

A POLICY STATEMENT OF
THE HANCOCK COUNTY BOARD OF EDUCATION
New Cumberland, West Virginia 26047

ADMISSION PROCEDURES

The laws of West Virginia regarding enrollment in a state public school for the first time require that school personnel obtain documentation from the parents or guardians of students. Admission takes place at the school associated with the student's area of residence. The parent/guardian shall make an appointment at said school and provide the following list of required documentation for Hancock County Schools. Additional documentation may need to be provided in certain circumstances.

1. Birth Certificate (WV Code 18-2-5c)

- A copy of the student's original birth record certified by the State Register of Vital Statistics confirming the student's identity, age, and state file number of the original birth record.
- If a certified copy of the student's birth record cannot be obtained, the person so enrolling the student shall submit an affidavit explaining the inability to produce a certified copy of the birth record. Upon the failure of any person enrolling a student to furnish a certified copy of the student's birth record, the principal of the school in which the student is being enrolled shall immediately notify the local law-enforcement agency and provide copies of the submitted proof of the student's identity and age and the affidavit explaining the inability to produce a certified copy of the birth record.
- Military personnel who are in transit owing to military orders may be granted a three-week extension to submit birth records.

2. Health Check

3. Hearing Screening

4. Immunization documentation (WV Code 16-3-4)

5. Oral Check

6. Speech and Language Screening

7. Vision Screening

See Hancock County Board of Education Policies JLCB and JLCC for detailed information on items two through seven.

Admission by Transfer

Transfer is the process by which a student ends enrollment or attendance in one location and begins enrollment or attendance in a second location. Within fourteen days after enrolling a transferred student, the principal of the school or his designee shall request that the principal or designee of the school in which the student was previously enrolled transfer a certified copy of the student's birth record.

Intra-county Student Transfer

Students are expected to attend the school to which they are assigned. However, when based upon sound educational reasons, parents may request a change of school assignment for their children by submitting a written request. All such requests shall be reviewed on a case-by-case basis. The Superintendent may grant a request of transfer to those students whose parents have complied with the required procedures. Students who are Hancock County residents will be of the highest priority followed by other WV students.

Decisions to grant permission to transfer are based on class size at both the student's school of residence and the receiving school. Parental requests will be granted only under extenuating circumstances. Once denied, the student remains in the school of residence for the entire year. Once approved, the parent must understand that the student may be returned to the school of residence at any time within the school year should the class size exceed limits set by state law.

Availability of space in special programs in the receiving school is defined as no more than 75% of the teacher/therapist caseload for that exceptionality (per WV Policy 2419, *Regulations for the Education of Students with Exceptionalities*.)

Parents/guardians desiring an intra-county transfer for their child may submit a letter to the Hancock County Superintendent or their designee requesting said transfer. Such requests shall contain all relevant information and include the specific reasons for a transfer request. After careful investigation, the request shall be presented to the Superintendent for approval or denial.

A student whose family moves during the school year may complete his/her current year at the school currently enrolled if such school is in a different zone than the new residence and transportation is available. However, at the conclusion of that school year, such student will enroll in the school that serves the zone where the new residence is located.

Students who are granted a transfer shall also be provided county transportation whenever possible. When not possible, it shall be the responsibility of the parent/guardian to provide transportation.

It shall be the responsibility of the school principal to determine the residence of students and report to the County Attendance Director any exceptions.

Approval for intra-county transfers shall be granted for the current school term. Changes in circumstances or conditions may require the withdrawal of approval by the Board. Therefore, parental requests for transfer must be submitted annually. (*WVC §18-2-5 and §18-5-16*)

Therefore, the Board of Education establishes the following procedures to be followed for admitting students residing outside a school attendance boundary:

Space available will be filled on a first come first served basis for each priority level.

1. First priority will be given to students who previously attended the school but were redistricted out of the attendance zone by Board of Education action.
2. Second priority will be given to students displaced as the result of Board of Education action to close, merge, or consolidate the school the student had previously attended.

3. Third priority will be given to students previously enrolled in the school from other attendance areas.
4. Fourth priority will be given to all other out of district requests.

In implementing the open enrollment program, the district is not required to:

1. Make alterations in the structure of a requested school or make alterations to the arrangement or function of rooms within a requested school.
2. Establish and offer any particular program in a school if such program is not offered currently in such school.
3. Alter or waive any established eligibility criteria for participation in a particular program including age requirements, course prerequisites and required levels of performance.
4. Notwithstanding the provisions of this policy, student may be assigned outside his/her attendance area by mutual agreement of the principals in the special interest of the student and/or school.

Nonresident Student Open Enrollment

A nonresident student (a student who resides in the State of West Virginia but in a county other than Hancock County) wishing to enroll in Hancock County Schools must request enrollment in Hancock County Schools through the Superintendent. Approval of the county in which the student resides is not required. All enrollment in Hancock County Schools is subject to Hancock County Schools' building capacity restraints.

The Board will give enrollment preference to:

- (A) Siblings of students already enrolled through the open enrollment policy;
- (B) High School students who have completed 10th grade and, due to family relocation, become nonresident students, but express the desire to remain in Hancock County Schools to complete their education;
- (C) Students who are children, grandchildren, or legal wards of employees;
- (D) Students whose legal residences, though geographically within another county, are more proximate to a school within Hancock County, whether calculated by miles or transportation time; and
- (E) Students who reside in a portion of a county where topography, impassable roads, long bus rides, or other conditions prevent the practicable transportation of the student to a school within the county, and a school within Hancock County is more easily accessible.

The Board will comply with all enrollment requirements for children who are in foster care or who meet the definition of unaccompanied youth prescribed in the McKinney-Vento Homeless Assistance Act (42 U.S.C. § 11434a(6)).

The parents of a nonresident student are responsible for providing transportation in most cases to the Hancock County School in which the nonresident student is enrolled, subject to the following:

- (A) Hancock County Schools may provide an adequate means of transportation to nonresident students on a case-by-case basis.
- (B) The Board of Education may consider whether a nonresident student meets the eligibility criteria for free or reduced-price lunch and milk within the Richard B. Russell National School Lunch Act (42 U.S.C. § 1758).
- (C) The Board of Education will provide transportation to and from the school of attendance or to and from an agreed pickup point on a regular transportation route, or for the total miles traveled each day for the nonresident student to reach the school of enrollment if the nonresident student is a student with disabilities and has an individualized education program that specifies that transportation is necessary for fulfillment of the program.

Any parent may appeal the refusal of the Board of Education to accept enrollment of a nonresident student to the State Board of Education pursuant to the process developed by the State Board of Education for such appeals.

Transfer Student's Suspension and/or Expulsion Status

Prior to the admission of a pupil to any public school in Hancock County, the school principal, acting as the Superintendent's agent, shall require the pupil's parent(s), guardian(s) or custodian(s) to provide, upon registration, a sworn statement or affirmation indicating whether the student is, at the time, under suspension or expulsion from attendance at a private or public school in West Virginia or another state. Any person willfully making a materially false statement or affirmation shall be guilty of a misdemeanor and, upon conviction, the penalty shall be the same as provided for "false swearing" pursuant to §61-3-5 of the West Virginia Code.

The principal or his/her designee shall consult the WVEIS (West Virginia Education Information System) to determine whether the pupil requesting admission is, at the time of the request for admission, serving a suspension or expulsion from another public school in West Virginia. The WVEIS system has been programmed to disallow the recording of the enrollment of any pupil who is, at the time of attempted enrollment, serving a suspension or expulsion from another public school in West Virginia, and the system will notify the user who has attempted to record such enrollment that the pupil may not be enrolled, and to notify that user of the reason for the suspension or expulsion.

A nonresident student currently serving a suspension or expulsion from another West Virginia county will serve the remainder of the suspension or expulsion prior to attending a Hancock County School.

However, consistent with the *Cathe A v. Doddridge County Bd. of Education*, 200 W. Va. 521, 490 S.E.2d 340 (1997), the Safe Schools Act was amended to permit a public school to deny educational services to a student only when, following notice and a formal hearing, s/he is found to be a dangerous student.

As defined by the court, a dangerous student is one who is substantially likely to cause serious bodily injury to himself/herself or another individual within that student's educational environment, which may include any alternative education environment, as evidenced by a pattern or series of violent behavior exhibited by the pupil, and documented in writing by the school, with the documentation provided to the student and parent or guardian at the time of any offense. The Court directed that such a determination be made on a case-by-case basis and

predicted that such a denial of educational services would be justified only in the most extreme cases. Even then, the county must hold another hearing after three months to determine whether the student still meets the definition of dangerous student.

If, when enrolling a previously expelled student, the Superintendent reasonably determines that the conduct resulting in the discipline is conduct described in the Safe Schools Act, the student may be offered alternative education for the period of the suspension or expulsion. Consistent with WVC §18-5-15, a student has the right to petition the county board of education to challenge the Superintendent's decision to offer only alternative education instead of regular school attendance.

Transfer from Home Schools and Private Schools

Students previously enrolled in home schools or private schools may apply for admission to the public schools of Hancock County under the conditions set forth in the following procedures. Students will be admitted at the semester change. Parents are to contact the Superintendent or their designee who will provide a county application form and discuss the scheduling of a placement meeting. Three weeks must be allowed from the time the county application form is received by the Superintendent or their designee and the time the students enter the public school system. Additional time must be allowed if application is made during summer months. Such admission shall be made upon meeting the following requirements:

Enrollment Requirements:

1. Satisfactorily meet all residency requirements;
2. Satisfactorily document that the requirements of JC School Admission have been met; and
3. Satisfactorily meet all academic requirements.

Academic Requirements:



1. Students previously enrolled in private schools, located within West Virginia shall be considered for grade level placement based upon the following criteria:
 - a. A review of private school achievement records, administering academic assessments;
 - b. Interviews with the students and/or parents; and
 - c. Recommendation of the private school.
2. Home schools operating under Exemption §18-8-1 (c) (2) shall have appropriate grade level placement for students determined by the educational staff of Hancock County Schools. While home school documents regarding credits earned may be useful in determining the appropriate grade placement for home schooled students in the public schools of Hancock County, they will not be automatically accepted as the criteria for student placement. The determination of the appropriate placement for these students may include review of home school achievement records, administering academic assessments, and interviews with the students and/or parents.
3. Students previously enrolled in home schools or private schools located outside of Hancock County, or receiving an education through any other legal exemption, shall have appropriate grade level placement determined by the educational staff of Hancock County Schools. This determination may include review of home school or private school achievement records, administering academic achievement measurements, and interviews with the students and/or parents. (*WVC §18-8-1 and §18-28-1 thru 6*)

Transfer Appeals Process

Any nonresident student whose application to enroll in Hancock County Schools has been denied may file an appeal with the State Superintendent of Schools, pursuant to State Board Policy 7212.

Interstate Compact on Educational Opportunity for Military Children

The state of West Virginia has entered into the *Interstate Compact on Educational Opportunity for Military Children*; therefore, Hancock County joins in the effort, in so far as possible, to remove public school barriers to educational success faced by school-aged children enrolled in grades Pre-K through 12 who are in the household of an active duty uniformed services member (including members of the Guard and Reserve pursuant to active duty orders under federal law).

The Compact aims to ease the educational effects of military families' frequent moves and the deployment of parents. Among its provisions are these:

Educational Records and Enrollment

If official education records cannot be released to a student's parents or guardians for the purpose of the student's transfer to a school in another state, the custodian of records in the sending state must prepare and furnish to the parents a complete set of unofficial educational records. The receiving school must enroll and conditionally place the student based upon information in the unofficial records pending validation by the official records. The school shall request an official record from the sending school and said record must be processed and furnished within 10 days.

Immunizations

The Board must allow a student 30 days from the date of enrollment to obtain any required immunizations unless the rules of the Interstate Commission establish another time period. Where a series of immunizations is required, the student must obtain the initial vaccination within 30 days of enrollment unless the rules of the Interstate Commission establish another time period.

Enrollment at Current Grade Level

Regardless of the student's age, s/he must be permitted to enroll in the grade level in West Virginia, including kindergarten, which is commensurate with the grade level in which the student was enrolled in the sending state at the time of transition. Regardless of age, a student who satisfactorily completed the prerequisite grade level in the sending state is eligible for enrollment in the next highest grade level in West Virginia.

Course Placement

A student who transfers to West Virginia before or during the school year must be initially placed in courses based on the courses in which he or she was enrolled in the sending state and/or on the educational assessment conducted in the sending state if the courses are offered at the school to which the student is transferring. These include Honors, Advanced Placement, vocational, technical, and career pathways courses. A school may perform subsequent evaluations to ensure appropriate placement and continued enrollment of the student in any course.

Educational Program Placement

A transferring student must initially be placed in educational programs based on current educational assessments conducted at the sending school, or based upon participation or placement in like programs in the sending state. The programs include gifted and talented programs and English as a Second Language. The receiving school may perform subsequent evaluations to ensure appropriate placement.

Special Education Services

A West Virginia school must initially provide to a transfer student with disabilities comparable services based on his or her current IEP. It must also make reasonable accommodations and modifications to address the needs of incoming students with disabilities, subject to an existing Section 504 or Title II plan, so as to provide the students with equal access to education. The school may perform subsequent evaluations to ensure appropriate placement.

Placement Flexibility

County administrative officials have flexibility in waiving course and program prerequisites, or other preconditions for placement in courses or programs offered under the authority of the Board.

Absence as Related to Deployment Activities

A student whose parent or legal guardian is on active duty and has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support zone posting must be granted additional excused absences at the discretion of the Superintendent in order to visit with the parent or guardian relative to such leave or deployment.

Eligibility for Enrollment

A special power of attorney relative to the guardianship of a child of a military family is sufficient for purposes of enrollment and all other actions requiring parental participation and consent.

A county board may not charge local tuition to a transitioning military child placed in the care of a noncustodial parent or other person standing in loco parentis who lives in a school district other than that of the custodial parent. Such a child may continue to attend the school in which s/he was enrolled while residing with the custodial parent.

Eligibility for Extracurricular Participation

The State Board of Education and county boards must facilitate the opportunity for transitioning military children to be included in extracurricular activities, regardless of application deadlines; to the extent the children are otherwise qualified.

Graduation

To facilitate on-time graduation of children of military families, the State Board of Education and county boards must incorporate certain procedures. These include:

Either the waiver of specific courses required for graduation if a student has satisfactorily completed similar course work in another local education agency, or providing reasonable justification for the denial;

Where a waiver is denied to a student who would otherwise qualify to graduate from the sending school, providing an alternate means of acquiring required coursework so that the student may graduate on time in the receiving school district; and

If a student transferring at the beginning of or during the senior year is ineligible to graduate in West Virginia after all alternatives have been considered, working with the sending state to ensure that the student receives a diploma from the sending state if s/he meets the graduation requirements of the school in the sending state. (*WVC §18-10F-1; §18-10F-2*)

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The above Policy Statement is an integral part of the Official Policy Manual of this Board of Education as of the date shown adopted