

S-1.A: Administrative Procedures

School Admissions



REFERENCES

[Board Policy S-1](#)
[S-1.B.: Administrative Procedures, School Choice](#)
[Enrollment and Placement Review Team Form](#)

DEFINITIONS

Alternative District or Alternative District of Residency: A district, which may provide educational services, where a student resides:

- A. with a responsible adult, other than a custodial parent or legal guardian; or
- B. in a health care facility or human services program facility.

Children of Military Families: School aged children, enrolled in kindergarten through twelfth grade, in the household of an active-duty member.

Health Care Facility: General acute hospitals, specialty hospitals, home health agencies, hospices, nursing care facilities, residential-assisted living facilities, birthing centers, ambulatory surgical facilities, small health care facilities, abortion clinics, facilities owned or operated by health maintenance organizations, end stage renal disease facilities, and any other health care facility that is designated by the State's Health Facility Committee. Health care facility does not include the offices of private physicians or dentists, whether for individual or group practice, except that it does include an abortion clinic.

Human Services Program: For purposes of these administrative procedures, human services program means a: foster home; therapeutic school; youth program; resource family home; or recovery facility. Human services program also includes a facility or program that provides: secure treatment; inpatient treatment; residential treatment; residential support; adult day care; day treatment; outpatient treatment; domestic violence treatment; child-placing services; social detoxification; or any other human services that are required to contract with and be licensed by Utah's Department of Human Services. Human services program does not include a boarding school or a residential, vocational and life skills program, as defined in Utah Code Ann. §13-53-102.

Enroller: An individual who enrolls a student in a public school.

Newcomer Student: A student who is three through 21 years old; was not born in the United States; and has not attended one or more schools in one or more states for more than three full academic years.

Parent:

For purposes of these administrative procedures and the corresponding board policy, "parent" means:

- A. a biological or adoptive parent;
- B. a legal guardian or other individual legally authorized to make educational decisions for the child;
- C. an individual, with whom the child lives, who is acting as a parent in the absence of a natural parent or a guardian;
- D. a foster parent if the authority of the biological or adoptive parents to make educational decisions on the child's behalf has been terminated or specifically limited by a court order;
- E. in the absence of any individual qualified under parts A-D, a surrogate parent appointed pursuant to the Individuals with Disabilities Education Act; and/or
- F. a stepparent if the stepparent is present on a day-to-day basis with the natural parent and child, and the other parent is absent from the home. A stepparent who is not present on a day-to-day basis in the home of the child does not have rights under Family Educational Rights and Privacy Act ("FERPA") with respect to the child's education records. Stepparents without guardianship of a child do not have the authority to enroll or register a child in school.

"Parent" does not include the state or any political subdivision of government.

Qualified Social Service Provider: A social service provider that works directly with a student's family.

Social Service Provider: A social service provider means one of the following professionals, licensed to practice under Utah Code Ann. §58-60-205:

- A. a clinical social worker;
- B. a certified social worker;
- C. a certified social worker intern;
- D. a social service worker; or
- E. staff employed to provide direct support to a professional described in subparts A.-D. above.

Toilet Trained: For purposes of these administrative procedures, toilet trained means a child must demonstrate the ability to independently use the toilet for urination and bowel movements, which includes:

- A. the ability to communicate their toileting needs;
- B. pull down and up their clothing;
- C. wipe themselves appropriately and flush the toilet; and
- D. wash their hands afterward.

Occasional accidents do not mean that the child is not toilet trained.

PROCEDURES FOR IMPLEMENTATION

I. Determination of a Child's School District of Residence

- A. The school district of residence for a minor child whose parent resides within Utah is:
 - 1. the district in which the custodial parent resides; or
 - 2. the school district in which the child resides:
 - a. while in the custody or under the supervision of a Utah state agency, local mental health authority, or substance abuse authority;
 - b. while under the supervision of a private or public agency authorized to provide child placement services by the Division of Child and Family Services ("DCFS");
 - c. while living with a responsible adult resident of the district, if a determination has been made by the board that:
 - i. the child's physical, mental, moral, or emotional health would best be served by considering the child to be a resident for school purposes;
 - ii. exigent circumstances exist which would not permit the case to be appropriately addressed under the district's open enrollment procedures; and
 - iii. considering the child to be a resident of the district would not violate any other applicable law or rule;
 - d. if the child is married or has been legally declared an emancipated minor; or
 - e. while the child is receiving services from a health care facility or human services program, if a determination has been made by the board that:
 - i. the child's physical, mental, moral, or emotional health would best be served by considering the child to be a resident for school purposes;
 - ii. exigent circumstances exist which would not permit the case to be appropriately addressed under the district's open enrollment procedures; and
 - iii. considering the child to be a resident of the district would not violate any other applicable law or rule.
- B. A minor child whose custodial parent does not reside in the state is considered to be a resident of the district in which the child lives, if:
 - 1. the child is married or an emancipated minor; or
 - 2. the child lives with a resident of the district who is a responsible adult and whom the district agrees to designate as the child's legal guardian in accordance with state law; or
 - 3. the board determines that:
 - a. the child lives with a responsible adult who is a resident of the district and is the child's noncustodial parent, grandparent, brother, sister, uncle, or aunt;
 - b. the child's presence in the district is not for the primary purpose of attending school;
 - c. the child's physical, mental, moral, or emotional health would best be served by considering the child to be a resident for school purposes; and
 - d. the child is prepared to abide by the rules and policies of the school and district; or
 - 4. the board determines that:
 - a. the child's parent moves from the state;
 - b. the child's parent executes a power of attorney under Utah Code Ann. §75-5-103 that
 - i. meets the requirements of Section I.C. below; and
 - ii. delegates powers regarding care, custody, or property, including schooling, to a responsible adult with whom the child resides;
 - c. the responsible adult described in Section I.B.4.b.ii. is a resident of the district;
 - d. the child's physical, mental, moral, or emotional health will best be served by considering the child to be a resident for school purposes;
 - e. the child is prepared to abide by the rules and policies of the school and school district in which attendance is sought; and
 - f. the child's attendance in the school will not be detrimental to the school or school district.

- C. If admission is sought under Sections I.A.2.c, I.B.3, or I.B.4 above, then the district requires the person with whom the child lives to be designated as the child's custodian in a durable power of attorney or the child's guardian. See, Section IX below for more information of durable powers of attorney and guardianships.

II. Enrollment of Homeless or Unaccompanied Youth, or Emancipated Minors

- A. Pursuant to state and federal law, homeless students are entitled to immediate enrollment and full participation in school, even if they are unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency, guardianship records, birth certificate, or other required documents.
- B. A homeless child or unaccompanied youth must:
 - 1. be allowed to continue in their school of origin, defined as the school the child has attended when permanently housed or the school the child last attended;
 - 2. be allowed to enroll in the school in whose boundaries the child actually resides;
 - 3. be enrolled immediately with the expectation that the child begin attending immediately;
 - 4. be provided transportation support to the child's school of origin; and
 - 5. be eligible for free meals.
- C. Determination of residence for homeless, unaccompanied youth, or emancipated minors may include consideration of the following criteria:
 - 1. the place, however temporary, where the student actually sleeps;
 - 2. the place where the student keeps his/her belongings; and/or
 - 3. the place which the student considers to be home.
- D. Determination of residence for such students may not be based upon:
 - 1. rent or lease receipts for an apartment or home;
 - 2. the existence or absence of a permanent address; or
 - 3. a required length of residence in a given location.
- E. After the student is enrolled and attending the school, the district's homeless liaison will assist the parent or unaccompanied youth in obtaining necessary records, completing forms, and/or provide other assistance as necessary.
- F. Any disputes involving school selection or enrollment of a homeless child or an unaccompanied youth shall be referred to the district's homeless liaison. However, a homeless child or unaccompanied youth must be immediately admitted to the school in which enrollment is sought pending resolution of the dispute.
 - 1. The parent, guardian, or unaccompanied youth must be provided with a written explanation of the school's decision regarding school selection or enrollment, including the rights of the parent, guardian, or youth to appeal the decision.
 - 2. If the parent, guardian or unaccompanied youth wish to appeal the decision, the district homeless liaison should be notified.
 - 3. The district homeless liaison will ensure the appropriate dispute resolution process is carried out as quickly as possible.
 - 4. The district homeless liaison will notify the director of student services, who will convene an appeals committee. This committee will be comprised of a school administrator, a counselor from an uninvolved school, and a staff member from the student services department.
 - 5. The appeals committee will hear the dispute and render a written decision which will be provided to the appellant. The decision of this committee may be appealed to the superintendent or his/her designee within fifteen business days of the date of the decision. The parent, guardian, or unaccompanied youth may also appeal that decision to the State Superintendent of Public Instruction, whose decision is final.
- G. If there is a dispute as to the residence or the status of an emancipated minor or an unaccompanied youth, the district homeless liaison should be contacted, but the issue may also be referred to the Utah State Board of Education ("USBE") for resolution.

III. Enrollment for Students with Disabilities

- A. For a student with a disability being educated pursuant to an individualized education program ("IEP"), the appropriate educational placement must be determined by the student's IEP team.
- B. The decision to accept a student requiring special education services must include consideration of the capacity of the school's special education program, and the services mandated by the student's IEP. Services provided in self-contained programs are an IEP team decision and not an enrollment option.
- C. The capacity of the special education program is defined by using the weighted count described in the USBE Special Education Rules. If 90% of that capacity has been reached, additional enrollment requests requiring special education services may not be granted.
- D. If it is determined that the school has not reached the 90% capacity, schools will use the process outlined in Section XIV in determining which applications to accept.

- E. If, during the course of the school year, a student requires additional special education services, the IEP team will determine an appropriate placement, which may or may not be at the same school.
- F. A transfer student's enrollment may be discontinued if it is determined by enrollment projections that the capacity of the special education program will exceed 90% capacity for the coming school year. Parents will receive notice no later than March 15 if the student's enrollment is to be discontinued.

IV. Determination of Alternative District of Residency

- A. A student's custodial parent may request a determination that the district is a student's alternative district of residency.
 - 1. Any such requests must be in writing;
 - 2. The parent/student must indicate why the student should receive resident services from the district in accordance with Sections I.A.2.c or I.A.2.e above; and
 - 3. The request must be submitted to the district's executive director of school leadership and support ("EDSLS").
- B. Upon receiving such a request, the district's EDSLS will review the request and, within ten business days, make a recommendation to the superintendent on whether the student should be treated as a resident of the district.
- C. The student's custodial parent's district of residence is responsible for the student's education services pending the superintendent's decision.
- D. The superintendent will issue a written decision within ten business days setting forth the statutory reasons for approving or denying the request.
- E. If the superintendent approves the request, the district shall assume responsibility for providing educational services for the student and enroll the student immediately.
 - 1. If a request is approved for a student qualifying for services under IDEA, the district shall conduct an IEP meeting with parents, representation from the district and the former district of residence, and the student.
 - 2. If a request is approved for a student attending a private human services program facility, the student is entitled to educational services at a school designated by the district.
 - a. The district is not required to provide educational services on site at a private human services program facility, unless the student's district IEP team determines that on-site services are required to meet the student's needs under federal law.
 - 3. The district is not responsible for a student's required transportation between a health care facility or human services program facility and the designated school.
 - 4. The superintendent or the EDSLS may periodically reevaluate the non-resident student's eligibility for district education services in accordance with the criteria outlined in Sections I.A.2.c or I.A.2.e.
- F. If the superintendent denies a student request, the student may appeal the decision within ten business days to the State Superintendent of Public Instruction.

V. Residency Documentation

- A. Before a student is enrolled in a district school, the student's parent(s) must show proof of residency in the district, except for a determination regarding homeless or unaccompanied youth, or emancipated minors (see, Section II above).
- B. The following are examples of documentation a school may request to show residency. The district considers two forms of any of the following -- in any combination -- to be sufficient to establish residency (e.g., one document from Section 1 and one document from Section 2; or two documents from Section 2; or one document from Section 1 and one document from Section 3, etc.):
 - 1. Documents showing primary residence:
 - a. copy of deed and/or record of most recent mortgage payment;
 - b. copy of lease and record of most recent rent payment;
 - c. legal affidavit from landlord affirming tenancy, stating the duration of tenancy, and record of most recent rent payment, if available, or statement in the landlord's affidavit that s/he is not charging the family rent;
 - d. other documentation acceptable to the district that confirms legal guardian's primary residence; or
 - e. if none of the above is available, a legal affidavit from the leader of a recognized, established religious unit (ward, stake, parish, mosque, synagogue, etc.) affirming that the family lives at the address designated by the parent.
 - 2. Documents dated within the past 60 days:
 - a. letter from approved government agency, such as assisted housing, food stamps, or unemployment payments;
 - b. payroll stub;
 - c. bank or credit card statement;

- d. utility bill;
 - e. valid driver's license;
 - f. current vehicle registration;
 - g. valid Utah photo identification card;
 - h. valid passport;
 - i. voter registration documentation; or
 - j. church or religious records.
- 3. Documents dated within the past year:
 - a. W-2 form;
 - b. excise (vehicle) tax bill; or
 - c. property tax bill.
- C. The following documents do not establish residency:
 - 1. powers of attorney;
 - 2. letters from friends or relatives;
 - 3. P.O. Box in district boundaries; or
 - 4. property owned in district boundaries.
- D. The school does not need to retain documentation provided by a student's parent(s) or legal guardian(s) once residency has been confirmed.
- E. False or misleading information regarding residency or other pertinent information will result in revocation of the student's enrollment.

VI. Entrance Requirements and Grade Placement

- A. School assignment and grade placement of any K-12 student is determined by the district.
- B. In order to enroll a child in kindergarten, the child must be at least five years of age on or before September 1 of the school year for which enrollment is sought and the child must be toilet trained. (See, Definitions, Toilet Trained.)
 - 1. Enrollment in a kindergarten program is optional.
 - 2. A child must be toilet trained when starting the school year.
 - 3. Once a school determines that a student, who has begun kindergarten, is not toilet trained, the student will be unenrolled from kindergarten within three school days to work on this skill at home.
 - a. The school will meet with parents and work collaboratively to support and encourage toilet training at home and develop a transition plan. This plan may include:
 - i. Providing resources and guidance to parents on effective toilet training methods; and
 - ii. Allowing the student to attend school with transition accommodations, such as wearing pull-up diapers.
 - b. Once the student is toilet trained, parents or guardians can notify the school administration and the student will be re-enrolled in a kindergarten classroom, during which time the student will be evaluated.
 - i. The student is not guaranteed enrollment in the same kindergarten classroom; enrollment in a particular classroom will be determined based on current enrollment.
 - ii. The student will be evaluated for up to ten days to ensure they are toilet trained as defined in these procedures.
 - 4. The district will maintain confidentiality regarding students' toilet training status and provide a supportive and non-judgmental environment for families.
 - 5. If a student has a documented medical or developmental condition that impacts their ability to achieve toilet training, the school will work with parents, medical professionals, and/or the student's file holder to determine appropriate accommodations and support plans.
- C. The district will enroll six-year-old children, who have not attended a kindergarten program, based on the child's date-of-birth:
 - 1. Children who turn six years old between July 1 and September 1 will be enrolled in kindergarten, and their grade-level placement will be evaluated before the end of that school year.
 - 2. Children who turn six years old prior to July 1 will be enrolled in first grade, and their grade-level placement will be evaluated before the end of that school year.
- D. In order to enroll a child in first grade, the child must be at least six years of age on or before September 1 of the school year for which enrollment is sought.
- E. Students entering the district after first grade, will be placed according to their age. (For additional information on grade placement, see I-8: Administrative Procedures, Student Progress and Academic Achievement.)
- F. Compulsory education laws require all children age six to 18 to be enrolled in school or have a documented, current, authorized exemption from school.

VII. Enrollment Documentation

- A. In accordance with state law, upon enrollment for the first time in any school, the individual enrolling the student (the "enroller") shall provide within 30 days of the date of enrollment:
 1. a certified copy of the student's birth certificate; or
 2. other reliable proof of the student's
 - a. identity;
 - b. biological age; and
 - c. relationship to the student's legally responsible individual; and
 - d. an affidavit explaining the enroller's inability to produce a copy of the birth certificate; and
 3. a certified, accurate, and complete immunization record or official immunization exemption; and
 4. if applicable, a report card or written withdrawal form from the school last attended.
- B. If the documentation described in Section VII.A. inaccurately reflects the student's biological age, the enroller shall provide to the school:
 1. an affidavit explaining the reasons for the inaccuracy; and
 2. except as provided in Section VII.C. below, supporting documentation that establishes the student's biological age.
 - a. The supporting documentation may include:
 - i. a religious, hospital, or physician certificate showing the student's date of birth;
 - ii. an entry in a family religious text;
 - iii. an adoption record;
 - iv. previously verified school records;
 - v. previously verified immunization records;
 - vi. documentation from a social service provider; or
 - vii. other legal documentation, including from a consulate, that reflects the student's biological age.
- C. If the supporting documentation described in Section VII.B.2.a. is not available, the school shall assign a review team to work with the enroller to determine the student's biological age for the district to use for a student's enrollment and appropriate placement in a public school. To assist schools with this process, the district has created an [Enrollment and Placement Review Team form](#).
 1. The review team must include three members, one of whom has completed the state-mandated child sexual abuse and human trafficking prevention training within the last two years.
 - a. The members of the review team may include a district administrator, the student's teacher(s); the school principal; a school counselor; a school social worker; a school psychologist; a culturally competent and trauma-informed community representative; a school nurse; or a relevant educational equity administrator.
- D. A school shall report to local law enforcement and to DCFS any sign of child trafficking that the review team identifies in carrying out the review team's duties.
- E. A school enrolling a transfer student must request a certified copy of the transfer student's cumulative file directly from the student's previous school within 14 days.
 1. The student's previous school must send the file within 30 school days of receiving the request, unless it has been notified by DPS that the record is that of a missing child.
 - a. If the student's record has been flagged as that of a missing child, the school may not forward the record to the new school and must notify DPS of the request.

VIII. Legal Surname

Students must be registered, and permanent records maintained, under the legal surname as shown on the student's birth certificate. This does not preclude the use of a preferred surname in daily school activities.

IX. Guardianships and Durable Powers of Attorney

- A. The district may grant a child admission to one of its schools under a durable power of attorney in circumstances described in Sections I.A.2.c and B.2-3.
- B. The durable power of attorney must be issued by the party who has legal custody of the child, must designate the individual with whom the child lives as the child's custodian, and must grant the custodian full authority to take any appropriate action in the interests of the child, including authorization for educational and medical services.
- C. Both the party granting and the custodian shall agree to assume responsibility for any fees or other educational charges, and, if a fee waiver is requested, to provide the district with all financial information necessary in order to determine eligibility for fee waivers.
- D. The district may revoke its grant of admission to a student under durable power of attorney at any time.

- E. Be aware that durable powers of attorney do not confer legal guardianship of a child and may be revoked at any time by the parties named in the agreement.
- F. A power of attorney meeting the applicable requirements and accepted by the district shall remain in force until the earliest of the following occurs:
 - 1. the child reaches the age of 18, marries, or becomes emancipated;
 - 2. the expiration date stated in the document; or
 - 3. the power of attorney is revoked or rendered inoperative by the grantor or grantee, or by order of a court of competent jurisdiction.
- G. Upon request, the district may provide required court documents, including affidavits of waiver, when an individual is petitioning a court for legal guardianship of a minor child.
- H. Before the director of student services signs appropriate court waivers for guardianships, all non-resident students over the age of eleven must complete a background check, and petitioner(s) must present a written, notarized letter of parental consent conveying care and custody of the child to the petitioner.

X. Tuition

- A. Students residing outside of the state, and whose parents reside outside the state, will be charged a tuition fee in an amount determined by the board. Tuition fees may be waived if the following criteria are met:
 - 1. the student did not come to Utah for the primary or sole purpose of attending public school; and
 - 2. the intent of the student, the student's parent, and the party with whom the student lives, is that the student remains in Utah as a permanent resident.
- B. The district is under no obligation to enroll a non-resident student even though the person seeking to enroll the student is willing to pay tuition.

XI. Procedures for Admission of Foreign Exchange Students

- A. USBE will determine how many foreign exchange students may be accepted annually based on availability of space and legislative resources.
- B. Foreign exchange students seeking admission to a district school on a J-1 VISA must be sponsored by a district approved agency or program in coordination with the student services department according to board policy and procedures.
 - 1. The district will only accept foreign exchange students from agencies and programs that meet the following two requirements:
 - a. The program has been evaluated and approved by the Council on Standards for International Educational Travel ("CSIET") or can provide other acceptable documentation in order to ensure that the agency is in compliance with all rules and regulations established by the U.S. Department of State regarding foreign exchange programs; and
 - b. The agency or program has completed the district's required sworn affidavit of assurances as prescribed in state law and board policy.
 - 2. The annual deadline for an agency or program to submit both the certificate of satisfactory CSIET evaluation and the district affidavit of assurances is November 15. The district reserves the right to require further documentation of CSIET approval from any agency or program.
 - 3. No application for an exchange student will be accepted for consideration of admission for the coming school year if the agency or program has not submitted both documents to the director of student services before the November 15 deadline.
- C. Annually, the director of student services will submit a list of qualified agencies or programs seeking to place exchange students in the district to the board for its approval.
 - 1. A final list of approved board agencies will be available in December.
 - 2. Board approval does not guarantee the acceptance of all foreign exchange student applications.
- D. Student applications from board approved agencies may be submitted to the director of student services after January 15 and no later than July 1. No applications will be accepted after the deadline; however the district may reach its quota before July 1.
- E. Agencies will be notified in writing as soon as possible if the student's application has been accepted or denied by the district. If the student's application has been accepted, this written notification constitutes the district's approval letter.
- F. If an application is accepted, the district will determine in which school the student is accepted, and will coordinate the placement with the agency and the local school principal.
- G. Transcript of credits, complete Utah School Immunization Records, and the district approval letter must be presented at the time of registration. Upon request by the district, the agency or program must provide translations of transcripts or other student documents before the student may be registered.
- H. Foreign exchange students may not be granted fee waivers or be provided transportation at district expense beyond established school bus routes.

- I. Exchange students are not eligible to receive special education services or English Language Development services.
- J. Exchange students will not be eligible for graduation from a district high school.
- K. If the district has accepted foreign exchange students into its program, the district must provide the approved foreign exchange student agency with a list of names and telephone numbers of individuals, not associated with the agency, who could be called by an exchange student in the event of a serious problem.
- L. The district is not a designated district in the state of Utah to issue I-20's F-1 VISA; as per state law, the district does not admit foreign students who are temporarily in the country on a tourist or visitor VISA. However, resident students whose parents are in the country on a work or educational VISA may be admitted to the district.

XII. Procedures for Short-Term Cultural Foreign Student Visitors

- A. All agencies seeking to place short-term cultural foreign student visitors must submit an application to and receive approval from the district's director of student services.
 - 1. No cultural foreign student visitors may visit a district school prior to receiving such approval.
 - 2. Applications or requests made to building principals will delay the approval process required by the director of student services. Building principals do not have the authority to approve the placement of short-term cultural foreign student visitors in their schools unless approval has been given by the director of student services.
- B. A short-term cultural foreign student visitor traveling to the United States as part of a cultural exchange program may be allowed to visit classes in a district school for a period of time not to exceed five school days.
- C. Short-term cultural foreign student visitor host agencies must provide the following records and documentation to the director of student services:
 - 1. Proof that all cultural foreign student visitors have been sponsored and properly screened by an agency vetted and approved by the director of student services;
 - 2. Proof that all cultural foreign student visitors have been properly screened and interviewed by their educational institutions, the hosting agency, and the chaperones;
 - 3. A current itinerary for each foreign student visitor, including arrival, planned activities, and departure date;
 - 4. A current list of all foreign student visitors, host families, chaperones, and shadow students with current contact information including phone numbers, addresses, and email contact information of all host families and chaperones.
 - 5. Proof of insurance;
 - 6. Recommendations from teacher(s) or Principal;
 - 7. Health records/immunizations;
 - 8. Proof from each foreign student visitor that s/he had a negative Tuberculin ("TB") skin test taken within six months of visit.
- D. The director of student services may only consider short-term cultural foreign student visitor applications upon the agency completing the application process, and providing appropriate and sufficient records and documentation that the agency has and will continue to comply with all state laws, board policies, and district administrative procedures regarding the acceptance of short-term cultural foreign exchange student visitors.
- E. Foreign student visitors may only attend one school during their short-term visit.
- F. The building principal may choose to not accept short-term cultural foreign student visitors.
 - 1. Short-term foreign student visitors may be permitted to visit school only when their native language of their country of origin is associated with an academic subject offered at the school.
- G. Foreign student visitors will not be allowed admittance if they have graduated in their home country.

XIII. Transfers from Persistently Dangerous Schools and for Student Victims

- A. Pursuant to state law, students may transfer out of schools designated by the USBE as "persistently dangerous" (see, Utah Admin. Code R277-483-4, Identification of Persistently Dangerous Schools). In the event such a designation occurs:
 - 1. the board shall develop criteria for and subsequently designate district schools available to accept students requesting a transfer from the persistently dangerous school;
 - 2. parents of all students attending the persistently dangerous school shall be notified of available transfer schools no later than August 15 of the school year of designation; and
 - 3. parents of students moving into a persistently dangerous school community shall be immediately notified of the school's persistently dangerous status and their right to request a transfer.

- B. Within 30 days of receiving notification of persistently dangerous school status, parents may submit a written transfer request to the board. Students shall be assigned to an available school within 30 days of a written parent request for transfer. Parents must make a decision within 10 days following notification to accept the school assignment offered by the board or have their children remain in the resident school.
- C. Parents may appeal any decisions made under this section to the director of student services in accordance with Section XV of these administrative procedures.
- D. In accordance with state law, students who have been disciplined for certain violent criminal offenses or federal gun-free school violations forfeit their right to transfer.
- E. If a student is a victim of a violent criminal offense that occurs on school property or a federal gun-free school violation, the student and his/her parents shall receive notice of transfer options and other available services in accordance with state law.

XIV. Special Provisions Related to Children of Military Families

- A. For purposes of this section only, an eligible student means a student who is a dependent child of a member of uniformed services who is on permanent change of station orders, and is:
 - 1. Relocating to the state and does not reside in the state during the district's enrollment period; or
 - 2. Relocating out of state during the school year.
- B. The district shall allow an eligible student to:
 - 1. Provisionally enroll in a district school at the same time and in the same manner as individuals who reside in the state; or
 - 2. Provisionally enroll in the district's virtual education options in the same manner as an individual residing in the state.
- C. The district may not require proof of residence from an eligible student at the time the eligible student applies to enroll in a district school.
 - 1. The district shall require proof of residence within 10 days after the eligible student's first day of residence in the state.
- D. The Interstate Compact on Educational Opportunity for Military Children ("Compact") may require the district to implement additional alternative procedures relating to the enrollment and placement of children of military families. For purposes of these procedures, the Compact may affect enrollment requirements, including requests for documentation, age of entrance requirements, and grade placements. See, Utah Code Ann. §§53E-3-901 et seq. and 53G-6-306.