

CHAPTER 5

5.17 Student Transfers (Approved June 14, 2005, Amended February 12, 2008, May 22, 2018)

5.17.1 Residence Change within Marshall County

A student changing residence from one school attendance area to another within Marshall County may be authorized by the Superintendent's office, upon the request of the parent, to complete the year in the school attendance area from which he/she is moving. The parent/guardian of the student requesting this authorization must follow the procedures outlined in section 5.17.5 below. The parent/guardian of the student so authorized shall have the responsibility of transporting the student to and from school. The authorization granted under this section may be rescinded by the Superintendent during the course of the school year for any of the reasons enumerated in section 5.17.5 (7).

5.17.2 Residence Change into Marshall County

A student changing residence into Marshall County will be assigned to the school which he/she will attend by the Superintendent's office. The parent/guardian of the student must provide proof of residency in Marshall County within thirty (30) days of the date on which the student is enrolled and shall submit this proof to the school principal. The parent/guardian of the student shall be required to pay tuition if proof of Marshall County residency is not provided within this time period. Sufficient proof of residency includes but is not limited to the following:

1. Current paystub with a West Virginia physical address
2. Current utility bill indicating West Virginia physical address
3. Current residential rental and lease agreement for a WV residence
4. Current credit card bill indicating West Virginia physical address
5. Mailing address verification from the post office

5.17.3 Informal Custody

A student whose custody has been temporarily assigned by his/her parent/guardian to a relative or other responsible adult will be assigned by the Superintendent's office to the school in the attendance area in which said relative or other responsible person resides. In these instances the parent/guardian will be required to submit:

1. A signed written statement evidencing their intent to assign temporary custody of their child to other named person(s) and the reason(s) therefore;
2. A signed written statement from the named person(s) accepting the responsibility for the welfare of the child.

5.17.4 Residence Change out of Marshall County

A student currently attending Marshall County Schools, whose residence changes to a location outside of Marshall County after November 1, may complete the remainder of the current school year in Marshall County Schools without formal application or the payment of tuition. Permission to attend remains in effect, unless rescinded for cause as provided in section 5.17.5.(7) below.

5.17.5 Inter-county Transfer: Request to Attend Marshall County Schools when Residence is Outside of Marshall County

The Board of Education may grant permission to a student whose residence is in another county in West Virginia to attend a public school in Marshall County in accordance with the following procedures:

1. The parent/guardian of this out-of-county student must request and receive written approval from the County Board of Education of their county of residence.
2. The parent/guardian shall present a letter to the Marshall County Superintendent requesting approval for the acceptance/transfer of the out of-county student to Marshall County Schools. The parent/guardian shall present a copy of the student's most recent grades, attendance, and discipline from the out of county school.
3. Once the Attendance Director receives the parent/guardian letter requesting approval for the acceptance/transfer and the recent grades, attendance, and discipline from the out of county school, the information will be given to the requested school's principal.
4. The principal will review the request letter and the information provided from the out of county school and will make a decision to accept or deny the request.
5. The Attendance Director will submit the principal's recommendation to the Marshall County Board of Education for action at their next regularly scheduled meeting.
6. The Attendance Director will notify the parent/guardian of the action taken by the Marshall County Board of Education.

7. Transportation for out-of-county students granted permission to attend school in Marshall County is the responsibility of the parent/guardian. However, where space is available on district buses, no disruption of regular routes and loading areas is required to accommodate the transportation of such students, and in the judgment of Marshall County Schools administration it is prudent and appropriate to do so, the district may provide transportation.
8. Eligibility for extra-curricular activities is governed by WVSSAC rules and regulations.
9. The Marshall County School Board of Education, at the request of the Superintendent, may rescind an out-of-county student's approval to attend school in Marshall County upon a showing of sufficient cause, including, but not limited to, poor attendance, infractions of the Student Code of Conduct, unsatisfactory academic progress or crowded conditions in the school affected.
10. Any building principal requesting a rescinding of a student's transfer approval shall submit to the Superintendent, in writing, the specific reasons for rescinding the approval. The Superintendent shall review all such requests and, at his/her discretion, shall decide whether to place the request on the Board of Education agenda for their approval or denial.
11. Parents/guardians may appeal the Board of Education's denial of an intercounty transfer or its rescinding of a prior approval of such a transfer to the State Superintendent of Schools.

5.17.6 Request for In-County Transfer (between schools within the county)

1. The parent/guardian shall obtain an in-county transfer form from their child's school or the county attendance office.
2. The parent/guardian will submit the in-county transfer form and a letter of request that includes the reason for the requested transfer to the Assistant Superintendent. In collaboration with the principals of the affected schools, the Assistant Superintendent will approve or deny the request within a reasonable time, or prior to the beginning of the school year.
3. Transportation for students granted permission to attend school outside their attendance area is the responsibility of the parent/guardian. However, where space is available on district buses, no disruption of

regular routes and loading areas is required to accommodate the transportation of such students, and in the judgment of Marshall County Schools administration it is prudent and appropriate to do so, the district may provide transportation.

4. The Superintendent may rescind any student's permission to attend school outside their regular attendance area for reasons affecting the best interest of the schools.
5. Any principal requesting that a student's permission to attend school outside their attendance area be rescinded shall submit in writing the specific reasons for this request to the Superintendent for his/her approval or denial. The following factors may be cause for deciding to rescind a student's permission to attend school outside their attendance area, including, but not limited to, poor attendance, infractions of the Student Code of Conduct, unsatisfactory academic progress or crowded conditions in the school affected.
6. The parent/guardian may appeal the Superintendent's decision to deny a transfer or to rescind a transfer to the Marshall County Board of Education whose decision will be final.

5.17.7 Out of State Residence

The Superintendent may grant permission for a student who resides out of state to attend Marshall County Schools on a tuition basis. Such tuition is to be paid by the beginning of each semester and will be set by the administration based upon the average per pupil expenditure from the most recently audited fiscal year.

5.17.8 Implementation

In implementing any student transfer the county/school is not required to:

- a. Make alterations in the structure of a requested school or make alterations to the arrangement or function of rooms within a requested school.
- b. Establish and offer any particular program in the requested school if such program was not offered in the school prior to the student transfer.
- c. Alter or waive any established eligibility criteria for participation in a particular program including age requirements, course prerequisites and required levels of performance.

This policy is intended to comply with all State and Federal laws as well as all policies of the Marshall County Board of Education.

5.17.9 Academic Placement

Students transferring from approved, classified or certified public or private schools will be placed according to their school records, transcript and individual needs. Any student wishing to receive a high school diploma from Marshall County Schools must meet all state, county and respective high school requirements. A pupil who enrolls in a Marshall County Schools for the first time during their senior year of high school may graduate by completing either the Marshall County Schools requirements or the requirements of the high school previously attended. Previous credits earned from an accredited school will be placed on the student transcript.

Any student transferring from the home or a school that is not approved, classified or certified will be given a comprehensive assessment to determine an appropriate placement for the student.

5.17.10 Nondiscrimination

The Board, the Superintendent, and other administrators charged with the implementation of this policy shall not discriminate on the basis of disability status, race, color, ethnic group or religion of any student who seeks admission to any school operated by Marshall County Schools.