

APPENDIX A

Lawrence County School System Student Mobility and Transfer Policy

A. General

1. All applications for student transfers submitted after May 1, 2009, shall be considered by the Lawrence County Board of Education ("the Board") based upon the criteria set forth herein.
2. The Board shall not consider or act upon applications for transfer of any type outside of the specified application and notification period unless otherwise noted below, or except for unforeseen circumstances that are beyond the control of the student and parents involved.
3. Henceforth, all student transfer request will be granted on a space available basis, subject to any exceptions outlined below.
4. Transfer applications may be submitted prior to June 1 for fall enrollment, and October 1 for spring enrollment in a school outside of the student's attendance zone.
5. Transfers will be allowed up to the 95% capacity of the receiving school using the following priority:
 - a. Administrative Transfers
 - b. In-county children of School-based Employees
 - c. Out-of-county children of School-Based Employees
 - d. No Child Left Behind Transfers
 - e. Majority-to-Minority Transfers
 - f. Hardship Transfers
 - g. Out-of-County Students

B. Transfer Application and Notification Process

1. The Board shall establish a centralized process for review, investigation and approval/rejection of all transfer requests.
2. The Board shall establish a process for review and confirmation of each student's primary residence and require students who do not qualify to enroll at the school serving the attendance zone in which they reside.
3. The Board will devise a new transfer application form consistent with the rules set forth in the document.
4. Transfer request forms will be made available at each school and at the Board's central office.
5. All transfer requests must be submitted directly to the central office, either in person or via mail. Transfer requests submitted in person must be delivered by the close of

business on the day of the deadline. Transfer requests submitted by mail must be post marked no later than the deadline date and received by the Board no later than 7 days of the deadline date.

6. If the deadline date were to fall on a Saturday, Sunday, a day on which the Central Office is closed, or legal holiday, the deadline will be extended to the next business day.
7. Transfer requests will not be accepted at the local schools.
8. Upon receipt, all transfer requests will be signed and date/time-stamped by central office staff and the parent is to be provided a copy, indicating that the request has been received. For applications mailed in, the Board shall have a central office staff member assigned to mail the carbon copy to the child's parents to confirm receipt.
9. The Board must notify parents and students in writing of its decisions on their transfer requests by August 1 (for June 1 submissions) and December 1 (for October 1 submissions) of each year. If the notification deadline is a holiday or weekend, or the Central office is otherwise closed, the notification date shall be extended to the next regular business day. The notice should be via a letter mailed to the parent's residence, indicating whether the transfer request has been granted or denied and the reason therefore.
10. Except for hardship and administrative transfers required due to emergency circumstances, no transfer will be permitted during the school year outside the application period set forth above.
11. New residents of Lawrence County or persons changing their residence in Lawrence County shall have five (5) days to apply for a transfer after enrolling their children in the school in their assigned attendance zone.

C. Transfer Selection Process

1. Student transfers request will no longer be granted on a first-come, first-serve basis.
2. Once granted, transfers shall be effective for the remainder of the academic year only, except for Majority-to-Minority transfers which shall be effective until the student reaches the terminal grade in the school to which the transfer was granted.
3. Transfer requests must be submitted annually, except for Majority-to-Minority transfers.
4. The following categories of transfers may be automatically granted in the board's discretion:
 - a. Administrative Transfers
 - b. Children of School-based Employees (in-county and out of county)
 - c. No Child Left Behind Transfers (as required by law)
5. In the event the number of students electing to transfer to a specific school exceeds the available space in that school, all transfer request meeting the criteria specified in Section D below will be granted in the following order:
 - a. Administrative Transfers

- b. No Child Left Behind Transfers
- c. In-county children of School-based Employees
- d. Out-of-county children of School-Based Employees
- e. Majority-to-Minority Transfers
- f. Hardship Transfers
- g. Out-of-County Students

D. Types of Student Transfers

1. Administrative Transfers

- a. The Board shall have the right to grant administrative transfers in extraordinary situations where the physical safety of a child is at issue, or in other rare situations in which the school system determines a transfer to be essential to the welfare of the student. Those types of transfers are committed to the sound discretion of the Board, keeping in mind, however that all such transfers or deviations from the plans established by this policy must be done in such a manner as to prevent the reoccurrence of the dual school system.
- b. Administrative transfers may be permitted without regard to the 95% capacity limitation. However, in granting administrative transfers, every effort will be made to send the student to a school with an enrollment below 100% capacity.
- c. The Board will not be required to provide transportation for students electing to transfer under this provision. Except that transportation may be provided to special education students as required by any applicable state or federal law.

2. Children of School-Based Employee transfers (in county & out of county)

- a. The Board will allow transfers for children of its employees.
- b. Children will be allowed to transfer to a receiving school if they have a parent on the faculty or otherwise employed at the receiving school or a school within 1 mile of the receiving school.
- c. School-Based Employee transfers shall be permitted without regard to the capacity limitations.
- d. The Board will not provide transportation for students electing to transfer under this provision.
- e. An Employee hired after the June 1 deadline shall be allowed to apply for a transfer within 7 days of employment.

3. "No Child Left Behind" Transfers

- a. The Board will continue to honor transfer requests in accordance with federal and state regulations implementing the federal No Child Left Behind Act.
- b. If granting of No Child Left Behind transfers operates to frustrate the purposes of this policy and the Court's desegregation Orders, the parties may move, or

the Court may decide on its own motion, to review the manner in which these transfers are granted.

- c. The Board may extend or establish additional deadlines for "No Child Left Behind" transfers as may be required by state or federal regulations.

4. Majority-to-Minority Transfers

- a. Any student who resides in a school attendance zone in which his or her race is in the majority may choose to attend any other school in the system where his or her race is in the minority.
- b. For purposes of determining eligibility for Majority-to-Minority transfers, the Board of Education will compare the number of African-American students to the number of non-African-American students.
- c. The Board will not be required to provide transportation for students electing to transfer under this provision.
- d. Once a student has been granted a Majority-to-Minority transfer, the student may continue to be enrolled from year to year at the receiving school, without having to re-qualify. Said transfer shall be effective until such date that the student completes the terminal grade at the receiving school or the Board is notified by the parents of student that they are withdrawing their transfer request.

5. Hardship Transfers

- a. Hardship transfers are all subject to space availability and shall be effective for the remainder of a school year only. If the hardship is of a continuing nature, the parent or guardian of the child involved must reapply annually by the June deadline for the next school year.
- b. Complete and accurate information concerning the reasons for any hardship transfer must be furnished to the Board on the appropriate application form, and this form must be signed by the parents or legal guardian of the student and the psychologist or psychiatrist, or a representative of the Social Service agency, whichever is applicable.
- c. The Board will not provide transportation for students electing to transfer under this provision.
- d. Types of Hardship transfers:
 - i. Emotional and Adjustment problems. Hardship transfers may be granted based upon emotional and adjustment problems provide that the application for such a transfer is accompanied by a complete psychological evaluation with the recommendation from a psychiatrist or psychologist. The cost of such an evaluation shall be borne by the student and parents involved. Transfers under this provision shall be granted only to the next nearest school at which space is available (that

is by the most direct road) in relation to the student's residence, unless unique program considerations dictate otherwise.

- ii. Special Education. Siblings of an elementary school student (k-6) assigned to a special education program may be granted a hardship transfer to the same school community for the regular K-6 program.
- iii. Social Service Agencies. The Board may grant hardship transfers based upon recommendations from the professional staff of community agencies such as the Juvenile Court and the Department of Human Resources.

6. Out-of-County Students:

- a. Out-of-County students (those students residing outside Lawrence County, Alabama, who do not have a parent on faculty or otherwise employed by the Lawrence County Board of Education) shall not be permitted to transfer into the Lawrence County School System if it would cause the denial of the otherwise valid transfer requested by a student living in Lawrence County.
- b. Out-of-County students shall be allowed to enroll as follows:
 - i. African-American Out-of-County students shall be permitted to enroll in a school whose student population is not majority African-American. The school of enrollment shall be the school from this list that is closest to the student's out-of-county residence.
 - ii. Non-African-American Students shall be permitted to enroll in a school whose student population is majority African-American.
- c. The Board will not provide transportation for students electing to transfer under this provision.