

Policy

STUDENT ASSIGNMENTS AND TRANSFERS

Code JBCB Issued 3/16/22

STUDENT ASSIGNMENTS

The District will assign students to attend the school that serves their legal place of residence as determined by the Board of Trustees for the current school year.

The superintendent or his/her designee may make special exceptions. Examples of such exceptions that may necessitate reassignment include, but are not limited, to:

- The existence of exceptional hardships, medical or legal considerations, or significant educational needs
- A need to act in the best interest of the student, or school, for disciplinary or administrative reasons
- To permit high school students to take courses not offered in their assigned schools in advancement of their post- secondary goals
- To accommodate employees of the District by allowing their children or wards to attend schools in the attendance area in which their parent/legal guardian is employed.

If the legal residence of a student changes during the school year, the student will be reassigned to the school that corresponds with the student's new address. The reassignment will occur immediately, at the end of the semester, or at the end of the school year, as determined by the administration.

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, as determined by the administration.

Bus transportation will not be provided for students attending schools outside their attendance area unless the reassignment occurs to address a student's special education needs and services or otherwise required by law.

Appeals of School Assignment

Any appeal of a school assignment must be made in writing to the superintendent or his/her designee.

Following notification of the superintendent's decision regarding school assignment appeal,

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parents/legal guardians will have five (5) school days to request an appeal in writing to the Board if they are not satisfied with the outcome.

The Board will consider all written documentation submitted with the initial assignment appeal request. No external information will be considered, and no formal hearings will be held. The Board will review such appeals on an as needed basis. The student will attend the school to which they have been assigned until the Board renders its decision. The decision of the Board is final.

STUDENT TRANSFERS

The Board delegates the authority to grant inter-district and intra-district 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. In all determinations regarding transfers, space and personnel availability will be taken into consideration.

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 non-school records as they relate to these adjudications prior to making an admissions decision.

Unless otherwise stipulated by law, the District is not required to provide transportation for inter-district or intra-district transfer students.

Intra-district Transfers (Transfers within the District)

Students will attend the school that has been designated to serve the attendance zone where their parents/guardians reside. An exception may be allowed only for bona fide hardship cases as determined by the superintendent. In addition, intra-district transfers may be granted based on the circumstances identified below. In all cases, school administration may review attendance (to include absences, tardies, and early dismissals), and parent cooperation to determine if the transfer is in the best interest of the student.

Medical/Psychological best interest

Serious medical/psychological health conditions may be considered for an intra-district transfer if the condition is documented by a licensed medical professional and if there is documentation that the student's identified needs cannot be met at the student's assigned school and/or that the new assignment can or will have a material effect on the student's condition.

Provision of special education services

The District will permit eligible special education students to attend school in another attendance

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area if facilities within the attendance areas where they reside do not house needed special education programs, as determined by the administration.

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/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 employees (employee choice)

As a professional courtesy, children of Lancaster County School District employees may be permitted to enroll in their requested intra-district school provided a formal application is submitted to and approved by the Superintendent/designee and space and personnel are available. The employee must assume responsibility for transportation of the child to and from the school in which he/she is enrolled.

Changes of Residence During the School Year

A parent/guardian who lives in one district attendance zone and plans to move during the school year into a residence in the process of being built, bought or leased in another district attendance zone may transfer his child(ren) in the school of that attendance area provided approval is granted by the principal/director of the receiving school, the parent/guardian presents to the principal/director a letter of intent to reside in that attendance zone as well as a copy of a contract or statement from the builder, seller or lessor in support of the transfer request and the parent/guardian assumes responsibility for the student's transportation to and from school. The timing of the transfer will be determined by the administration.

Exceptional and Personal Child Care Hardship

A parent/guardian who has exceptional and compelling personal hardship regarding child care may transfer the child(ren) to a school outside the attendance zone to which the child is assigned provided space is available in the school requested, the available space in the requested school is within the child(ren)'s grade level, the assignment to the requested school does not require the employment of additional personnel, the child care problems are identified as bona fide and unique to the student or the student's family, formal written permission is secured annually from the district superintendent, and the parent/guardian assumes responsibility for the student(s) transportation to and from school.

A report of exceptions for hardship made by the superintendent will be provided to the Board.

The superintendent or his/her designee may grant requests for intra-district transfers, as reasonable and necessary, for additional administrative reasons not listed herein if such transfers are made in a student's best interest or in the best interest of the District, subject to space and personnel availability.

Revocation

Intra-district transfer is a privilege in most cases. Transfers may be revoked for students if the student is experiencing attendance problems (absences, tardies, early dismissals), if the parent has submitted falsified documents to the District to obtain the transfer and/or if the parent is uncooperative with the school.

Inter-district Transfers (Transfers into and out of the District)

See policy JBCA, Admission of Non-Resident Students.

Requirements for inter-district transfers (transfers into and out of the District) are identified in Policy JBCA, Admission of Non-Resident Students. A transfer out-of-district may be granted provided the student has completed all payments due and returned all textbooks, library books, etc., belonging to the school. No transcripts or records/reports will be furnished to a receiving school until the student meets all obligations. The District will assume no responsibility for tuition to the receiving district.

Athletics

Parents/Guardians are responsible for reviewing the South Carolina High School League Regulations to determine the effect of an intra-district or inter-district transfer on their child'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 for an academic year. Thereafter, a renewal application must be submitted annually in order to maintain approved transfer status.

Transfer Appeals

The parent/guardian of a student may appeal a transfer decision. 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 8/21/01; Revised 3/15/22

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.
 - 2. Section 59-19-510 - Parent/legal guardian's right to appeal certain adverse decisions to the Board.
 - 3. Section 59-63-30, et seq. - Qualifications for attendance.
 - 4. Section 59-63-32 - Requirements to enroll students; penalties for providing false information.
 - 5. Section 59-63-210 - Grounds for suspension, expulsion, or transfer students.

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6. Section 59-63-217 - Barring enrollment of student on the basis of adjudication of delinquency.
 7. Section 59-63-250 - Transfer of students in lieu of suspension or expulsion.
 8. 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.
 9. 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.
- C. Federal Cases:
1. *Parents Involved in Community Schools v. Seattle School District No. 1*, 551 U.S. 701 (2007).