

ADMISSIONS  
INTRADISTRICT TRANSFERS AND CLASSROOM ASSIGNMENTS

FDB  
(LOCAL)

~~TRANSFERS  
BETWEEN CLASSES  
OR SCHOOLS~~

~~Upon an allegation of bullying [see FDB(LEGAL)], the Superintendent and campus principal shall be authorized to investigate and approve transfers of students from one classroom to another or between campuses, as appropriate.~~

ATTENDANCE AREAS

Students shall be assigned to schools in the attendance areas of their legal residence as that term is defined in this policy. Students may be granted a transfer from one school attendance area to another under the terms of this policy.

RESIDENCE DEFINED

A student's legal residence, for the limited purpose of establishing school attendance area, is the location and address of the domicile of the following in descending order:

1. The parents of the student if both parents are living and reside at the same domicile.
2. If only one parent of the student is living, the domicile of that parent.
3. If the parents are separated, the domicile of the parent having custody.
4. If the parents are divorced, the domicile of the parent that has been designated managing conservator unless a court order designates a different domicile.
5. If the parents are divorced and have joint managing conservatorship, the domicile of the child shall be as designated by the court order.
6. If no parent lives in the District, then the domicile of the student's guardian who lives in the District.
7. If no parent or guardian resides in the District, then the domicile of the student.

Domicile is a fixed permanent abode documented by:

1. Utility bill indicating address of resident. Copy of a payment is not acceptable proof of address. (Dated within two months of requested transfer.)
2. Lease agreement.

Students shall be assigned to schools in the attendance areas in which they reside. Students may be granted a transfer from one school attendance area to another under certain circumstances.

CHANGE OF  
RESIDENCE —  
DURING A SEMESTER

A student whose legal residence changes from one attendance zone to another attendance zone shall have the option to remain at the current campus until the end of the semester. Transportation shall be provided by the parent/guardian.

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CHANGE IN  
RESIDENCE —  
GRADES 12, 9, AND 6

Senior, ninth and sixth grade students whose legal residence changes from one attendance zone to another attendance zone during a semester may choose to remain at the current campus until the end of the school year. Transportation shall be provided by the parent/guardian.

A student's eligibility for participation in UIL activities shall be in accordance with all applicable UIL regulations and Board policy. [See FMF]

On the first day of each semester a student whose residence has changed shall be required to attend the school that serves the attendance zone in which the new residence is located.

A change of residence that is pending as a result of the acquisition of another home may be considered as a basis for temporary transfer to the school that serves the area of the future legal residence. Transfer under the provision shall be limited to a time interval of two months before the official change of residence.

COURSE OFFERINGS

A student may transfer from one school to another school to take a course offering that is not available in his or her home school. This privilege may be extended to other students when it involves special programs such as bilingual education and special education. Actual enrollment in such courses is the modifying circumstance for transfer under this provision.

The eligibility of a student to participate in UIL activities who is granted transfer privileges under this condition shall be determined by all applicable UIL regulations and FMF.

HEALTH OR  
EDUCATIONAL  
PROBLEMS

Consideration may be given transfer requests based on health or an unusual and/or dangerous problem. The eligibility to participate in UIL activities of a student who is granted transfer privileges under this condition shall be determined by all applicable UIL regulations and FMF.

MAJORITY-TO-  
MINORITY RACE  
TRANSFER

Pursuant to the consent order and settlement agreement in the District's desegregation suit (Cause No. MO-70-CV-64) in United States District Court for the Western District of Texas (Midland/Odessa Division), the District shall not allow a majority-to-minority transfer to an elementary school that is a total magnet school.

The District may allow transfers to other schools of all levels as long as the effect of such transfer is to further desegregation by bringing the ethnic and racial balance of the sending and receiving schools toward the ethnic and racial balance level of schooling District-wide. For example, a white student may transfer from an elementary school with 45 percent white students to an elementary school with 20 percent white students. For purposes of this policy, African American and Hispanic enrollment percentages shall be combined as "minority." The following guidelines shall be applicable to foster and implement this policy:

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1. A transfer request may be made for the beginning of the fall semester of each school year.
2. The administration of the District shall promote majority-to-minority transfers throughout the year. During June of each year the District shall publicize the availability and details of the transfer policy at least twice bilingually in the Odessa daily newspaper, and by announcements at least twice on three or more Odessa radio stations, including a Spanish language station if available. In addition, during May of each year, a bilingual notice or announcement of the policy shall be sent home with each student in the District.
3. Space shall be made available at the receiving school for any qualifying student requesting a majority-to-minority transfer.
4. Transportation shall be provided for students who request transfers under this section prior to August 1 of the year in which the transfer is to be effective.

Students requesting transfer after August 1 shall be provided transportation on a first-come, first-served basis, if available. Students who have received majority-to-minority transfers shall be provided transportation between their home attendance zone school and the selected receiving school.

Additionally, if available seating and bus routes permit, a transferring student shall be furnished transportation between the receiving school and any other school in the District that is nearer to the student's residence.

This provision shall especially be applied when to do so would reduce the period of time required for a student to ride a bus or buses. If the student wishes to participate in school-sponsored activities as an extension of the school day, he or she shall be provided transportation back to his or her attendance zone school at the end of that activity.

5. Racial and ethnic percentages for each school for purposes of this transfer policy shall be as follows:
  - a. For transfer requests made from June 1 through the date of completion of the next annual TEA ethnic enrollment report, the actual racial and ethnic enrollments of the schools on the last day of the previous school year shall be utilized.
  - b. For transfer requests made from the date of completion of the annual TEA ethnic enrollment report through May 31 of each year, the racial and ethnic enrollments of the schools as reflected in this report shall be utilized.

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6. Any student who exercises his or her right to transfer under this section who, subsequently, desires to return to his or her attendance zone school may do so at the beginning of any semester.
7. A majority-to-minority transfer, once approved, shall remain valid for the entire time in which the student is enrolled in the District, unless a request to the contrary is made. This includes students going from elementary school to junior high school, or from junior high school to senior high school, and the student on transfer shall automatically be assigned to the school of the next higher level to which the attendance zone students of the receiving school would progress. If a student requests cancellation of such transfer, he or she shall attend the school serving his or her attendance zone.

In addition, if a student wishes to attend a school of the next higher level different from the one in which he or she would progress as provided above, he or she may do so by making a request for a majority-to-minority transfer to such desired school of the next higher level by May 1 of the year prior to progressing to the next higher school level.

Students on transfer to schools who progress to more than one school at the next level shall be asked to select which school they wish to attend no later than May 1 of the year prior to moving into the next school level.

If this automatic progression from school level to school level would result in the assignment of a transfer student to a school to which the student would not be eligible to originally transfer, the student shall be asked to select, by May 1 of the year prior to progressing, which one of the next higher level schools he or she desires to attend which would be an eligible school for an original majority-to-minority request by the student. This selection shall be made in the same manner as the selection provided above.

8. The eligibility of a student exercising, or who previously exercised, a majority-to-minority transfer to participate in UIL activities shall be determined by the applicable eligibility rules of UIL and FMF.
9. Majority-to-minority transfer request forms may be obtained in the principal's office of each school in the District. These forms may also be obtained at the District's office of special services, located at 802 North Sam Houston, Odessa, Texas. All transfer request forms must be completed and delivered either to the principal's office or the office of special services. The principal shall forward the completed forms to the office of special services on the day received, and this date shall be considered as the date the request was made.

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10. Students placed in or desiring special education, bilingual, or vocational programs shall, to the maximum extent possible, have their requests for transfer granted. However, if it is deemed by the District to be economically or practically unfeasible to provide a suitable educational program for a child in the particular school to which he or she requests transfer, such student shall be extended, if possible as an alternative, the opportunity to be transferred to another school that satisfies the racial and ethnic criteria applicable to such transfer, and that offers or can feasibly offer, such a suitable educational program.
11. The administration shall develop and offer counseling to parents and/or students contemplating majority-to-minority transfers, and additionally develop and offer counseling to transferring students in the receiving school in academic and social adjustment areas.
12. Students new to the District who enroll for the first time during the school year shall be extended the opportunity to request a majority-to-minority transfer upon enrollment, and they shall be furnished transportation, if available, on a first-come, first-served basis.

CHILDREN OF  
FACULTY AND STAFF  
MEMBERS

Any student who is a child of any faculty or staff member who is employed at a particular campus shall be allowed to attend the campus of said parent's employment. If the receiving school is a magnet school, the child's attendance is contingent on meeting all criteria of the magnet school. Should the parent in question cease to be an employee of said campus, then the child of said parent shall transfer to the appropriate school of his or her attendance zone at the end of the semester in which said parent ceased to be an employee.

TRANSFER  
REQUESTS

Requests for transfer shall be submitted to the office of the Superintendent. Application forms are available from the principal of any school.

Transfer requests that are based on specifically stated local Board policies may be approved by the administration.

A transfer committee appointed by the Superintendent shall review and may approve all transfer requests based on hardship reasons or other reasons not specifically stated in local Board policy. If there is a question on any case normally decided by the administration, the transfer committee shall review the case and make a decision.

All decisions concerning transfers shall be made in writing to the person requesting the transfer.

Any decision by the transfer committee may be appealed to the Board by submitting a written request for a hearing within ten days after the receipt of the transfer decision. The hearing shall be conducted according to procedures outlined in policy FDB(LEGAL).

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**Note: For transfers of students who are victims of bullying, see FDB(LEGAL). For transfers of students who attend a persistently dangerous school, become victims of a violent criminal offense, or become victims of sexual assault, see FDD.**