



Guidance for Student Transfers from Unaccredited Districts to Accredited School Districts and Approved Charter Schools

This guidance document is intended for student transfers from unaccredited to accredited districts and approved charter schools in the state of Missouri. It is non-regulatory guidance provided to offer assistance in implementing state law. The document will be revised as the Department receives additional questions, when there is new statutory or judicial direction, or as other information and circumstances require.

1. School districts should adopt and publish a policy for class size and student-teacher ratios that range between the desirable and minimum MSIP 5 Resource Standards for all grade levels. Approved charter schools* should update their admissions (including lottery) policies within their charter application to address receiving transfer students. Public notice of these policies or subsequent policy amendments should be posted by January 15 prior to the school year to which the policy or amended policy is applicable. For the 2016-17 school year, approved charter schools should amend their admissions policy and post it as soon as possible.

*Approved charter school means a charter school that has existed for less than three years or a charter school with a three-year average score of seventy percent or higher on its annual performance report.

2. Accredited districts or approved charter schools within the county of an unaccredited district or in an adjoining county should publicly post on their websites the student transfer application, the district's or approved charter school's admissions process, and the current available enrollment slots by grade level. School districts may consider documented growth in the student population, other than transfers from unaccredited districts, in determining district capacity to accept transfer students.
3. In order to seek enrollment in an accredited public school or approved charter school other than the district of residence, the student must be a resident of the unaccredited district. The parent or guardian should notify the school district of residence and the receiving district or approved charter school of his/her intent to enroll his/her child in a school district or approved charter school other than the school district of residence. Parents are encouraged to notify the school district by February 1** prior to the school year in which they intend to transfer from an unaccredited school district. Generally, it is in the best interest of students to transfer at the beginning of the school year. If there are extenuating circumstances that make it appropriate for serving the interest of the child, receiving districts and approved charter schools should consider transfers at the semester based on locally determined class size.

**For the 2016-17 school year, students residing in an unaccredited school district may enroll in an approved charter school in the same or adjoining county beginning August 28, 2016, for the regular school year. Parents are encouraged to notify the resident district of intent to enroll as soon as possible, but no later than August 1, 2016.

4. If a school district or an approved charter school does not have sufficient capacity to enroll all pupils who submit a timely application, the school district or approved charter school should institute an admissions process to ensure all applicants an equal chance of admission, except that a school district or an approved charter school may give preference for admission to siblings of children who are already enrolled in the school district or approved charter school under this section. Children who are already enrolled as non-resident transfers will not be required to reapply. Parents may be required to complete a form indicating their intention to keep their child in the receiving district or approved charter school the following year.

5. The parent or guardian may make application for a specific building assignment within the district or approved charter school. Final building assignment will be determined by the receiving school district or approved charter school.
6. Students transferring shall have access to transportation as designated by the unaccredited/sending district pursuant to Section 167.241, RSMo. The sending district must provide transportation to at least one accredited school district or approved charter school as established by the sending district's board of education. In the event that the designated district or approved charter school is at capacity, an additional receiving district(s) or approved charter school(s) should be designated. If the parent or guardian chooses to enroll his/her student in a different accredited school or approved charter school, then the parent or guardian shall be responsible for transportation.
7. Under transfer enrollment requirements of the Missouri State High School Activities Association, students transferring from an unaccredited high school pursuant to Section 167.131, RSMo, are eligible to participate in interscholastic MSHSAA activities sponsored by the receiving district or approved charter school with membership in MSHSAA.
8. The tuition rate shall be set by the receiving district board of education or the board of an approved charter school, but shall not exceed the limits established by Section 167.131, RSMo. If there is disagreement as to the amount of tuition to be paid, the facts shall be submitted to the State Board of Education, and its decision in the matter shall be final.
9. Unaccredited districts should remit payments to accredited districts or approved charter schools within ten (10) business days after receiving their monthly state aid distribution. Failure to send tuition payments to receiving districts for two (2) successive months will result in the Department withholding the amount of tuition associated with each transferring child and distributing that amount to the receiving district(s) or approved charter school(s).
10. Students from unaccredited districts who transfer to accredited districts or approved charter schools are considered Resident II students. These are students who are residing in one district but who are attending school in another Missouri district for which the resident district is paying full tuition. The receiving district or approved charter school reports the student as a non-resident (NR) and does all the reporting, e.g., student core data, student enrollment, attendance, etc. The receiving district or approved charter school will report the student as a transfer in. The Department moves the membership counts and attendance hours back to the resident district for funding purposes. All accountability data (e.g., achievement, attendance, graduation) stays with the attending district or approved charter school. Performance accountability for the student will be included in the building and district or approved charter school annual performance reports of the receiving district/approved charter school each year that the child attends the school/district or approved charter school for the full academic year.
11. Should an unaccredited district regain an accredited classification, the law does not provide any rights for students to continue to transfer. The Department urges all parties involved to provide a transition that is in the best educational interest of transfer students.

The family, resident district and receiving district or approved charter school should work cooperatively so that existing transfer students may remain in the receiving district/approved charter school until a mutually agreeable and educationally advisable transition point is reached. This will vary by student and context but might generally be characterized as completing their time in a particular school building. Stakeholders should make each student's well-being the priority when working through the transition and making decisions involving tuition rate and transportation support.

Transfer of Students with IEPs

12. Parents of a student with a disability in an unaccredited district may elect to transfer their student to an accredited school district or approved charter school. The receiving district/approved charter school is required to follow the existing IEP until the process for review and revision by the new IEP team, including the parent(s), can be completed. Receiving districts that are component districts of Special School District of St. Louis County (SSD) have joint responsibility with SSD to provide special education services. Receiving districts/approved charter schools that are not component districts of SSD are responsible for providing special education services for the student.
13. The unaccredited school district should be responsible for costs associated with transporting a transfer student with an IEP pursuant to their transportation policy. However, if the IEP created by the receiving district's or approved charter school's IEP team (which includes the parent) identifies transportation as a related (thus required) service when no service was required before, the receiving district/approved charter schools would be responsible for providing the transportation.
14. Special education services for transfer students from unaccredited districts not in St. Louis County would be the responsibility of the receiving district or approved charter school.

Early Childhood Special Education

15. In cases where early childhood special education services are provided to the student of an unaccredited school district solely through an accredited school district, parents have no basis for requesting a transfer.

Technical High Schools Serving St. Louis County

16. See paragraph #5 (on the guidance document). Transfer students who choose to attend school in an accredited district in St. Louis County may apply to attend a technical high school, just as they would have if they had chosen to remain in their resident district.