Revised December 18, 2015

Guidance for Student Transfers from Unaccredited Districts to Accredited Districts

This guidance document is intended for student transfers from unaccredited to accredited districts in the state of Missouri. It is non-regulatory guidance provided to offer districts 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**.** Public notice of this policy or subsequent policy amendments should be posted by January 15 prior to the school year to which the policy or amended policy is applicable.

2. Accredited districts 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 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 other than the district of residence, the student must be a resident of the unaccredited district.

4. The parent or guardian should send notification to the school district of residence and the receiving district of his/her intent to enroll his/her child in a school district other than the school district of residence. Parents should be 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 should consider transfers at the semester based on locally determined class size.

5. If a school district does not have sufficient capacity to enroll all pupils who submit a timely application, the school district should institute an admissions process to ensure all applicants an equal chance of admission, except that a school district may give preference for admission to siblings of children who are already enrolled in the school district 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 the following year.

6. The parent or guardian may make application for a specific building assignment within the district. Final building assignment will be determined by the receiving school district.

7. Students transferred pursuant to this section shall have access to transportation as designated by the unaccredited/sending district pursuant to Section 167.241. The sending district must provide transportation to at least one accredited/receiving school district as established by its board of education. In the event that the designated district is at capacity, an additional receiving district(s) should be designated. If the parent or guardian chooses to enroll his/her student in a different

accredited school, then the parent or guardian shall be responsible for transportation.

8. Under transfer enrollment requirements of the Missouri State High School Activities Association, students transferring from an unaccredited high school pursuant to Section 167.131 are eligible to participate in interscholastic MSHSAA activities sponsored by the receiving district.

9. The tuition rate shall be set by the receiving district board of education, but shall not exceed the limits establish by RSMo 161.131. 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.

10. Unaccredited districts should remit payments to accredited districts 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).

11. Students from unaccredited districts who transfer to accredited districts 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 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 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. Performance accountability for the student will be included in the building and district annual performance reports of the receiving district each year that the child attends the school/district for the full academic year.

12. **The Riverview Gardens School District may regain a provisionally accredited classification as of July 1, 2016. Should a 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 should work cooperatively so that existing transfer students may remain in the receiving district 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

13. Parents of a student with a disability in an unaccredited district may elect to transfer their student to an accredited school district. The receiving district 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 that are not component districts of SSD are responsible for providing special education services for the student.

14. 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 IEP team (which includes the parent) identifies transportation as a related (thus required) service when no service was required before, the receiving district would be responsible for providing the transportation.

15. Special education services for transfer students from unaccredited districts not in St. Louis County would be the responsibility of the receiving district.

Early Childhood Special Education

16. 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

17. See bullet #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.