

Internal Transfer policy for all transfers approved BEFORE the 2015-16 School Year

POLICY

ATTENDANCE 4023
Pupils

Transfer to Another School

It is the BOARD's responsibility to establish attendance area boundaries for all schools in the Madison Metropolitan School District (MMSD). The Board reserves the right to require any student to attend the school assigned to his/her current and legitimate residence.

It is the POLICY of the BOARD of the Madison Metropolitan School District to permit, as a privilege and without requiring an appeal to an Assistant Superintendent, a student to transfer from the school of residence (refer to BOARD POLICY [4021](#)) to another school within the District following approval of an adult student's or a parent/guardian's application, provided, at a minimum, that:

1. Space is available in the relevant schools, programs, classes, and/or grades. Appropriate considerations include, but are not necessarily limited to class size limitations, pupil-teacher ratios (i.e., staffing allocations), building capacity, and enrollment projections and related pupil counts.
2. The special education and/or related services described in the child's individualized education program are presently and reasonably available in the proposed transfer location, there is space available at the proposed transfer location for the provision of said services (including but not limited to any staffing limitations); and the proposed transfer either would not constitute a change in the student's placement or is approved as a change in placement through the IEP process; and
3. Except as otherwise required by law or as expressly provided in this Policy/Procedure, the parent/guardian of a student attending any school or program as a transfer student (or any adult transfer student) shall be responsible for providing transportation to and from school.

No pending applications for external transfer, except any that are exempt from the space availability criteria pursuant to the District's external transfer policy, shall be approved if there is any pending and timely request for internal transfer for the following school year into the same school/grade/program that has not been granted due to space limitations.

Space availability determinations are a delegated administrative responsibility, and the method for making such determinations may be adjusted from year to year.

1. In making decisions during the current school term surrounding space availability for internal transfers for the following school year, the administration shall use criteria defining space availability that are no more restrictive than those space-availability criteria that are applied to approve and deny applications and/or to make school assignments for external transfers (open enrollment) for the following school year.
2. In making space-availability determinations (for schools, programs, classes and/or grade levels) during the current school term to apply to internal transfers that would take effect during the current school year, the administration shall, at a minimum, establish a limitation that is based upon an administratively defined percentage of the school's, program's class's or grade's then-current allocation capacity.
3. In making decisions about school and grade-level space availability for internal transfers under Section 3 of the Procedure that accompanies this Policy and for the school assignment of open enrollment applicants not currently attending the MMSD school in question, in any case where a pupil is seeking to transfer into a school at the start of or during grades 4, 5, 7, or 8, the administration shall consider the current enrollment projections for the next school in the normal progression at the time the grade in question will make the transition to that next school. The administration may consider such future enrollment projections in making decisions with respect to other grade levels and in other school transfer and/or school assignment situations.

Any time there is credible evidence to support the conclusion that enrollment via internal transfer in a school/program has been sought or obtained based on illegitimate or false information, deceptive practices, or in any manner that attempts to gain a privilege or advantage inconsistent with the intent of the Board policies, the student may be required to attend the school assigned to his/her current and legitimate residence. For example, reporting or establishing an illegitimate or temporary residence for the primary purpose of obtaining a change in school enrollment would be grounds for disallowing or revoking enrollment or attendance at a particular school.

Approval, denial and revocation of requests for internal transfers pursuant to this Policy and Procedure are delegated responsibilities of the administration. Where the Procedure that accompanies this Policy references a particular department, office or position and assigns responsibilities, it is with the understanding that the Superintendent may reassign such responsibilities as may be appropriate.

Administrative Transfers

Separate and apart from requests and applications for internal transfers that are initiated by a parent/guardian (or adult student) per the Procedure that accompanies this Policy, the District reserves the right to enact administrative transfers of students between schools and/or programs at the initiative of an administrator, without strict

adherence to the same criteria and limitations as are applied to non-administrative transfers under this Policy and Procedure, provided that the specific transfer and/or transfer process in question has the express approval of the appropriate Assistant Superintendent or the Superintendent. Examples of reasons that the District may initiate or allow an administrative transfer or initiate a separate administrative transfer process include the following:

1. Medical conditions, both physical and emotional, which would significantly improve were the child to be transferred. A decision would be based on an analysis and recommendation of a professional staff person or team in the Madison Metropolitan School District. A medical doctor's recommendation will be considered as part of the analysis conducted by the professional staff.
2. The presence of exceptional circumstances along with the exhaustion of alternative interventions and/or the absence of other practicable alternatives other than transferring to another school (e.g., the transfer addresses a court-issued restraining order involving a student; changing classrooms within a school is not seen as a sound or a viable alternative or has already been attempted as an intervention, etc.), where the Assistant Superintendent determines that permitting the transfer is also in the best interests of the District's educational program.
3. The administrative transfer of a sibling of a student who is currently attending an MMSD school or program as an internal transfer may be granted even when other internal and external transfer applications would be denied due to space availability assessments, particularly in situations where (1) the sibling who is presently attending an MMSD school on transfer is doing so on an internal transfer due to a move; (2) when the siblings in question will immediately, or will at some point in the future, be simultaneously enrolled at the same school; and/or (3) the sibling presently seeking a transfer filed a timely application for an internal transfer that was not approved by the Enrollment Office.
4. Other considerations which are determined to be in the best overall interest of the student(s) and that provide a benefit to the District's educational program (such as permitting a small number of individuals to enroll in the MMSD as guest students from foreign counties or as participants in foreign exchange programs (paying tuition as may be required by law or policy)).
5. A school has been designated as persistently dangerous, or a student becomes the victim of a violent offense as defined in Wisconsin Statute 301.048(2)(bm); or
6. A school has not met state and federal proficiency standards and the District is required by law to offer one or more school transfer options.

Before granting any administrative transfer that is not required by law, the Assistant Superintendent shall consider whether a balancing of equitable considerations relating

to students whose internal transfer requests have been denied or who continue to wait for approval of a similar transfer request (e.g., into the same grade/school/program) weighs in favor of, or against, granting the administrative transfer. No administrative transfer that the Administration determines represents an attempt to avoid or gain an unfair advantage over the standard internal transfer process shall be granted.

The District shall provide transportation in connection with an administrative transfer to the extent required by law, and may provide transportation for a student in exceptional circumstances where the failure to provide transportation would be inequitable or otherwise defeat the rationale for granting the administrative transfer.

The Assistant Superintendent shall have the authority to revoke an administrative transfer using the process identified in the Procedure section of this Policy.

PROCEDURE

ATTENDANCE 4023 Pupils

Internal Transfers to Another School

1. Definitions

- a. School of residence is the school in the attendance area in which a pupil resides. (Reference BOARD POLICY 4021).
- b.
 - 1) Internal transfer means to change schools from the school of residence to another school in the Madison Metropolitan School District.
 - 2) External transfer means either to change schools from a school in the MMSD to a school in a school district other than the MMSD or to change schools from a school in a school district other than the MMSD to a school in the MMSD.
- c. Resident PRINCIPAL means PRINCIPAL of the school of residence.
- d. New school means the school to which a transfer is made or proposed.
- e. New school PRINCIPAL means the PRINCIPAL of the school to which a pupil is transferred or proposed to be transferred.
- f. Parent means parent, legal guardian or legal foster parent.

- g. Normal progression means the District-assigned sequence of elementary, middle and high schools that would apply to a student residing with the designated geographic attendance area of a school. In unusual cases, there may be more than one District-assigned sequence (e.g., a dual attendance or “choice” area). Paired elementary schools shall be considered a single school with respect to this Policy and Procedure and the move from one paired building to another shall not be considered a transition or progression between levels.

2. Internal transfer by change of residence.

- a. Upon a change of residence from one MMSD school attendance area to another attendance area within the MMSD, including homeless families who establish a permanent residence during the school year:
 - 1) A pupil may enroll in his/her new school of residence immediately (but may wait to actually switch schools at the next sensible transition point); or
 - 2) The parent (or adult pupil) may complete an Application For Student Internal Transfer Form requesting that the pupil remain at the school in which the pupil has been enrolled. Such transfer requests shall be granted automatically provided the student remains continuously enrolled at the school. The student may continue to attend the school/program, as well as other schools in the normal progression, provided that the transfer is not revoked.
- b. When a change of intra-District residence occurs in the summer before a transition between two schools in the normal progression, an application for internal transfer that requests permission to enroll at the next-level school that was within the normal progression of the student’s old school shall be granted in the same manner as an application to remain continuously enrolled at the old school.
- c. A transfer due to change of residence that is granted under paragraph a. or b. of this section of this Procedure shall be granted regardless of space availability limitations that would be applied to other internal and external transfer requests.
- d. A resident of the District who is planning a change in residence within the boundaries of the District and who files a written and notarized declaration of intent to establish a new residence within 9 weeks of the start of a school semester may apply for and may be granted a temporary internal transfer to the school assigned to the new residence (to take effect at the start of a semester) for no longer than said 9-week period provided that

space is available in the proposed transfer school. Such a declaration shall identify the specific address of the proposed new residence and specify the time by which it is expected that the move to the new residence shall be complete. If the temporary transfer is granted and the new residence is established, the student shall forfeit the option of returning to the school in which he/she was previously enrolled. If the new residence is not established within the 9 week period, the temporary transfer may be revoked.

3. Except as modified by the Board relative to an internal transfer into the Nuestro Mundo Charter School Program, as long as it is embedded into Frank Allis Elementary School, the procedure for processing an internal transfer by request of parents for the next school year (including late applications that seek approval of a transfer during the current school year) shall be as follows:
 - a. Each request will be considered on an individual basis.
 - b. The following steps are necessary to effect a transfer request:
 - 1) The parent shall complete an Application for Student Internal Transfer Form and file the application with the MMSD Enrollment Office.
 - 2) Annual applications for an Internal Transfer will be accepted for the next year beginning on the 1st Monday in February. Internal applications that are filed on or after the 1st Monday in February and before 4:00 p.m. on the 3rd Friday in March shall be given preference over applications filed under the External Transfer (Open Enrollment) Policy.
 - 3) After all requests have been received the Enrollment Office communicates with both resident and receiving school PRINCIPALS. The PRINCIPALS may provide input into the transfer application decision.
 - a) In judging an internal transfer request, the Enrollment Office shall first determine whether the application is potentially approvable using the space availability and special education criteria defined in the Policy section, above.
 - 4) If the application is potentially approvable, and one or more otherwise similarly-situated applications cannot be granted due to competing space limitations, the following criteria shall be used for granting a Transfer Request on a priority basis:

- a) The student is currently enrolled in the school and wishes to continue.
 - b) The student is seeking to enroll in a new school directly from a school in the new school's normal progression.
 - c) The student already has a sibling enrolled at the new school who will be attending the new school at the same time as the applicant if the application is granted.
 - d) The student has a parent who is a staff member at the school.
 - e) All remaining transfer applications into the school, grade, or program.
- 5) If, after giving the priorities as set forth above, there are more Internal Transfer Requests than the new (receiving) school has space available, then lotteries will be held within the priority groups defined above to determine the order of approval. The Enrollment Office shall establish a waiting list (by priority group) in the order established by the results of the lotteries. At least one separate evaluation of enrollment and space availability shall be made during the summer, and applications granted if possible. Pending applications on the waiting lists may be granted through the second Friday of the start of the next school term (i.e., the fall semester). If any applications remain pending following the second Friday of the next school term (i.e., the fall semester), they will be re-evaluated for possible approval to take effect at the mid-point of the school term (i.e., the start of the spring semester), except that the Enrollment Office shall not approve any internal transfers under this Procedure for students entering the final semester of 5th or 8th grade. Following the start of the spring semester, the Enrollment Office may approve only those internal transfers applications granted as the result of an appeal.
- 6) The Enrollment Office continues to accept internal transfer applications for students who apply after the March deadline, until the start of the December school vacation period. However, requests filed after the March deadline are not entitled to any priority or preference (e.g., sibling, staff member's child, etc.) that would cause the Enrollment Office to grant the late application ahead of any application received before the March deadline. Such late applications will be added to end of the last-priority waiting list in the order received, and the only priority to be granted within the group of late applications shall be a preference for applicants who

already have a sibling enrolled at the new school who will be attending the new school at the same time as the applicant if the application is granted. A timely filed application for external transfer (open enrollment) into the MMSD will be granted ahead of an internal transfer application that is filed after the March deadline.

- 7) If a parent/guardian files multiple applications for internal transfer covering the same school year, and one such application is approved by the District, the approval shall result in the removal and withdrawal of any remaining pending requests for transfer for which a lottery or waiting list was necessary.

4. Appeal to the Assistant Superintendent

- a. An appeal to the Assistant Superintendent based on a challenge to the procedures used by the Enrollment Office (such as a determination that an application was untimely or that the Enrollment Office failed to grant an appropriate priority), including any decision of the Enrollment Office that effectively operates as the final “denial” of an application, must be made within fourteen (14) calendar days of the date the parent or adult student is notified of the applicable decision of the Enrollment Office.
- b. The parent or guardian of an applicant for internal transfer may submit a written request seeking review of an internal transfer application based on exceptional circumstances at any time, and the Assistant Superintendent will review the request and may consider granting the request as an administrative transfer if appropriate.
- c. An applicant may file a written appeal of a decision of the Assistant Superintendent within ten (10) calendar days of receiving notice of any adverse decision. The written appeal shall be filed with Office of the Assistant Superintendent.
- d. A final determination of an appeal shall be made by the Superintendent with ten (10) calendar days of the receipt of the appeal.

5. The following are effects of granting an Internal Transfer application pursuant to this Procedure:

- a. Notification of final approval will be mailed to the parent from the Enrollment Office or from the appropriate Assistant Superintendent. Such notice shall include a statement regarding parental responsibility for transportation.
- b. If an application for an Internal Transfer is granted without restriction, and unless the transfer is revoked, the student may continue to attend the

school to which the transfer was granted and other MMSD schools in the normal progression without filing another Internal Transfer Application Form.

- c. Responsibility for the pupil's regular attendance and acceptable school conduct rests with the pupil and the pupil's parent/guardian.
- d. Except as otherwise required by law, the responsibility for the transportation of an internal transfer student to and from school rests with the parent/guardian (or adult pupil). Middle and high school students who purchase or who, due to indigency, would normally be entitled to receive District-subsidized public transportation passes/tickets as a non-transfer student, may continue to receive any subsidy for which they would have qualified as a non-transfer student and may use such bus passes/tickets to attend middle or high school as a transfer student to the extent that existing routes of the public transportation agency may be practical for such transportation.

6. Interscholastic athletic eligibility

- a. Students are eligible to participate in interscholastic athletics at the high school of the attendance area determined by the legal residence of the parent (reference BOARD POLICY [4021](#)) and as set forth below:
 - 1) A student placed at a high school by the Madison School District for special education program reasons is eligible to compete in athletics at that high school.
 - 2) Optional area. A student whose parents' legal residence is in the "Optional High School Attendance Area" and is thereby permitted to exercise a choice among the high schools shall have his/her athletic eligibility established based on the school the parents declared as the child's "Home School" on the "Declaration Of Home School For Students Residing In The Optional High School Attendance Area" Form.
 - 3) A student enrolled at Malcolm Shabazz City High School shall have his/her eligibility established at the high school of the attendance area determined by the legal residence of the student's parent.
 - 4)
 - a) A student (1) whose parent moves into a different attendance area within the Madison Metropolitan School District any time after he/she has completed Grade 9; or (2) whose parent moves into another school district any time after he/she has completed Grade 9 may continue to be

eligible in the same school, provided enrollment is continuous in the same school.

- b) Any student who internally transfers within the Madison Metropolitan School District or under the external transfer open enrollment policy without an appropriate change of residence is eligible to participate in practice and competition at all levels if all eligibility requirements specified by the WIAA or the transferring school's athletic code have been satisfied. Any student who attains athletic eligibility through either an internal transfer or pursuant to the external transfer open enrollment policy and subsequently transfers to any other MMSD school after August 1st of the same school year (including a transfer back to his/her home school) is ineligible for athletic competition for the remainder of the school year.
- c) The student/parent, when notified of the approval of an internal transfer request, shall also be informed that should the student return to his/her home school after transferring that he/she will be ineligible for athletic competition until the beginning of the next school year.

7. Revocation of an Internal Transfer.

- a. A principal may revoke an internal transfer for reasons related to the behavior/discipline, absenteeism/truancy, or tardiness of the student.
- b. The appropriate Assistant Superintendent may revoke a transfer for which there is evidence from which a reasonable person could conclude that the transfer was sought or obtained based on illegitimate or false information, deceptive practices, or in any manner that attempts to gain a privilege or advantage inconsistent with the intent of the Board policies.
- c. The appropriate Assistant Superintendent may revoke a transfer that was originally granted as an administrative transfer.
- d. To the extent applicable to a specific revocation case:
 - 1) The appropriate Assistant Superintendent must approve the revocation of the transfer of a middle school student who is in the second semester of 8th grade, and consideration shall be given to options such as having the revocation take effect at the start of the next academic year (e.g., at the transition to high school).

- 2) The appropriate Assistant Superintendent must approve the revocation of the transfer of a high school student who has attained 12th grade status and who could accumulate sufficient credits to graduate by the conclusion of the summer school session that follows the current school term. Consideration shall be given to alternatives that would permit the student to complete 12th grade without changing schools.
- 3) When a transfer is revoked at the elementary school level, the revocation may take effect at any point, except that any revocation proposed to occur at a point other than the end of a grading quarter shall be approved by the appropriate Assistant Superintendent.
- 4) Except as restricted for 8th and 12th grade students above, when a transfer is revoked at the middle or high school level, the revocation shall generally be effective no earlier than the end of the current grading quarter, but may occur at such time as may be approved by the Assistant Superintendent.
- 5) An internal transfer shall not be revoked before the parent/guardian (or adult student) is given notice of the reasons for a potential revocation and an opportunity to discuss the reasons and potential revocation with the appropriate administrator(s). Except in cases involving a recommendation for expulsion or other similarly egregious conduct, revocation shall be preceded by a warning notice that the school is considering revocation as a possible sanction / consequence.
- 6) If a transfer is revoked, the student shall automatically be enrolled in his/her school of residence.
- 7) Following the revocation of an internal transfer, the appropriate Assistant Superintendent must grant approval for the same student to apply for a subsequent internal transfer at the same instructional level at which revocation occurred (i.e., elementary level or secondary level).

1/11/2010