

TRANSFER POLICY

The following policy shall apply to the intra-district and inter-district transfer of students. This policy is intended to make clear to administrators, faculty, staff, parents and students the limited circumstances under which a student can exercise an intra-district or inter-district transfer. The basic rule is that every student in the district is required to attend the school in his or her attendance zone. This enables the District to effectively monitor attendance obligations, to properly allocate resources for present and future use, and to monitor and meet its desegregation obligations.

Students may attend a school other than that to which they are assigned only by following the provisions of this policy. Part I of the policy addresses intra-district transfers; Part II addresses inter-district transfers; Part III addresses transfer review procedures; Part IV addresses residency verification; Part V addresses notice requirements; Part VI addresses training requirements; Part VII addresses reporting requirements; and Part VIII addresses the policy's effective date and application.

I. INTRA-DISTRICT TRANSFERS

Intra-district transfers occur when a student living in one attendance area attends a school in another attendance area within the same district. For instance, an intra-district transfer could occur if a student living in the Sandy Run attendance area attends Guinyard Elementary or vice-versa. Intra-district transfer requests that meet the following requirements will be granted.

A. General Rule

Every student in the District is required to attend the school serving the attendance zone in which he or she resides, unless he/she is eligible for a transfer. A student who moves out of an attendance zone with less than a semester remaining in the school year may complete the

school year at his/ her prior school. Students who move during the school year at other times must attend a school in his/her new attendance zone.

B. Types of Transfers¹

Intra-district transfers are limited to the following three categories: 1) Majority-to-minority transfers; 2) Teacher and administrator transfers; and 3) Substantial hardship transfers.

1. Majority-to-Minority (M-to-M) Transfers

An M-to-M transfer will be permitted if the transfer will have the effect of moving the racial composition of both the sending and receiving schools closer to the district-wide racial composition. Students who are granted transfers pursuant to this sub-section shall: a) be able to attend the school he or she is transferring to through the highest grade level offered by that school, and b) receive transportation provided by the District in accordance with the District's transportation policies and procedures that are applicable to all other students.

2. Teacher and Administrator Transfers

A teacher or administrator transfer may be approved if: a) the student's parent² is employed by the District as a teacher or administrator on a full-time basis; and b) the student resides with the employee parent and the employee parent has custody of the student. Students who transfer under this sub-section may attend only the school where the parent is employed. If the parent is employed at a school that does not serve the grade level of the student, the student may attend only the school closest to the parent's place of employment that serves the student's grade level. A parent must re-apply for an employee transfer every year.

¹ A student receiving special educational services or accommodations under Section 504 of the Rehabilitation Act of 1973 or the Individuals with Disabilities Education Act may be assigned outside of his or her attendance zone, if necessary, to meet the District's obligations under state and federal law. These special needs students shall not be subjected to the transfer provisions herein.

² For the purpose of Section I of this Policy, "parent" also refers to a student's legal guardian or other caregivers or entities defined in Section 59-63-31 of the S.C. Code of Laws.

3. Substantial Hardship Transfer

A substantial hardship transfer may be granted if the student or student's family demonstrates a substantial hardship, and the hardship is unique to the student and his or her family. A substantial hardship transfer is meant to provide for student transfers in unique situations where the student does not qualify for a transfer under any other provision of this policy, but has suffered a substantial hardship, such as a family crisis or medical condition that necessitates transferring the student to a new school. Problems shared by many related to raising a family do not constitute an adequate basis for granting a hardship transfer. In addition, preferences to attend a certain school based on family, friends, curriculum, or location do not qualify as substantial hardships. The following examples may constitute circumstances in which a substantial hardship transfer may be granted: incarceration of a parent; terminal illness or death of a parent; natural disaster; domestic abuse or neglect affecting the student; or medical problems suffered by the student that renders it necessary for a student to attend a school other than his or her zoned school.

Every substantial hardship application must be supported by detailed documentation. Parents must complete the substantial hardship portion of the transfer application, attach a notarized statement detailing the hardship, and attach supporting documentation, such as a letter(s) of support from either a doctor or other authority who can confirm the hardship, describe the condition, explain why it requires transferring the student to another school, and state how the condition will be accommodated by the new school. The Superintendent or his or her designee will make a good-faith inquiry into the merits of every hardship request. Transfers granted pursuant to the hardship exception will be valid only for one school year. Those transfer students who wish to continue to attend the new school must reapply for a substantial hardship

transfer each year, and submit to the District current information documenting their hardship and the necessity of the transfer.

II. INTER-DISTRICT TRANSFERS

Inter-district transfers are student transfers between the Calhoun County School District and other school districts.

A. Transfers to Calhoun County

1. The District may permit students from other school districts to attend its schools provided the following conditions are met:
 - a. The District has received the payment of tuition and a valid release from the sending school system. To be valid, the release from the sending school system must affirmatively state that the transfer comports with the sending system's desegregation and other legal obligations; and,
 - b. The transfer will have the effect of moving the racial composition of the receiving school closer to the District-wide average racial composition of the District.
2. Teachers and administrators living outside the Calhoun County School District who work in the Calhoun County schools shall not be required to meet the criteria listed in Section II.A.1., above, in order to enroll their children in the Calhoun County schools. The attendance of children of Calhoun County teachers and administrators are subject to the requirements set forth in Section I.B.2, above.

B. Transfers from Calhoun County

The Calhoun County School District may permit transfers from its District to other districts provided one of the following conditions are satisfied:

1. The student resides with a parent/guardian in Calhoun County who is a teacher or administrator in another school district as outlined in I.B.2., above; or
2. The student has a compelling medical need that cannot be accommodated in Calhoun County. In this circumstance, a parent/guardian must attach a notarized statement to the transfer application detailing the medical need, and must include supporting documentation, such as medical records, and a letter of support from a medical doctor who can confirm the medical need, describe the condition, explain why it requires a transfer of the student to another district, and state how the condition will be accommodated by the new school. The Superintendent or his or her designee will make a good-faith inquiry into the merits of every request. Transfers granted pursuant to this provision shall only be granted for one year. If the medical need continues, the parent/guardian should re-apply for an inter-district transfer in accordance with the requirements of this sub-section; or
3. The transfer does not have an adverse impact on desegregation in the school in the Calhoun County School District to which the student would otherwise be assigned or in the Calhoun County School District. In addition, prior to releasing a student's records to another district pursuant

to an inter-district transfer, Calhoun County School District must receive in writing a statement from the receiving school district stating that the transfer comports with the receiving district's desegregation and other legal obligations.

To be a valid inter-district transfer, the student and parent/guardian must receive a release from the Calhoun County School District.

C. Notice

Prior to the beginning of each school year (starting with the 2003-04 school year), the District will issue notices to districts that have accepted inter-district transfers from Calhoun County schools in the last five years, as well as all neighboring school districts, and request that these districts notify the District of any students attending school in their district who live in Calhoun County. The Calhoun County School District will then verify that these students are attending school in compliance with this policy. If a student's attendance is found not to be in compliance with this policy, the District shall revoke the inter-district transfer and require the student to enroll in the school in the attendance zone of residence.

III. TRANSFER REVIEW PROCEDURES

The Superintendent shall be responsible for reporting, processing, and administration of the transfer procedure. The Superintendent or his or her designee shall prepare all necessary forms to carry out this policy. All transfer requests will be submitted to the Superintendent for review and decision. If space is not available at a school for all approvable transfers, the District shall allocate spaces based on the following priority system:

- A. New intra-district M-to-M transfers.
- B. Substantial hardship transfers.

- C. Employee transfers.
- D. Inter-district transfers.

The Superintendent shall make the final decision on whether the transfer request should be granted. All questions related to transfers and residency requirements from other school personnel, parents, students, and community members should be directed to the Superintendent. Upon notice to the United States, the Superintendent may designate another central office administrator to carry out the duties required in this Section. The Superintendent's designee must receive the training set forth in Section VI, below. The designee shall make recommendations to the Superintendent on whether a particular transfer request should be approved; however, the Superintendent will make the final determination regarding the transfer request.

IV. RESIDENCY VERIFICATION

A. Parent/Guardian Residency Verification

It is essential that parents/guardians of students be able to demonstrate their residency in their child's school zone. To verify residency, a parent/guardian of a student must provide school district personnel with copies of at least two of the following five items when registering a student:

1. Property tax records which indicate the location of the homestead;
2. Mortgage documents or property deed;
3. Apartment or home lease or rent receipt with address;
4. Current utility bill showing residence address;
5. Voter precinct information;

In the case of a student living with a legal guardian, a court decree declaring the district resident to be a the legal guardian of the student must be provided in addition to two of the five items listed above in order for the student to enroll in the school. In addition to the foregoing, parent(s)/legal guardian(s) must sign a notarized statement attesting that the address they provide on the enrollment form is the one where the student spends the majority of his or her nights and weekends. The statement also should indicate to the parent(s)/ legal guardian(s) that they must inform school officials of any change in address within thirty (30) days of the change, and that a student will be removed from school if it becomes known that the student is not living at the primary address specified on the enrollment form.

Two of the five items listed in this sub-section must be provided for all students seeking to attend Sandy Run Elementary School in 2003-04. Parent(s)/guardian(s) of all students seeking to continue their attendance at Guinyard Elementary, John Ford Middle School, and Calhoun County High School in 2003-04 must sign and submit to the District's central office a notarized written statement attesting that the student's residence has not changed since his/her initial enrollment in the District. The statement also should indicate to the parent(s)/legal guardian(s) that they must inform school officials within thirty (30) days of any change in address, and that a student will be removed from school if it becomes known that the student is not living at the primary address specified on his/her initial enrollment form. All new students seeking to enroll in a Calhoun County school for the first time in 2003-04 or in subsequent years must provide two of the five items listed in this sub-section.

For each student enrolled in a Calhoun County school in 2003-04 who seeks to continue his/her attendance at the same District school in 2004-05 and in subsequent years, the parent(s)/guardian(s) must sign and submit to the District's central office a notarized written

statement attesting that the student's residence has not changed since his/her initial enrollment in the District. The statement also should indicate to the parent(s)/legal guardian(s) that they must inform school officials within thirty (30) days of any change in address, and that a student will be removed from school if it becomes known that the student is not living at the address specified on his/her initial enrollment form. The statements and the documents initially presented to the District establishing residency pursuant to this sub-section shall be made available to the United States upon written request.

B. Students Living With Adults Other Than Parents/Legal Guardians

For students living with adults other than parents/legal guardians, the non-parent/guardian claiming Calhoun County School District residency must provide copies of two of the five requirements set forth in Section IV.A., above. The non-parent/guardian also must provide the District with an affidavit which is in compliance with Section 59-63-32(B) of the S.C. Code of Law. The Superintendent or his or her designee must make a good-faith inquiry into the validity of the affiant's claims and must require supporting documentation to the extent it is available (e.g., a copy of a police report or court order in cases of domestic abuse).

V. NOTICE REQUIREMENTS

Integral to the District's revision of transfer procedures is parental, community and employee notice of new requirements. To accomplish this task, the District shall include its transfer policy with the distribution of students' report cards at the end of the third grading period of the 2002-03 school year, send copies of the policy to local social service provider agencies and churches, and distribute the policy at all remaining school board meetings in 2002-03. The District will also take the following measures on an annual basis:

- A. The District shall advertise its revised policy on transfers on local radio stations, and shall send a copy of its transfer policy to the school boards of all neighboring South Carolina school districts in the month prior to the opening of schools.
- B. The District shall post its transfer policy on its website and indicate that a copy of the policy is available for review at any District school and at the central office.
- C. The District’s transfer policy shall be included in each school’s information handbook that is given to all students annually.

If any student is believed to be enrolled in an attendance zone in the Calhoun County School District contrary to the provisions set forth in this policy, the District shall immediately notify the students and his or her parent(s), legal guardian(s), or other caregiver. The notification shall state that the student’s parent(s), legal guardian(s), or other caregiver shall have a period of thirty (30) days from the date of the notice to provide verification of residency as required in Section IV, above, or other evidence that the student is in compliance with the requirements set forth in this policy. If the required verification is not provided to the Superintendent within that period, the District shall immediately require the student to enroll in the school in the attendance zone of residence.

Beginning in the Spring of 2003, the District shall adhere to and publicize the following schedule annually regarding transfer applications and the decisions regarding these applications:

<u>Date</u>	<u>Activity</u>
April 15 – June 1	Transfer request forms are made available at all District schools and at the District’s central office.
June 1	Deadline for transfer request to be received by the District central office.
July 15	Deadline for notice of approval or denial of transfer requests to be sent to parents.

If any of the above scheduled dates fall on a Saturday or Sunday, the deadline will be deemed to be the following Monday.

VI. TRAINING REQUIREMENTS

The District's attorney shall conduct annual training regarding this policy for all central office staff, principals, and other relevant staff including individuals who register students for enrollment.

VII. REPORTING REQUIREMENTS

By November 1 of each year, the District shall provide a report to the Department of Justice listing the total number of students who have requested intra-district transfers, indicating for each such request: the student's grade level, race or ethnic group, sending school (school which student is zoned to attend), receiving school (school to which transfer is sought), reason for the transfer request, and whether the District granted the transfer. The District shall provide the same information for inter-district transfers. The District shall also provide the racial composition of the District and each school before the transfers were granted (based on the prior year's 135-day attendance report) and after the transfers were granted.

VIII. EFFECTIVE DATE AND APPLICATION

The provisions of this policy are effective as of the 2003-04 school year. However, any student who is in an out-of-zone or out-of-district school as of the 45-day attendance date during the 2002-03 year and completes the year at that school, and who, in 2003-04, is in his/her final grade of attendance at that school, will be permitted to attend at that school in 2003-04.