

**Policy JCB: TRANSFERS WITHIN THE DISTRICT**

Status: DRAFT

Original Adopted Date: 04/17/2003 | Last Revised Date: 06/15/2017

**20A UPDATE EXPLANATION**

MSBA retitled this policy to provide clarity in defining the types of transfers that can occur within school districts.

MSBA amended this policy to reflect changes brought about by House Bill 604. This bill addressed the ability of students in districts the Department of Elementary and Secondary Education (DESE) has designated as unaccredited to transfer to schools within and outside the district. MSBA believes that districts will rarely need these provisions; however, there is always that chance. The following are the highlights of the new law.

Under the new law, students are able to transfer to another public school in the student's resident district if the student is enrolled in and has attended, for a full semester immediately prior to the transfer, a school that is located within an unaccredited district that has an annual performance report (APR) score consistent with a classification of unaccredited. The student may only transfer to a school building that has an APR score consistent with accredited. If there is not an eligible school within the unaccredited district that a student may transfer to, the student may apply to DESE to transfer to a school in an accredited district with an APR score consistent with a classification of accredited that is located in the same or an adjoining county or to an approved charter school located in the same or an adjoining county.

Changes in this policy address transfers within the district if the district were ever to become unaccredited. Changes in JCC address the ability of students to transfer outside the district if the district were ever to become unaccredited. Changes to JECA address the requirement for the district to enroll students who reside in neighboring districts that become unaccredited. The good news is that there are currently no unaccredited districts in Missouri.

The board will establish attendance areas for ~~all of~~ the district's school buildings, and students who live within an attendance area will be required to enroll in the designated building unless one of the following exceptions applies.

### Reassignment

The superintendent or designee may reassign a student to a different building for the health, safety or welfare of the student, to maintain discipline and safety in the schools, to better meet the educational needs of the student or to address overcrowding in school.

### Students with Disabilities

Students with disabilities may be assigned to attend a school outside their attendance area by their Section 504 team or pursuant to their individualized education programs (IEPs). Administrators participating in these decisions will notify the admissions office as soon as the decision is made to place a student outside his or her attendance area.

### Homeless Students and Students in Foster Care

As required by law, students placed in foster care or students who qualify as homeless may attend or continue to attend the school of origin when it is determined that it is in the student's best interest, even when the student is placed in a home or temporarily resides in a home in another attendance area or in another school district.

### Transfer Requests

A student or his or her parent/guardian may submit a request to transfer the student to a different district school. ~~Student transfer requests must be submitted~~ Students who wish to transfer to a different district school, or their parents/guardians, must submit a transfer request to the district school prior to the beginning of the new semester, and Granting of such transfer requests will be contingent on available space and eligibility as determined by the district. ~~Once a student has begun attendance at a school, he or she cannot transfer to another school until the next semester begins unless the student's their residence changes to a new attendance area or unless otherwise required by law.~~ Transportation will not be provided to students transferring to schools outside ~~the student's their designated~~ attendance area unless required by law.

## Transfers Due to Accreditation Status

In accordance with law, if the Missouri State Board of Education declares the Platte County R-3 School District unaccredited, a student who has been enrolled in and attended a district attendance center that has an annual performance report score consistent with a classification of unaccredited may transfer to another eligible school in the district with the capacity to receive the student. The student must have attended the attendance center for the full semester prior to requesting the transfer. The superintendent or designee will coordinate the transfers in accordance with law.

Students who choose to attend a district school with admission requirements or a competitive entrance process, such as a magnet school or an academically selective school, must meet the admission requirements in order to attend.

## Transfers Allowed by Federal Law

Students enrolled in a school identified as persistently dangerous pursuant to federal and state law may transfer to another public school within the district that has not been so identified. A student who has been a victim of a violent criminal offense on school property as defined by state regulation may transfer to another public school in the district upon request.

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**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

### State References

§162.1190, RSMo.

### Description

State Statute - <https://simbli.eboardsolutions.com/SU/slshVClYWU73Tdpv4JZYxrPDw==>

§167.895, RSMo

State Statute - <https://simbli.eboardsolutions.com/SU/slshVClYWU73Tdpv4JZYxrPDw==>

5 C.S.R.20-100.210

State Regulation - <https://simbli.eboardsolutions.com/SU/lyc2NIZPsdzgEk6V6aJ45g==>

### Federal References

20 U.S.C. § 1400-1417

### Description

Individuals with Disabilities Education Act - <https://simbli.eboardsolutions.com/SU/plusSLEkiEKYG9tr1Va3O8c8g==>

20 U.S.C. § 6311

Elementary and Secondary Education Act - <https://simbli.eboardsolutions.com/SU/plusSLEkiEKYG9tr1Va3O8c8g==>

20 U.S.C. § 7912

Elementary and Secondary Education Act - <https://simbli.eboardsolutions.com/SU/plusSLEkiEKYG9tr1Va3O8c8g==>

29 U.S.C. § 794

Section 504 of the Rehabilitation Act of 1973 - <https://simbli.eboardsolutions.com/SU/plusSLEkiEKYG9tr1Va3O8c8g==>

34 C.F.R Part 104

Section 504 of the Rehabilitation Act of 1973 - <https://simbli.eboardsolutions.com/SU/aJX5mfZD1pluss1btjfsIshfEmXA==>

34 C.F.R Part 300

Individuals with Disabilities Education Act - <https://simbli.eboardsolutions.com/SU/aJX5mfZD1pluss1btjfsIshfEmXA==>

42 U.S.C. §§ 11431-11435

McKinney - Vento Homeless Children's Assistance Act - <https://simbli.eboardsolutions.com/SU/plusSLEkiEKYG9tr1Va3O8c8g==>

42 U.S.C. §§ 12101-12213

Americans with Disabilities Act - <https://simbli.eboardsolutions.com/SU/plusSLEkiEKYG9tr1Va3O8c8g==>

### Cross References

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### Description

SCHOOL CLOSINGS, CONSOLIDATIONS AND REORGANIZATIONS - <https://simbli.eboardsolutions.com/SU/lujEkdSjEdslshqWECCvqs8ew==>

IGBA-1	SPECIAL EDUCATION - <a href="https://simbli.eboardsolutions.com/SU/oXIfQAifzVeYnjf3DRznKA==">https://simbli.eboardsolutions.com/SU/oXIfQAifzVeYnjf3DRznKA==</a>
IGBA-1-AP(1)	SPECIAL EDUCATION - (Services for Incarcerated Youth) - <a href="https://simbli.eboardsolutions.com/SU/plusjLgXVB26UqpluskSu94BRMXw==">https://simbli.eboardsolutions.com/SU/plusjLgXVB26UqpluskSu94BRMXw==</a>
IGBA-1-AP(2)	SPECIAL EDUCATION - (Evaluation Criteria for District and Independent Evaluations) - <a href="https://simbli.eboardsolutions.com/SU/xXMveUgf3enXMVIEGftXg==">https://simbli.eboardsolutions.com/SU/xXMveUgf3enXMVIEGftXg==</a>
IGBCA	PROGRAMS FOR HOMELESS STUDENTS - <a href="https://simbli.eboardsolutions.com/SU/1QwEwjy0Wslshrj1IqEAwsk8w==">https://simbli.eboardsolutions.com/SU/1QwEwjy0Wslshrj1IqEAwsk8w==</a>
IGBE-1	STUDENTS IN FOSTER CARE - <a href="https://simbli.eboardsolutions.com/SU/sBVlp6yhQq584Xe2UFtplusgA==">https://simbli.eboardsolutions.com/SU/sBVlp6yhQq584Xe2UFtplusgA==</a>
IGBE-1-AP(1)	STUDENTS IN FOSTER CARE - (Dispute Resolution Process) - <a href="https://simbli.eboardsolutions.com/SU/6NO1UTBB8QtFZKtoslshl7AEw==">https://simbli.eboardsolutions.com/SU/6NO1UTBB8QtFZKtoslshl7AEw==</a>
IHB	CLASS SIZE - <a href="https://simbli.eboardsolutions.com/SU/np8Ta5j7lvobEyBY1dhfdA==">https://simbli.eboardsolutions.com/SU/np8Ta5j7lvobEyBY1dhfdA==</a>

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