

School Assignment

Placement of Elementary Students

Reasonable steps will be taken to accommodate all K-5 students at their school-of-residence, if that is their preference, prior to June 1 of the upcoming school year.

Requests to Enroll Outside Attendance Areas

Parents, legal guardians, or a child's lawful custodian who wish to enroll their child/ren in a school in an attendance area other than the one in which they reside shall submit a transfer request to the appropriate Assistant Superintendent of Elementary Schools or Secondary Schools.

Annual Reconsideration and Provisions

Approved transfers are granted for a one-year period. Parents need not re-apply, though annual reconsideration of any approved transfer may take place depending on capacity limits of the school being reached through attendance of students living in that neighborhood. District transportation is waived when a student transfers. The student is expected to maintain acceptable attendance and behavior as determined by the building administrator. The transfer is terminated if the student enrolls in another school, public, private, or home school.

School transfers will be determined by the Assistant Superintendent on a case-by-case basis in accordance with the criteria below.

1. For All Students

- a. Knowingly providing false information on the transfer request form shall be grounds for denial of the transfer application or revocation of a previously approved transfer.
- b. Only one (1) parent-initiated student transfer will be considered per academic year.
- c. Siblings do not automatically transfer if another child in the family is approved for a transfer. Parents must file transfer request paperwork for each child. A student will be allowed to enroll in the same school as their sibling if the school requested offers the appropriate grade level and space is available.
- d. A transfer's renewal is limited by school capacity limits. Students living in the school boundaries are registered ahead of all transfer students.
- e. Transfers will not be considered if the transfer is connected to extracurricular activities (sports, music, etc.)
- f. Transfer students do not qualify for district busing. As a condition of approval for any transfer request, the requesting party shall waive access to District-provided student transportation.
- g. Upon receiving a transfer request, the designated Assistant Superintendent shall assess space availability. "Space available" means that a transfer would not, if granted: (1) cause the predetermined building, classroom, or program capacity as

defined by the District to be exceeded or to reach limits established by the Assistant Superintendent under administrative rule FAB-AR4; or (2) require additional hiring of staff.

- h. If the student on whose behalf the form is submitted is a student receiving special education services, the Director of Special Education shall be consulted to determine space availability in the District's special education program.
- i. If, after consulting with appropriate District staff (including the principal of the receiving school), the Assistant Superintendent or their designee and the Director of Special Education (if applicable) determine that space is available, the transfer request shall ordinarily be granted. However, the transfer request may be denied if the Superintendent or their designee determines that for reasons unrelated to any disability of the student, he or she should remain at the school within his or her attendance area based upon the student's disciplinary, attendance, or academic history.

2. Elementary (K-5)

- a. If a grade and/or school building has or is projected to reach or exceed capacity, transfers may not be approved;
- b. Transfer requests shall be submitted to Central Registration in accordance with deadlines in FAB-AR3 and shall be time stamped and acted upon in the order received, given prioritized criteria;
- c. Requests shall be acted upon as soon as possible in accordance with FAB-AR3. However, in times of rapidly increasing enrollment, students will remain rostered in their school of boundary until if and when there is an opening in the school of request. Such openings may not occur until shortly before the start of school due to priority given to children living within that school boundary to attend their resident school.

3. Secondary (6-12)

- a. Parents of students in grades 6-12 who wish to request a transfer for the following year should submit a request form in accordance with deadlines in FAB-AR3;
- b. Transfer requests shall be submitted to Central Registration in accordance with deadlines in FAB-AR3 and shall be time stamped and acted upon in order received, given prioritized criteria;
- c. Transfer requests received after the deadline will be acted upon no later than July 1;
- d. Secondary transfer requests received after the start of the school year generally will not be acted upon until semester time;
- e. Secondary transfers will not be considered if the transfer is connected to extracurricular activities (sports, music, etc.);
- f. Approved middle school transfers will go to the feeder high school (Horizon to CHS, Wachter to BHS, Simle to LHS) if space is available when the student reaches the senior high level. If buildings, programs, or classrooms reach capacity, the student will return to the school where they live based on boundaries.

Extra and Co-Curricular Participation for All Students

Transfer requests must be approved prior to the start of the sports season for a potential athlete to be eligible. Parents are responsible for making timely transfer requests and should review NDHSAA rules on transfers to ensure they understand eligibility requirements (www.NDHSAA.com).

Appeal of Transfer Decisions

In the case where a transfer request is denied, an appeal petition shall be considered on a case-by-case basis by the Superintendent, in consultation with the Assistant Superintendent, Activities Director, and the principals at the receiving and exiting schools. The primary factors in considering the request shall be the academic welfare of the students and the building capacity/class sizes. Extra and co-curricular factors shall not be considered.

The decision made at the end of the petition for appeal is final.

Disciplinary Transfers

Students should not be transferred from one school to another merely to relieve one school of a student who has been involved in incidents requiring disciplinary action to be taken, unless the Superintendent or their designee concludes that a “fresh start” is in the best interest of the student and the affected schools. If a transfer request is initiated during the school year by a parent, a principal, or other school administrator in charge of student discipline, due to student conduct, such request shall be made directly to the Assistant Superintendent or their designee.

Annual Review of Transfer Decisions

Transfers that are approved are subject to administrative review each year in an effort to allow space in the school building for the students who live within the building’s boundary. It is recognized that transfers may likely be impacted by future re-boundary processes. This annual review shall be governed by timeframes contained in administrative rule FAB-AR3.

Students New to the District/Relocating Within the District During the School Year

Parents who change their residence from one school attendance area to another during the school year will ordinarily transfer their student(s) into schools in their new attendance area at the time they change their residence, providing there is space in that school. In addition, the parents, at the time of changing their residence, will have the option of having their children remain in the current school for the balance of the semester or the balance of the school term.

After the school year has commenced and a grade level at a particular grade/school is at a critical size beyond which the education of children within is substantially compromised, students generally will not be admitted regardless of where they live unless existing students at that grade level transfer from the building. Parents of students denied entry into their school-of-residence under this rule will consult with the Assistant Superintendent of Elementary Schools to identify an alternate school, in the same feeder system if possible, to attend for the balance of the school year. The following year the student shall be automatically enrolled in his or her school of

residence. Parents may, if they wish, apply for a transfer to a school other than the school of residence.

End of Bismarck Public School District Administrative Rule FAB-AR2

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