*Policy*

**TRANSFER STUDENTS**

*Code* **JFABC** *Issued* **DRAFT/19**

The district will assign students to attend the school that serves their legal place of residence as determined by the board for the current school year. The board delegates the authority to grant interdistrict and intradistrict transfers to the superintendent or his/her designee. With that authority, the superintendent may make special exceptions for extreme hardships, but he/she will adhere to the same policies and procedures in place for any other student enrolling in the district including, but not limited to, examination of the course of study and level of academic achievement of the student when determining the student’s appropriate grade placement. The time of the school year when enrollment is sought will be a factor in determining the student’s grade level placement.

Students that are seeking admission following expulsion from their previous school district of residence and/or following adjudications of delinquency in any jurisdiction for violent crimes as defined under S.C. Code of Laws, 1976, as amended, Section 16-1-60; adjudications for assault and battery of a high and aggravated nature; the unlawful use or possession of weapons; or the unlawful sale of drugs may not be admitted immediately upon request. In such cases, the board may review the student’s disciplinary records and nonschool records as they relate to these adjudications prior to making an admissions decision.

The district does not provide transportation for interdistrict or intradistrict transfer students unless otherwise required by law. Parents/Legal guardians whose transfer requests are approved will be responsible for providing transportation to and from school.

**Intradistrict Transfers**

(*Option: The district should enter any district-specific transfer information here.*)

Intradistrict student transfers will comply with board policy and state and federal law. Parents/Legal guardians seeking an intradistrict transfer may obtain a transfer request form from any school office or from the district office. The completed form should be submitted to the superintendent or his/her designee for review.

*Post-Secondary goals*

The superintendent or his/her designee may determine that an intradistrict transfer is in the best interest of a student if his/her post-secondary goals can be better met through the educational programming at another facility within the district. Such transfers will be permitted on a space-available basis.

*Medical/Psychological best interest*

Serious medical/psychological health conditions are approved reasons for an intradistrict transfer if the condition is documented by appropriate medical personnel and if there is documentation that the student’s identified needs cannot be met at the home campus and/or that the new assignment can or will have a material effect on the student’s condition.

*Victim of assault, abuse, harassment, or stalking*

The superintendent or his/her designee may determine that an intradistrict transfer is in the best interest of a student if the student is a victim of documented physical assault, harassment,

stalking, or pervasive documented bullying at his/her resident school that has not been alleviated by other interventions. An intradistrict transfer under these circumstances will not occur without the approval of the student’s parent/legal guardian.

*Provision of special education services*

The district will permit eligible students with disabilities to attend school in another attendance area if facilities within the attendance area where they reside do not house needed special education programs.

*Disciplinary transfers*

The board or its designee may make disciplinary transfers to another school in lieu of expulsion but only after a conference or hearing with the parent/legal guardian and consultation with both principals. Disciplinary transfers may be based on the commission of a crime, gross immorality, persistent disobedience, or any other violation of school rules or district policy.

*Children or wards of district staff*

As a professional courtesy, children or wards of district staff 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 student is eligible is not offered at that facility, the facility nearest to the parent/legal guardian’s assigned facility on a space-available basis.

*Miscellaneous administrative reasons*

The superintendent or his/her designee may grant requests for intradistrict transfers, as reasonable and necessary, for additional administrative reasons not listed herein if such transfers are made in a student’s best interest.

**Athletics**

Parents/Legal guardians are responsible for reviewing the South Carolina High School League Regulations to determine the effect of an intradistrict transfer on a student’s eligibility to participate in district sports programs.

**Duration of Approved Transfers**

Unless otherwise specified at the time the transfer is initiated, all transfers will be good [*option: for one (1) academic year; OR until the reason for the initial request no longer exists; OR until completion of the student’s education at one campus level (e.g. elementary, middle, high)*]. Thereafter, a renewal application must be submitted [*option:* *annually; in a timely manner*] in order to maintain approved transfer status.

**Revocation**

An intradistrict transfer is a privilege in most cases. Any approved transfer may be revoked if a student is not making adequate academic progress, fails to maintain good conduct and behavior, becomes a disruption to the operation of the school or a detriment to the learning of other students, has excessive tardies and/or absences, or has submitted falsified documents to the district to obtain the transfer.

**Appeals**

The parent/legal guardian of a student may appeal a transfer decision to the board. Any such appeal will be requested in writing to the superintendent or his/her designee and will state the reason(s) for the appeal.

Adopted ^

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.

1. Section 59-19-510 - Parent/legal guardian’s right to appeal certain adverse decisions to the board.
2. Section 59-63-30, *et seq*. - Qualifications for attendance.
3. Section 59-63-210 - Grounds for suspension, expulsion, or transfer students.
4. Section 59-63-217 - Barring enrollment of student on the basis of adjudication of delinquency.
5. Section 59-63-250 - Transfer of students in lieu of suspension or expulsion.
6. 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.
7. 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.