

STUDENT PERSONNEL

Series 400

Policy Title....IN-DISTRICT TRANSFER

Code No. 423.1

The School Board has determined that it shall allow resident students residing within the Burlington Area School District to enroll in nonattendance area schools through an in-district transfer.

Date of Adoption:
January 26, 1998
Reviewed:
May 12, 2008

Legal Reference:
Board Policy 501.5, 103
State Statute 121.78 (1) (a)
State Statute 939.22 (10)
State Statute 18.51, 118.52

ADMINISTRATIVE REGULATION TITLE
IN-DISTRICT TRANSFER

Code No. R-423.1

Definitions

The following definitions will apply to this Intra-District Open Enrollment Program.

Nonattendance Area School

A school located in Burlington Area School District which is not a student's attendance area school.

Non-attendance Area Student

A student who is a legal resident or otherwise legally entitled to attend school in another school attendance area, who does not have a parent residing in the attendance area and who seeks admission to this School under the Open Enrollment Program.

Full-time Enrollment

A student is enrolled for the entire school day and receives all of his/her required education in this School.

Class Size

Unless otherwise stated in the terms of a collectively-bargained, negotiated agreement, the School shall determine, for purposes of this policy only and not for use for any other purpose, the maximum number of students who can be enrolled in a particular classroom without jeopardizing the quality of the instructional program.

Program Size

The enrollment or size restrictions in a specific program within a class or building. The School reserves the exclusive right to establish program size and to limit enrollment based upon the capability to properly allocate available resources, create and maintain a proper learning environment, and comply with contracts, grants, and applicable laws and regulations.

Resident Student

A student who is a legal resident of this District and is consequently entitled to attend school in this District.

Enrollment of Nonattendance Area Students

- A. Beginning with the school year 1998-1999, the District Administrator shall determine the availability of openings for nonresident and nonattendance area students based on the established maximum number of students that can be accommodated in each school, class, and program. The availability of space in the schools, programs, and classes may be based on class size limits, student-teacher ratios, students attending the District for whom tuition is paid under 121.78(1) (a), or enrollment projections established by the District Administrator.
- B. If the number of applications for admission from nonattendance area students exceeds the number of available enrollment opportunities, nonattendance students shall be selected first for admission using a random selection process established by the District Administrator.
- C. Enrollment priority shall be given to a nonattendance area student already admitted under this policy or his/her sibling.

- D. A parent of a nonattendance area student who wishes his/her child to attend school in this attendance area, in the subsequent school year shall submit a request on the District issued form to the School Principal no earlier than the first Monday in February nor later than the third Friday in February of the current school year. The School Principal shall forward a copy of each application to the school of residence and the District Office by no later than the fourth Monday in February.
- E. The School District shall notify the applicant whether or not the application has been accepted.

If the application is accepted, the School District shall provide written notification to the applicant of the specific program or school the student will be attending. The parent must, in turn, notify the School District if his/her child will be attending school in this attendance area.

The School Principal shall notify the school of residence of each nonattendance area student who will be attending school in this school in the forthcoming school year.

Criteria for Non-admission

- A. Enrollment may not be available to any nonattendance area student who meets one or more of the following criteria.
1. The student has been expelled from school by any school during the current or two (2) preceding school years for any of the following reasons or a disciplinary proceeding involving the student, based on any of the following reasons, is pending:
 - a. conveying, or causing to be conveyed any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy any school property by means of explosives.
 - b. engaging in conduct while at school or while under supervision of a school authority that endangered the health, safety, or property of others.
 - c. engaging in conduct while not at school or while not under the supervision of a school authority that endangered the health, safety, or property of others at school or under the supervision of a school authority or of any employee of the School District or member of the School Board.
 - d. possessing a dangerous weapon, as defined in s. 939.22(10), while at school or while under the supervision of a school authority.
The School Principal shall make the decision based on the circumstances involved.
 2. The special education program or related services described in the child's individualized education program is not available in the school or there is no space available in the appropriate special education program.

3. The child has not been properly screened by his/her resident school district to determine if there is reasonable cause to believe that the child is a child with exceptional educational needs or the child has been reported or identified by his/her resident school district but not yet evaluated by an IEP team appointed by the resident district.

The School District may inform the parent of non-acceptance for any of the above stated reasons anytime prior to the beginning of the school year.

The District's Policy 112 Nondiscrimination shall apply to all applicants under this program. In addition, the school will not discriminate on the basis of an applicant's intellectual, academic, artistic, athletic, or other ability, talent, or accomplishment, or based on a mental or physical disability.

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