

ADMISSIONS
INTERDISTRICT TRANSFERS

FDA
ADMINISTRATIVE REGULATION

NONRESIDENT STUDENT TRANSFER	The District permits nonresident students (<i>students residing outside of the EMS ISD district boundaries</i>) to attend District schools through the interdistrict transfer application process as outlined in Board Policy FDA and this regulation. The Superintendent or designee shall determine which campuses are open or closed for transfers. This determination will be made for each designated transfer window. At any point in the school year, the Superintendent or designee may open or close a campus or a grade level at a campus due to campus space or instructional staff considerations and will publish this information on the District's website. The Superintendent or designee shall have sole and exclusive discretion to determine all transfer request decisions on a case-by-case basis.
Exempted "Grandfathered" Transfer	Students who received an interdistrict transfer prior to May 1, 2026 ("grandfathered") and have maintained continuous enrollment in the District may retain their transfer status, provided the students continue to satisfy all eligibility criteria requirements, including the transfer agreement requirements, and the approved transfer has not been revoked, rescinded, or denied. While a "grandfathered" student may continue to qualify for transfer status, assignment to a specific campus is not guaranteed. Campus placement is determined each year based on factors such as campus space, campus specialized programming needs, and instructional staff considerations. Siblings of students with a "grandfathered" transfer status are not automatically eligible for a transfer. Any sibling requesting admission must apply in accordance with the transfer policy in effect at the time of the application and must independently meet all current eligibility requirements for transfer approval.
Limited Open Enrollment Program	The Superintendent or designee shall designate certain campuses as eligible for interdistrict transfers under its Limited Open Enrollment (LOE) Program. This program is intended to utilize available capacity at specified campuses by admitting additional students, as determined by current or projected enrollment counts, campus space, and instructional staff considerations.

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LIMITED OPEN
ENROLLMENT
ELIGIBILITY
CRITERIA

To be eligible for consideration for a LOE transfer, an applicant must satisfy all of the following criteria:

1. The applicant must have acceptable levels of academic performance and progress:
 - a. Students enrolled in grades K-1 are required to demonstrate a minimum performance level of *“Approaches Grading Standard”* in all assessed subject areas.
 - b. Students enrolled in grades 2–8 must maintain a **minimum passing average in each course**.
 - c. Students enrolled in grades 9–12 must maintain a **minimum passing average in each course for each semester**.
 - d. A student not enrolled in a public school or private school shall submit verifiable curriculum progress.
2. The applicant must not have school attendance that places the student at risk of losing credit or a final grade under Education Code 25.092 (*a student in any grade level from kindergarten through grade 12 may not be given credit or a final grade for a class unless the student is in attendance for at least 90 percent of the days the class is offered*) or cause the District to initiate truancy proceedings under Education Code 25.0951 (*if a student fails to attend school without excuse on 10 (ten) or more days or parts of days within a six-month period in the same school year – shall be referred to truancy court for truant conduct*). This includes documented late arrivals, late pickups, and excessive tardiness.
3. The student does not have a disciplinary history that includes serious or persistent misconduct, a removal to a Disciplinary Alternative Education Program (DAEP) or Juvenile Justice Alternative Education Program (JJAEP), or an expulsion.
4. The applicant’s LOE transfer does not require the District to employ additional staff or implement new or expanded programs to meet the applicant’s specific educational needs.
5. The parent/guardian of the applicant must not have engaged in misconduct resulting in the issuance of a criminal trespass notice by the campus, the District, or the EMS ISD Police Department.

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6. The applicant and the applicant's parent/guardian must acknowledge and consent to follow District rules, regulations,

7. The applicant must be a bona fide resident of the State of Texas.

Required
Documentation

Applicants must submit the following documents with their LOE application through the designated portal:

- a. The most recent report cards for each grading period or semester, or verifiable curriculum progress reports
- b. Current and previous school year attendance records
- c. For students served in special education, 504, GT, or EL/EB, the most recent IEP, Section 504, GT, and LPAC/TELPAS program documentation
- d. Current and previous school year discipline records
- e. The most recent standardized test results, including, but not limited to, STAAR, EOC, mCLASS, MAP assessments or any equivalent assessments.
- f. The most recent transcript and graduation plan (High School Students Only)

Limited Open
Enrollment Approval,
Denial or Revocation
Notifications and
Procedures

Applications missing any required documentation will not be eligible for consideration. If it is determined that an application or any enrollment information submitted contains falsified or inaccurate information, the transfer may be denied or revoked at any time.

The District may issue a **Transfer Revocation Warning Notice** to the parent/guardian identifying the basis upon which a student's transfer may be revoked. The parent or guardian will be afforded an opportunity to take immediate corrective action to resolve the identified issue to the satisfaction of the District.

If the parent/guardian fails to take such corrective action, the District may issue a **Transfer Revocation Notice**. Upon issuance of such notice, the decision to deny or revoke the LOE transfer shall be final.

The District shall notify applicants of an approval or denial decision in writing or electronically through the designated portal in accordance with timelines and procedures established by the District.

Students granted approval to attend EMS ISD through the LOE process shall be enrolled as EMS ISD students and must remain within the assigned school path associated with their initial transfer approval. Requests to transfer to schools outside of the assigned school path

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shall not be permitted. One approved transfer for students in each grade level band PK-5 (elementary), 6-8 (middle school), or 9-12 (high school) may be granted. An additional transfer outside of the designated grade level band will not be granted unless a listed exception applies.

Approval, Denial, and Revocation of Transfer Requests policies, the transfer agreement, and the Student Code of Conduct.

The approval, denial, or revocation of any transfer shall be subject to campus space and shall be determined based on the following factors:

1. Compliance with state-mandated student-to-teacher ratios, and existing class sizes
2. Campus instructional staff considerations
3. Current and projected student enrollment
4. The student's academic progress and performance
5. The student's adherence or failure to maintain the terms of the transfer agreement, district rules, regulations, policies, and the Student Code of Conduct
6. The student's attendance record, including documented late arrivals, late pickups, and excessive tardies or attendance issues.
7. The student's disciplinary history, including serious or persistent misconduct, a removal to a Disciplinary Alternative Education Program (DAEP) or Juvenile Justice Alternative Education Program (JJAEP), an expulsion, or excessive disciplinary history.
8. A documented lapse in enrollment or withdrawal from the District
9. The parent/guardian engaging in misconduct resulting in the issuance of a criminal trespass notice by the campus, the District, or the EMS ISD Police Department
10. Incomplete or falsification of the LOE transfer application and its required documents, and/or enrollment documents
11. A review of TREx records or prior school records, if applicable

Children of Nonresident Employees

Employees who reside outside the boundaries of EMS ISD ("District") are eligible to apply for a transfer for their child(ren) to attend District schools on a tuition-free basis and with the same rights and privileges of resident students; in accordance with any applicable state law, district policy, and this administrative regulation.

Employee means any person who is employed by the District in a full-time classified, administrative, professional, or certified capacity, but substitutes, seasonal, and temporary employees are not considered full-time District employees.

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An employee may request that their child(ren) attend the employee's assigned campus or a campus nearest to the employee's worksite/workplace. The determination of the nearest school shall be made by the Superintendent or designee.

Exceptions

The following exceptions will be considered for interdistrict student transfers:

1. A resident student who had a bona fide residence in the District and becomes a nonresident during the course of a semester may be permitted to continue in attendance for the remainder of the semester without payment of tuition or fees. The parent/guardian will be required to apply for an LOE transfer and be approved to remain beyond the timeline above.
2. A student who **is a** bona fide resident in the District and has attended the high school he or she was assigned to during his or her junior year and becomes a nonresident, with no lapse in enrollment, may be permitted to attend the same high school during his or her senior year without paying tuition or fees. The parent/guardian will be required to apply for an LOE transfer and be approved to remain at the high school.
3. A senior who had bona fide resident in the District for the duration of the first six-week grading period of the school year may continue to attend the remainder of the school year without paying tuition or fees. The parent/guardian or "eligible" student will be required to apply for an LOE transfer and be approved to remain at the high school.
4. A nonresident District employee may request that his or her child be admitted into District schools, on a tuition-free basis, by applying for an application with the Superintendent or designee upon hire or upon change of employment location within the district for the student to join the employee. In the event of the death of a nonresident District employee, the Superintendent or designee may grant a continuation of an approved transfer on a tuition-free basis.
5. If an employee resigns or leaves the District during the school year or at the end of their contract, their child(ren) may remain at the approved campus until the end of the school year. The parent/guardian will be required to apply for an LOE transfer and be approved to remain beyond the timeline above.

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Transportation	The District shall not provide transportation for an interdistrict transfer student except as required by law.
UIL Eligibility and Participation	The eligibility of any student granted an interdistrict transfer under this policy shall be governed by all applicable UIL regulations outlined by Board Policy FM(LOCAL).
Appeals	Any appeal shall be submitted to the Superintendent or the Superintendent's designee. The determination issued in response to such appeal shall be final and not subject to further review or appeal.