the beginning of the next school year.~~

~~Students who live outside of the attendance area of the school in which they are enrolled, who are consistently tardy or absent from school, as defined by the school rules or policies, or who become chronic behavior problems, may have their transfer status revoked.~~

~~In addition to the foregoing, once a student's application for an out of area transfer is approved, all the student's siblings, including half siblings and step siblings, living at the same residence, shall be permitted to enroll in the out of area school without the requirement for additional application(s), so long as the original student or any sibling is attending the out of area school; provided that for any out of area transfer effective after July 1, 2013, the privilege of siblings being permitted to attend the same out of area school is rescinded, however the parents of the siblings may apply and be considered for out of area transfer.~~

### **~~32.09 Move of Custodial Parent[s], Guardian, or responsible Adult.~~**

~~Students of a custodial parent[s], legal guardian, or legally responsible adult who move to a different attendance area may elect to remain in and be considered residents of their then current attendance area. Such an election shall be deemed permanent to the extent that any subsequent change in attendance area will be subject to the application requirements of Sections 32.04, 32.05 and 32.13 of this Policy.~~

~~Beginning with the 2013-14 school year, any student who moves to a different attendance area during the school year may elect to complete the school year at the school the student attended prior to the move. During subsequent years, the student must attend the school in the attendance area in which the student resides, however, the student may apply for out of area status and be considered for such in accordance with this policy.~~

**32.10 Inter-county Transfers.** All requests to transfer from a school outside of Kanawha County into a Kanawha County School must be submitted in writing to the

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Office of the Assistant Superintendent for the appropriate grade level. All Inter-county transfer requests must be renewed on an annual basis. Inter-county renewal requests must be submitted not less than 30 days prior to the commencement of each subsequent school year. The Superintendent will approve all Inter-county transfers.

Preference will be given to inter-county transfer students in the order listed:

- a. Students who are siblings of students who have already enrolled in a Kanawha County School via a transfer;
- b. Students who have completed tenth grade, have become nonresidents due to a family relocation, and wish to complete their education in the school they have been enrolled in;
- c. Students who are children, grandchildren, or legal wards of employees;
- d. Students whose legal residence is closer in miles to a school in Kanawha County than to the student's home school in the other county; and
- e. Students who reside in a part of a contiguous county which topography, impassible roads, long bus rides, or other conditions prevent the student's practicable transportation to a school within Kanawha County more easily accessible.

The Superintendent may reject any inter-county transfer request if:

- a. The request, if approved, would require the addition of staff;
- b. The request, if approved, would require the addition of classroom space;
- c. The request, if approved, would require the provision of services that are unavailable at the school where the transfer is sought; or,
- d. The Superintendent determines that the student is guilty of either serious or repeated violations of the student code of conduct.

**~~32.10~~ 32.11 School Closures.** All students who attend a school which is closed and who reside outside the attendance area of such school shall be deemed enrolled in the school designated to receive the students from the closed school. In the event two or more schools are designated to receive students from a closed school, such students must elect to attend one of the designated schools. However, such students may apply for admission in schools outside such attendance area, under the terms of this Policy.

**~~32.11~~ 32.12 Dual Attendance Area and Boundary Issues.** In the event of overcrowding at a school or transportation issues, students who live in a dual attendance area or who reside adjacent to an attendance area boundary line may be



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designated to attend one of the schools receiving students from the area or boundary. The parents of any such students will be notified before April 1 of the school which the student will attend for the ensuing school year.

**~~32-12~~ 32.13 Superintendent Initiated Transfers.** The Superintendent may transfer any student from one school to another for reasons determined to be in the best interests of the student or the school district. Disciplinary transfers shall be made on such terms and conditions established by the Superintendent. A behavior contract will be developed for each student transferred for disciplinary reasons. The principal of a school, which receives a disciplinary transfer, shall apprise the Superintendent of any failure of a student to abide by established terms and conditions of a transfer.

~~32-13~~ **32.14 Transportation.** Out-of-area transfer students, who are admitted to schools outside the attendance area of residence, including students who elect to remain in school in an attendance area after moving to another attendance area, shall ~~are not be~~ entitled to transportation. However, such students may ride on existing school bus routes on a space available basis. Kanawha County Schools and the Kanawha Valley Regional Transit Authority have cooperated to provide limited transportation for students enrolled in a High School Choice Program.

Parents and/or students who are in Kanawha County Schools from another county due to an inter-county transfer who wish to ride the bus are responsible to get to, at the least, the closest Kanawha County School bus stop to their residence, which is going to the Kanawha County School they are attending.

~~32-14~~ **32.15 Athletic Participation 6-12.** The eligibility for participating in interscholastic athletics, ~~including cheerleading,~~ by students who transfer schools within or outside of Kanawha County Schools shall be governed by the rules adopted by the West Virginia Secondary Schools Athletic Commission. West Virginia Secondary Schools Athletic Commission Rules 127 CSR 2 will apply for all athletic eligibility questions.