

## POLICY 5040

### Transfer and Assignment of Students

- A. Any student may attend any school in the District subject to:
1. Limitations of the [Utah Code §§ 53G-6-401 through 53G-6-407](#) and Utah Admin Rules R277-437;
  2. the capacity of the program, class, grade level, or school building;
  3. the willingness of the prospective student to comply with District and school rules;
  4. Willingness of the parents to provide transportation.
    - a. The District may provide transportation if space is available on existing bus runs. Bus stops will not be added and existing routes will not be altered to accommodate students attending other than their neighborhood/resident school.
- B. Prior to December 1st of each year the Board of Education will designate open enrollment schools as per the guidelines established in [Utah Code § 53G-6-401](#).
- C. Parents desiring to have their children attend a designated open enrollment school for the following school year will make application prior to the third Friday in February as per Section “G” of this Policy.
- D. The District/School shall notify the parents in writing of the acceptance or rejection of an application within six weeks or by March 31, whichever is later. The “early enrollment” criteria in [Utah Code § 53G-6-401](#) will be used to establish capacity thresholds for those applying prior to the third Friday in February.
- E. Applications made after the third Friday in February will use the process outlined in Section “G” of this Policy and will be considered on an individual basis. The “late enrollment” criteria in [Utah Code § 53G-6-401](#) will be used to establish capacity thresholds for those who fail to meet the third Friday in February deadline in applying for the following school year.
- F. Once capacity thresholds have been established for either “early” or “late” enrollment, the following criteria, listed in order of preference, will be used to determine acceptance of applicants.

1. Parent as an employee in the school of desired attendance.
  2. Current registration in the school of desired attendance.
  3. Previous enrollment in school of desired attendance.
  4. Sibling/step-sibling enrollment in school of desired attendance.
  5. Date of application meaning the date the completed form is accepted at the District office. Students will be accepted in the chronological order the applications were received.
- G. Students desiring to attend a Box Elder School District school other than the school within the boundary where they reside must file a completed Standard Open Enrollment Application form.
1. Forms may be obtained at the District Office or at any school.
  2. Forms must be completed and submitted to the District Office. Application deadlines are at 4:00 p.m. on the dates on the forms.
  3. Incomplete forms will be returned to applicants. Applications will not be considered until forms are complete. Complete forms are required prior to any deadlines.
  4. Information used to determine preference (see Section “F” above) must be provided with the application and is the responsibility of the applicant.
  5. Decisions on approval or denial of applications will be made by District officials in consultation with building administrators. Decisions will be consistent with provisions contained in [Utah Code § 53G-6-403](#).
- H. Applications may be denied from students who:
1. Have committed serious infractions of the law or school rules, including Box Elder School District rules;
  2. Have been guilty of chronic misbehavior which would, if it were to continue after the student was admitted:
    - a. Endanger persons or property
    - b. Cause serious disruptions in the school; or

- c. Place unreasonable burdens on school staff.
- I. The District may provide for provisional enrollment of students with prior behavior problems, establishing conditions under which enrollment of a nonresident student would be permitted or continued.
- J. The Board or its designee shall not include as a factor in arriving at any decision regarding assignments any matter relating to the race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, genetic information, disability, or veteran status of the student.
- K. Appeals of requests for transfers will follow the resolution process outlined in [Policy 5350 Students Complaints – Resolutions](#) and [Utah Code § 53G-6-404](#).
- L. Homeless Students. The Board recognizes the importance of requiring and maintaining necessary records for all students. However, the Board also recognizes the importance of removing barriers for homeless students to enroll and participate in school. Under the [McKinney-Vento Act](#), homeless students are entitled to immediate enrollment and full participation even if they are unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency, birth certificate, or other documentation. [42 U.S.C. 11432 \(g\)\(3\)\(C\) and \(g\)\(1\)\(H\), \(I\)](#)
  - 1. Homeless students shall be enrolled immediately.
  - 2. Homeless students will be granted full participation in school activities and programs. They cannot be excluded based on their inability to present the following information:
    - a. Immunization records
    - b. Medical records
    - c. Birth certificate
    - d. Previous school records or transcripts
    - e. Guardianship records
    - f. Proof of residency
    - g. Other required documentation
  - 3. Homeless students have three options for choice of school to attend:

- a. School of origin (the school the child has attended when permanently housed)
  - b. School of origin (the school last attended)
  - c. The school closest to the shelter or other temporary housing
- 4. The school will continue efforts to assist the student in completing necessary and important records especially all immunization information.
  - 5. The school will work closely with the District Homeless Liaison