

INDEPENDENT SCHOOL DISTRICT 196  
Rosemount-Apple Valley-Eagan Public Schools  
*Educating our students to reach their full potential*

Series Number 502 Adopted December 1976 Revised March 2022

Title Student Transfers

**1. Attendance Parameters**

- 1.1 The school a student under age 18 attends is based on the residence of the student and his or her custodial parent or legal guardian.
- 1.2 The school a student age 18 or older attends is based on the student's residence.

**2. Attendance Priorities** – Priority for attendance in District 196 schools shall be given in the following order:

- 2.1 To students who live in the attendance area of the school requested;
- 2.2 To students who live in District 196 but outside of the attendance area of the school requested, and
- 2.3 To students who live outside District 196.

**3. Parameters for Student Transfers** – The School Board authorizes the superintendent to design and implement regulations and procedures to allow District 196 residents and non-residents to request in which District 196 school or center-based special education program their student will be enrolled. See section 4, Transfer Options.

- 3.1 Applications for transfer from one District 196 school to another District 196 school (intradistrict transfer) and from outside District 196 to a District 196 school (interdistrict transfer) will be considered individually based on the transfer options in section 4, and related regulations and procedures.
- 3.2 Unless specifically noted otherwise, all transferring students shall be assigned to schools that have available space based on building capacity plus five percent for district residents and building capacity for nonresidents as determined by the directors of elementary education (for grades k-5), secondary education (for grades 6-12) and special education (who will determine the capacity of center-based special education programs based on laws and district policies).
- 3.3 When determining space available for interdistrict and intradistrict student transfers, the directors of elementary education (grades k-5), secondary education (grades 6-12) and special education (center-based special education programs) have the authority to determine, waive, increase or reduce the capacity figures of a school or program, as needed, on a case-by-case basis.
- 3.4 The School of Environmental Studies (for juniors and seniors who are accepted to attend SES through a separate application process) is not open to the types of transfers described in section 4.
- 3.5 Magnet Schools use a separate enrollment process which is detailed in Procedure 502.3P, Attendance Priorities for Transfer Students – Magnet Schools.
- 3.6 Transportation
  - 3.6.1 Transportation of intradistrict transfer students (except as noted in sections 3.6.2 and 3.6.3) is the responsibility of the student's parent or guardian, or of the adult student age 18 or older. If requested by the parent, guardian or adult student (using Procedure 707.7.1P, Request to Ride

Existing Buses for Intradistrict Transfer Students or 707.7.3P, Request to Ride Existing Buses for Intradistrict Transfer Students – Magnet Schools), an intradistrict transfer student may ride a District 196 school bus as long as the following conditions are present. If any of the following conditions change, permission to ride a school bus may be revoked.

- 3.6.1.1 There is an existing bus route;
  - 3.6.1.2 The student can be at an existing bus stop;
  - 3.6.1.3 No rerouting of buses is necessary, and
  - 3.6.1.4 Unassigned space is available on the bus.
- 3.6.2 For students transferring from one school to another in District 196 for daycare reasons, transportation will be provided as outlined in Policy 707, Student Transportation (section 1.6, Transportation for Elementary School Students in Daycare) and Regulation 707.2AR, School Bus Safety.
- 3.6.3 Transportation will be provided to students who are eligible for transportation due to certain attendance area adjustment transfers as authorized by the School Board on December 13, 2021. Transportation eligibility is limited in duration.
- 3.6.4 Transportation of interdistrict transfer students is the responsibility of the student's parent or guardian, or of the adult student age 18 or older. If the parent, guardian or adult student requests service (using Procedure 707.7.2P, Request to Ride Existing Buses for Interdistrict Transfer Students), an interdistrict transfer student may ride a District 196 school bus within District 196 boundaries in accordance with state law.

#### 4. **Transfer Options**

- 4.1 State Enrollment Options Program – In accordance with Minnesota Statute 124D.03, subd. 2, District 196 may limit the number of nonresident students who transfer to the district under the state Enrollment Options Program to a number not less than the lesser of: 1) one percent of the total enrollment at each grade level in the district; or 2) the number of district residents at that grade level enrolled in a nonresident district under the Enrollment Options Program. If the School Board limits enrollment in this manner, they must take action on an annual basis, before January 1 of each year. For more information, refer to Regulation 502.4.1AR, Student Transfers: State Enrollment Options Program.
- 4.2 State Graduation Incentives Program – In accordance with Minnesota Statute 124D.68, Graduation Incentives Program, the superintendent shall develop and implement regulations and procedures to facilitate transfers for students who qualify under this program. For more information, refer to Regulation 502.4.2AR, Student Transfers: State Graduation Incentives Program.
- 4.3 Continued Enrollment of an 11th or 12th Grade Student – In accordance with Minnesota Statute 124D.08, subd. 3, an 11th or 12th grade student who has been enrolled in a District 196 school and whose parent or guardian has moved to another District 196 school attendance area or another district, or an 11th or 12th grade student who is 18 years of age or older and has moved to another District 196 school attendance area or another district, may apply to continue to be enrolled in the District 196 school he or she has been attending. For more information, refer to Regulation 502.4.8AR, Student Transfers: Continued Enrollment of 11<sup>th</sup> and 12<sup>th</sup> Grade Students.

- 4.4 Tuition Agreements for Special Education Students or Students Placed for Care and Treatment
    - 4.4.1 District 196 will pay tuition for resident students who receive special education or care and treatment services in other school districts, if such service is determined to be appropriate through the child study process or outside agency placement. For more information, refer to section 1 of Procedure 502.4.6P, Tuition Agreements: Students Served for Special Education, or Care and Treatment.
    - 4.4.2 District 196 will charge tuition for non-resident students who receive special education or care and treatment services in a facility located within District 196 boundaries. For more information, refer to section 2 of Procedure 502.4.6P, Tuition Agreements: Students Served for Special Education, or Care and Treatment.
  - 4.5 Intent to Establish Residency – Applications for transfers shall be considered based on residency plans of the student’s parent or guardian or the adult student (age 18 or older). For more information, refer to Regulation 502.4.5AR, Student Transfers: Intent to Establish Residency.
  - 4.6 Daycare – Transfers shall be considered to meet daycare needs for students in kindergarten through grade five. For more information, refer to Regulation 502.4.4AR, Student Transfers: Daycare for Students in Grades K-5.
  - 4.7 Attendance Area Adjustments – Applications for transfer based on board approved attendance area adjustments shall be considered based on the criteria identified in the applicable School Board action. For more information, refer to Regulation 502.4.3AR, Student Transfers: Parent/Guardian/Adult Student Request, Procedure 502.2P. Attendance Priorities for Transfer Students and the applicable School Board action.
  - 4.8 Parent/Guardian/Adult Student Request – Applications for transfer based on any reason other than those listed in sections 4.1 – 4.7 above shall be approved or denied by the appropriate district-level director based on space available in the requested school. For more information, refer to Regulation 502.4.3AR, Student Transfers: Parent/Guardian/Adult Student Request.
5. **Reporting** – The superintendent or designee shall annually report to the School Board a summary of transfers granted between District 196 and other school districts, and between schools in District 196.

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**References:**

- Minnesota Statute 120A.22, Compulsory instruction
- Minnesota Statute 123B.88, Independent school districts; transportation
- Minnesota Statute 124D.03, Enrollment options program
- Minnesota Statute 124D.08, Agreement between school boards
- Minnesota Statute 124D.68, Graduation incentives program
- Stewart B. McKinney Act, Public Law 100-77 (homeless) 42 U.S.C. §11431-11435 (access of homeless children to a free appropriate public education)
- Attendance Area Adjustments, District 196 School Board Meeting, December 13, 2021 Exhibit G3