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| Authority | The Board delegates to the Superintendent the authority to accept or reject any transfer requests, provided that such action is without regard to race, religion, color, sex, disability, national origin, or ancestral language. |
| Transfer Requests | <p>A nonresident student wishing to transfer into the District shall file an application for transfer with the Superintendent or designee by May 1 prior to the school year for which the transfer is requested. Transfer requests shall be rejected or may be subsequently revoked if the student's parent or guardian submits misleading, incomplete, or false information in the transfer request or in the student's records. Any other requests submitted after May 1 shall be considered by the Superintendent on a case-by-case basis.</p> <p>A transfer agreement shall be in effect for one school year only. Acceptance of a transfer student in one school year shall not create a right or expectation that a student will be admitted as a transfer student in subsequent years. Admission of one student in a family as a transfer student shall not create a right or expectation that another student from the same family will be admitted as a transfer. Transfer approval decisions shall be made on a student-by-student basis.</p> <p>A resident student who becomes a nonresident during the course of a semester shall be permitted to continue in attendance for the remainder of the semester.</p> |
| Assignments | The Superintendent or designee shall assign a transfer student to the appropriate District school. Assignments shall be based on District need rather than student preference. |
| Limitations | <p>Acceptance of a transfer student shall be conditioned upon the availability of space according to classroom and grade-level enrollment standards. In approving transfers, the Superintendent shall consider availability of space and instructional or professional staff, availability of programs and services, the student's disciplinary history, work habits, attendance records, the District's ability to meet the student's needs with existing capacity, and other factors as approved by the Board. Nothing in this policy requires the Superintendent to reallocate existing resources or personnel to serve a nonresident student.</p> |
| Transfer Agreements | A transfer student shall be notified in the written transfer agreement that he or she must follow all rules and regulations of the District. Violation of the terms of the agreement may result in a transfer request not being approved the following year. |

**Texas Online
Preparatory
School (TOPS)
Factors**

A nonresident student who is admitted to the Texas Online Preparatory School — a program of Huntsville ISD (TOPS) is considered a transfer student.

TOPS is exclusively a virtual program and does not provide in-person instruction. Students who need in-person instruction or support will not be admitted to TOPS. In approving transfers, the TOPS staff, or when applicable the student's ARD committee, shall consider whether a virtual program is appropriate for the student, the availability of instructional staff, capacity within the virtual academy, as well as the student's discipline history, academic records, attendance records, and individual needs. Admission may be denied or revoked if the District and/or the student's ARD Committee, when applicable, determine that the virtual program is not appropriate for a student.

Admission to TOPS is available only to a student who is domiciled within the geographical boundaries of the state of Texas. A student who does not maintain residency in Texas may not attend TOPS. Students with disabilities who require special education related services in order to receive a free appropriate public education must be located within the geographical boundaries of the state of Texas in order to receive those services from appropriately credentialed and licensed professionals.

A TOPS student who does not appear in-person for statewide assessments, as arranged by TOPS, may be denied admission for the following school year, unless alternative testing environments are agreed upon in advance by the District.

A TOPS student who does not maintain 75 percent attendance may be withdrawn and ineligible for admission for subsequent school years.

TOPS is part of the District, which has a continuum of placements for students with disabilities. A student with disabilities shall not be excluded from, or be denied the benefits of, virtual instruction on the basis of disability as long as the student's ARD Committee determines that a web-based and online program is appropriate to provide the student a free, appropriate public education. The student's ARD Committee will consider all relevant data including, but not limited to, the student's assessment data, present levels of academic achievement and functional performance, and parent and teacher input in determining if the student can receive FAPE within a web-based online program.

Admission may be denied or revoked if the student's ARD Committee determines that the student cannot receive FAPE in a

virtual program. If a student cannot receive FAPE in TOPS' virtual setting, the student will be placed at another District campus if the student is a District resident or withdrawn and referred to his or her district of residence if the student is not a District.

Tuition

If the District charges tuition, the amount shall be set by the Board, within statutory limits.

A resident student who becomes a nonresident during the course of a semester shall be required to pay tuition.

Waivers

The Board may waive tuition for a student based on financial hardship upon written application by the student, parent, or guardian. [See FP]

Nonpayment

The District may initiate withdrawal of students whose tuition payments are delinquent.

Transportation

The District shall not provide transportation services for transfer students.

Appeals

Any appeals shall be made in accordance with FNG(LOCAL) and GF(LOCAL), as appropriate.