

STUDENT TRANSFER WITHIN COUNTY

ALL Intra-County Student Transfers shall follow the following procedure:

General Information

Definition

An “intra-county student transfer” means any movement of a student from one school within the county to another school within the county, and includes a return of the student to a school within the school attendance zone where the student is domiciled from a school outside of the school attendance zone where the student is domiciled.

The transfer of any student to a school outside of the school attendance zone where the student is domiciled must be approved, in this order, by the following:

1. The Principal of the receiving School;
2. The Principal of the sending School; and
3. The County Superintendent

Per W. Va. Code 18-5-16 (a) “Upon the written request of any parent or guardian, or person legally responsible for any student, or for reasons affecting the best interests of the schools, the superintendent may transfer students from one school to another within the county. Any aggrieved person may appeal the decision of the county superintendent to the county board, and the decision of the county board shall be final.”

Application Form

The request for intra-county transfer shall be submitted on a form made available by the Office of the Superintendent of McDowell County Schools.

Priority

Transferred students who maintain continuous enrollment at a receiving school outside of the school attendance zone where they are domiciled will be granted priority to remain at that receiving school on the basis of the length of time the students have remained continuously enrolled there. For example, if classroom size limits imposed by State law will only allow for 5 intra-county transfer student at the receiving school (without requiring the hire of additional staff), and there are 6 intra-county student transfer applications for these 5 slots, the 5 students with the greatest length of continuous enrollment at the receiving school will be given priority over the remaining applicant.

Annual Application Required

A new application for intra-county transfer must be submitted for each student each year such a transfer is desired.

Application Procedure

- A. The parent (s) or guardian (s) of the student(s) must contact both the sending school and the receiving school Principal to:
 1. Request enrollment at a school within a school attendance zone other than where the student is domiciled.
 2. Complete and return the necessary forms by the established deadline.
- B. Requests for intra-county will not be granted if the transfer of the student to the receiving school would result in the student/teacher ratio in the affected classroom(s) exceeding the state-mandated enrollment maximums.

- C. If a principal suspects that a student is attending a school outside of the school attendance zone where he/she is domiciled, the principal shall contact the Attendance Director to request an investigation into the student's domicile. The attendance Director may require the parent(s)/guardian(s) to provide information relevant to their place of domicile.

"Domicile" shall be given the definition assigned it by the West Virginia Supreme Court of Appeals.

- D. A student who changes domiciles to a different school attendance zone during the school year may be permitted to finish the school year at the school in which he/she is then currently enrolled, if the principal of that school consents.
- E. The parent(s)/guardian(s) of a student who has applied for an intra-county transfer must agree, in writing, to provide transportation for the student both to and from school. However, the county transportation director may designate a place for the student(s) to be picked up and/or released from the school bus at an existing designated bus stop. Also, parents may request in writing that the county Transportation Director establish and designate a new bus stop location along an existing bus route. The parent(s)/guardian(s) must further agree that their student(s) will no longer be eligible to ride board-provided transportation if the number of students on the school bus exceeds the allowable number of students for safe transportation. When it is necessary to reduce the number of students riding a school bus under these circumstances, intra-county transfer students shall lose their bus-riding privileges in order of the students' length of continuous enrollment at the receiving school outside of the students' school attendance zone—the students with the least length of continuous enrollment losing said privileges first.
- F. The parent(s)/guardian(s) of an intra-county transfer student must acknowledge the distinct possibility that the student population of the receiving school may increase so as to cause the classroom size limitations referred to above to exceed the limits set by state law. And the parent(s)/guardian(s) of an intra-county transfer student must agree that should the same occur that his/her/their student may be required to return to the school within the school attendance zone where he/she/they are domiciled during the then current school year. Such mid-school year returns to the school within the school attendance zone where a student is domiciled will be based on the student's length of continuous enrollment at the receiving school—the students with the least length of continuous enrollment being transferred back to his/her/their school first.
- G. The parent(s)/guardian(s) of an intra-county transfer student must agree to all of the terms of this policy and acknowledge the same by signing their completed *In-County Student Transfer Request Form*.
- H. Random Drawing for First-Time Applications. Upon a student's first application for an intra-county student transfer, the same shall be placed with all other first-time applications (if any) bearing the same received date and such applications shall be drawn at random to determine an order of priority for available spots or these students at schools outside of their school attendance zone where they are domiciled. For example, if 20 first-time applications are received, those twenty applications would be drawn at random to determine the order of priority, 1 through 20, that these students would be assigned for the purposes of determining which student has the greatest continuous enrollment. See Section I. E. above regarding "priority."
- I. Applications must be signed by the sending and receiving school principals prior to submission of the application form to the county superintendent's office.

Adopted: March 25, 2014