



## **5110.1: K-12 TRANSFER OF STUDENTS WITHIN THE DISTRICT**

## **I. K-12 Within-District Transfers**

A. A parent of a kindergarten through twelfth grade student who is currently enrolled in the District may submit a request to have his/her student attend a different school or special program during the current or next school year. Such requests shall be made in accordance with the following procedures.

## **II. Student Eligibility for Within-District Transfers**

A. Any K-12 student whose parents reside in the District attendance area.

B. Any K-12 student who is currently attending the District under Option Enrollment.

C. Any K-12 student who has been accepted into a specific building under the Open Enrollment provision as long as the request is for the subsequent year in which enrollment was granted.

## **III. Limitations and Restrictions on Student Eligibility**

A. Students will not be allowed to transfer to another school during suspension or expulsion. A student's disciplinary record will be considered and students with extensive disciplinary records will not be considered for transfer unless it is determined to be in the best interests of the student or the school.

B. The within-district transfer policy will not apply to or alter a student's mandatory reassignment.

C. If the student is in a special education program, the approval recommendation of the Director of Special Education will be based upon the student's individualized education program and educational needs; class size; related service needs; transportation arrangements as may be required by law; the allocation of specially trained staff and personnel; facility issues; and the allocation of equipment or materials necessary to provide an appropriate education program.

D. If the student receives ELL services, the recommendation of the Superintendent or designee will be based upon the student's educational needs and the allocation of specially trained staff and personnel.

## **IV. Conditions of Transfers**

A. Student Withdrawal from Special Program: Any student approved for a within-district transfer to attend a special program in the District who subsequently withdraws from participation in such program shall have his/her within-district transfer approval revoked. Such student shall be reassigned to the school he/she would have attended if the within-district transfer had not been approved.

B. Students of parents who move from one school's attendance area to that of another within the District during the school year may continue attending the original school for the remainder of the current school

year and start attendance at the assigned school with the commencement of the next school year. If the parents would like the student to remain at the original school to complete the level a Within District Transfer Request Form is required. Approval of such a Within District Transfer Request will be in accordance with the factors outlined in Sections IX and X of this Rule.

C. Once a student is transferred to a particular school, the parents need not re- apply unless they want the student to transfer back to the student's home school or to another school at the same level (elementary school, middle school, or high school) in the District.

D. Within-district transfers are only for the educational level (elementary school, middle school, or high school). As the student moves from elementary into middle school or from middle school into high school, another within-district transfer must be filed. If not, the student will attend their assigned school.

E. The Superintendent or designee may reassign a student should it be determined that circumstances justify such reassignment.

F. Once a transfer is approved, every effort will be made to make the transfer permanent; however, the District reserves the right to reassign transferred students back to their home school.

G. Unless special safety, health, or program issues are involved, no student will be granted more than one transfer per school year.

## **V. Transportation**

A. Transportation for students who transfer within the District must be provided by the student's parents or legal guardian unless as otherwise required by law.

## **VI. Within-District Transfer Applications**

A. A Within-District Transfer Request Form should be completed and returned to the Office of Student Services.

B. Students who desire to attend a special program may be required to complete a Within-District Transfer Form in the event that a program waitlist is necessary.

C. Only one Within-District Transfer Request Form may be completed at any given time for an individual student.

## **VII. Determination of Schools Open to Within-District Transfers**

A. The Superintendent or designee will recommend which schools, programs, grades or classes are to be

considered open to within-district transfers.

B. The Superintendent or designee will base recommendations on available space, curriculum, class size, personnel and staffing requirements, facility issues, the allocation of equipment and materials, and anticipated growth for the school, program, grade, or class.

C. The Board will approve annually any schools, programs, grades or classes that are to be open to within-district transfers.

### **VIII. K-12 Within-District Transfer Requests for the Subsequent School Year**

#### A. Application Timeline

1. Applications Open: Parents may submit applications for within-district transfers to the Office of Student Services any time after September 1 of the year preceding the school year in which the transfer would take effect if approved.

2. Applications Deadline: Applications for within-district transfers must be delivered by U.S. mail postmarked on or before February 15 of the preceding school year or by personal delivery, received no later than 5:00 p.m. on February 15 of the preceding school year. Applications must be completed by the parent, legal guardian or emancipated minor student.

3. The application period for within-district transfers will re-open after the option enrollment application process is completed. Within-district transfer applications will be accepted on a first come-first served basis.

#### B. Approval Process

1. Applications for within-district transfers will be approved for a specific building or program based upon the order outlined in Section VIII (C) below.

2. If requests for within-district transfers exceed capacity, a random drawing in the order outlined in Section VIII (C) below will determine which applications are approved.

#### C. Order of Approval

##### 1. School Attendance Area Students

###### a. Special Programs by Grade

##### 2. Other District Resident Students

a. Millard Resident Siblings

b. Special Programs by Grade

c. Regular Program by Grade

3. Non-Resident Open Enrollment Students

a. Special Programs by Grade

b. Regular Program by Grade

4. Non-Resident Option Enrollment Students

a. Special Programs by Grade

b. Regular Program by Grade

5. All other Non-Resident Students

a. Special Programs by Grade

b. Regular Program by Grade

D. Notification to Parents: The District shall notify the parents of the approval or denial of their student's request for within-district transfer on or before March 1 of the preceding school year.

E. Acceptance by Parents: After receiving notification of approval of a within- district transfer, the parent shall accept such transfer in writing by completing the District's enrollment process for the student on or before noon on March 10 (or noon the following Monday if March 10 is on a weekend) of the preceding school year.

## **IX. K-12 Within-District Transfers for the Current School Year**

A. Parents may submit applications for within-district transfers for the current school year to the Office of Student Services after the first day of school and prior to January 15 of the current year.

B. The Superintendent or designee will determine whether the transfer request will be granted or denied after considering the following factors:

1. The reasons for the within-district transfer request.

2. The time of year the transfer request is made.

3. Personnel and staffing requirements, building or program capacity, curriculum, and facility issues affecting the building to which the student wishes to transfer.

4. The student's educational program including, but not limited to, course credits and graduation requirements.

C. The District shall notify the parents of the approval or denial of their student's request for within- district transfer.

X. Extenuating Circumstances.

A. The Superintendent may in his/her discretion allow students to transfer to closed schools when extenuating circumstances warrant.

B. The Superintendent may in his/her discretion determine that transfer order of approval for certain schools be prioritized for relieving overcrowding.

XI. Special programs shall mean the District's Core Program, Montessori Program, and International Baccalaureate Programmes.

**Date of Adoption**

October 5, 1992

**Date of Revision**

January 8, 1996

March 17, 1997

February 16, 1998

September 11, 2000

March 3, 2003

March 6, 2006

January 8, 2007

October 19, 2009

December 7, 2009

January 11, 2010

November 21, 2011

April 16, 2012

June 4, 2012

November 5, 2012

October 20, 2014

November 7, 2016

### **Reaffirmed**

June 1, 2009

### **Related Policies and Rules**

[5110: Transfer of Students within the District](#)

### **Legal Reference**

Neb. Rev. Stat. §§ 79-520 and 526