

**ASSIGNMENT OF STUDENTS TO SCHOOL**

**FILE: JCA**

**TITLE: Student Transfers**

**POLICY:**

(1) Purpose and Definitions

The School Board of Orange County, Florida (“Board”) shall provide a mechanism for student transfers (“Transfer”) for families that reside in Orange County, Florida. Orange County Public Schools (“OCPS”) assigns students to a school based on the residence/domicile of the parents or legal guardian (collectively, “Guardian”). For purposes of this policy, the terms “residency” and “domicile” are defined as the place where a Guardian has his/her true and fixed permanent primary home and to which he/she has, whenever absent, the intention of returning. The Guardian’s domicile determines the student’s domicile. The Guardian is allowed to submit a request for their child to Transfer to a school other than their child’s assigned school for the reasons set forth below in section (4). Any change of address must be updated and reviewed by the school and/or the Office of Student Enrollment for a Transfer Application (“Application”) to remain in effect.. Any Application containing erroneous or false information may be grounds for the denial of a requested Transfer or the immediate revocation of the Transfer.

(2) Procedure

Guardians who wish to apply for a Transfer to a school other than their assigned school for their child for one of the reasons set forth below in section (4), must submit a completed Application based on the criteria listed in each individual subsection. Guardians must attach appropriate proof of legal guardianship or educational guardianship to the completed Application. A Transfer is not guaranteed and is subject to applicable State and Federal laws.

(3) Approval

(a) A Transfer is only valid when it is approved through the Office of Student Enrollment, the Office of School Choice, Title I Department, or the Exceptional Student Education (“ESE”) Department.

(b) In processing the Application, OCPS will determine whether the Transfer request meets the requirements for the Transfer and whether there is capacity, as applicable, for enrollment available in the school to which the Transfer is requested.

(c) Designated OCPS staff will make reasonable efforts to notify the Guardian in writing of whether the Transfer request has been

granted within thirty (30) days after the established deadline date for submission of the completed Application.

- (d) Academic Year Completion Transfers are valid for the current school year only. All other approved Transfers are valid for the duration of all grade levels at the school (K-5, 6-8, or 9-12), unless there is a change of address or as otherwise provided in Board policy.
- (e) Transfers may be reviewed throughout the year. Upon review, if there are incidents of excessive tardiness, absenteeism, referrals to the principal for disciplinary action, or failure to pick up the student promptly after school, the Transfer may be revoked. A Transfer may be revoked through the Office of Student Enrollment with the principal's and his/her supervisor's approval, as permitted by law.

(4) Transfers. Guardians can request a Transfer for the following reasons:

(a) John McKay Scholarship Program ("McKay Scholarship") Transfer

- (i) Department: ESE Department
- (ii) Transfer timeframe: Processed as required by the McKay Scholarship Program
- (iii) Eligibility

The State of Florida offers the McKay Scholarship which allows Guardians of qualifying students with disabilities to choose the best learning environment for their children based on the OCPS School Choice Plan. In order to be eligible for the McKay Scholarship, a student must apply for the program prior to withdrawing from public school. The student must also have an Individual Education Plan ("IEP") or 504 Accommodation Plan. All requests are made via the public request form found on the OCPS website, [www.ocps.net](http://www.ocps.net).

(b) Opportunity Scholarship Transfer

- (i) Department: Office of School Choice
- (ii) Transfer timeframe: Generally processed when school grades are published
- (iii) Eligibility

The Guardian of a student who attends a school that the State of Florida identifies for opportunity scholarship status

based on such school's overall performance and Differentiated Accountability model of the school, may be eligible to transfer the student to another school. Upon release of school accountability data, the eligible schools and transfer schools are determined. Procedures based on State guidelines are followed regarding these Transfers. The following shall apply to Opportunity Scholarship Transfers:

- a. The student must stay for the school year unless there is a change of address;
- b. An approved Transfer is valid for the duration of all grade levels at the school (K-5, 6-8, 9-12), unless there is a change of address; and
- c. Transportation is provided by OCPS if the student lives two (2) or more miles from the school, or as provided in accordance with the Board transportation policy.

(c) ESE Program Placement Transfer

- (i) Department: ESE Department
- (ii) Transfer timeframe: Processed year round
- (iii) Eligibility

An ESE Program Placement Transfer is available for any exceptional education student who needs access to services that are unavailable at the assigned school. The following shall apply to ESE Program Placement Transfers:

- a. The Individual Education Plan team determines the student's Transfer options based on the particular student's needs; and
- b. Transportation is provided by OCPS if the student lives two (2) or more miles from the school or, as provided in accordance with the Board transportation policy.

(d) Academic Transfer

- (i) Department: Office of Student Enrollment
- (ii) Transfer timeframe: Submitted February 1<sup>st</sup> through May 31<sup>st</sup> of each school year

(iii) Eligibility

An Academic Transfer is available to any high school student based on the following:

- a. A continuation of a sequential academic course of study, such as:
  - i. A second or higher course of a world language;
  - ii. A third or higher course of a Career and Technical Education program; or
- b. Enroll in ROTC (initial entry into the program is restricted to rising freshman or sophomores).

(iv) Conditions. The following conditions shall apply to Academic Transfers:

- a. A course cannot be available at the assigned school or through the OCPS Virtual School or Florida Virtual Online School or Career and Technical Education Center;
- b. An approved Academic Transfer is valid so long as the student is enrolled and is successful (a final course grade of C or better) in the requested academic subject and maintains a 2.0 or higher overall GPA;
- c. Academic Transfers are to the next nearest qualified school;
- d. The student must stay for the school year unless there is a change of address;
- e. Transportation is not provided by OCPS;
- f. Sibling Transfers are not applicable;
- g. Transfers may be revoked pursuant to section (3)(e) above, or the student's course grade is below C or overall GPA is below 2.0;
- h. A student who exits the designated course (basis for which the Academic Transfer was granted) must return to his or her assigned school and is not eligible for a Rising 8<sup>th</sup> or 12<sup>th</sup> grade Transfer; and

- i. Courses within an available OCPS magnet program are not eligible for Academic Transfers; the magnet application process must be followed.

(e) Controlled Open Enrollment Transfer

- (i) Department: Office of Student Enrollment
- (ii) Transfer timeframe: Processed February 1<sup>st</sup> through May 31<sup>st</sup>
- (iii) Eligibility

An Open Enrollment Transfer allows a family to transfer from any school, whether it is an OCPS school or not, to a school that has available capacity. Relevant factors are as follows:

- a. The list of available receiving schools is revised and published annually;
- b. The receiving school must have available capacity and be on an approved list published by the OCPS Office of Student Enrollment;
- c. The student must stay for the entire school year, unless there is a change of address;
- d. Transportation is not provided by OCPS;
- e. The list of receiving schools may be modified by OCPS based on programmatic changes or volume of requests; and
- f. Priority for the Transfer shall be given to the following groups:
  - 1. Students residing in Orange County, Florida;
  - 2. Dependent children of active duty military personnel whose move resulted from military orders;
  - 3. Children who have been relocated due to foster care placement in a different school zone; and/or
  - 4. Children who move due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.

(f) Rising 5<sup>th</sup>, 8<sup>th</sup>, or 12<sup>th</sup> Grade Student Transfer (“Rising Transfer”)

- (i) Department: Office of Student Enrollment
- (ii) Transfer timeframe: Processed year round
- (iii) Eligibility

A Rising 5<sup>th</sup>, 8<sup>th</sup>, or 12<sup>th</sup> Grade Student Transfer allows a rising 5<sup>th</sup>, 8<sup>th</sup>, or 12<sup>th</sup> grader whose Guardian moves within Orange County during their 4<sup>th</sup>, 7<sup>th</sup>, or 11<sup>th</sup> grade school year or the summer after the student’s 4<sup>th</sup>, 7<sup>th</sup>, or 11<sup>th</sup> grade school year to complete the 5<sup>th</sup>, 8<sup>th</sup>, or 12<sup>th</sup> grade level at the school assigned to their previous address. The following shall apply to Rising Transfers:

- a. The student must stay for the school year unless there is a change of address;
- b. Transportation is not provided by OCPS; and
- c. Sibling Transfers are not applicable.

(g) Magnet

- (i) Department: Office of School Choice
- (ii) Transfer timeframe: To apply for the random lottery process, applications are accepted November 1<sup>st</sup> through February 15<sup>th</sup> each school year. If an application is received after the February 15<sup>th</sup> deadlines, the student may complete a summer waitlist application.
- (iii) Eligibility

Magnet Transfers are granted for students who apply and accept an offered magnet seat. See [www.schoolchoice.ocps.net](http://www.schoolchoice.ocps.net) for more information.

(h) Medical

- (i) Department: Office of Student Enrollment
- (ii) Transfer timeframe: Processed year round
- (iii) Eligibility

A Medical Transfer is for any student who has a serious medical condition that is sufficient to warrant a Transfer

based on proximity to the treating medical facility or the condition cannot be served at the zoned school. The following shall apply to Medical Transfers:

- a. Documentation from a physician is required and may be reviewed by OCPS designated medical staff;
- b. Medical Transfers are to the next nearest qualified school;
- c. The student must stay for the school year;
- d. Transportation is not provided by OCPS; and
- e. Siblings of an existing K-4, 6-7, or 9-11 student may apply for a Medical Transfer to the same school.

(i) Academic Year Completion

- (i) Department: Office of Student Enrollment
- (ii) Transfer timeframe: Processed year round
- (iii) Eligibility

An Academic Year Completion Transfer is available when the domicile of the Guardian changes within Orange County, Florida. The purpose of an Academic Year Completion Transfer is to allow a student to remain at the enrolled school for the remainder of the current school year when the family moves within Orange County, Florida and outside the attendance area of the school. The following shall apply to Academic Year Completion Transfers:

- a. The Transfer is only for the duration of the current school year;
- b. Proof of residence, including the occupancy date (month/day/year), for a new lease for a rental property or property sales documentation for the purchase of a home, as the case may be, must accompany the request;
- c. The new residence must be in Orange County, Florida; and
- d. Transportation is not provided by OCPS.

(j) Psychological

- (i) Department: Office of Student Enrollment
- (ii) Transfer timeframe: Processed year round
- (iii) Eligibility

A Psychological Transfer is for any student who has compelling psychological reason or condition that is sufficient to warrant a Transfer. The following shall apply to Psychological Transfers:

- a. The Psychological Transfer may be reviewed by one of OCPS' designated psychologists;
- b. Documentation from a mental health provider is recommended to be provided when applicable;
- c. Psychological Transfers are to the next nearest qualified school or to remain at the current school;
- d. The student must stay for the school year unless there is a change of address;
- e. Transportation is not provided by OCPS; and
- f. Sibling Transfers are not applicable.

(k) Students of OCPS Staff

- (i) Department: Office of Student Enrollment
- (ii) Transfer timeframe: Processed year round
- (iii) Eligibility

- a. Students of OCPS staff may request a Transfer if the student's Guardian works in a particular school or OCPS facility and the Guardian desires to have the student enrolled at that school or to the next nearest qualified school if the school of employment does not serve the student's current grade level;
- b. Transportation is not provided by OCPS; and



- c. Transfers will be revoked if the student's Guardian leaves OCPS employment.

(l) ESE Sibling

- (i) Department: Office of Student Enrollment
- (ii) Transfer timeframe: Processed year round
- (iii) Eligibility

A Sibling Transfer is available only for students who have siblings who have been placed into an ESE program at a school (with the same grade levels) other than their assigned school. There is no Transfer eligibility for siblings of McKay Scholarship recipients. The following shall apply to Sibling Transfers:

- a. Students may remain at the school until all grade levels at the school are completed (K-5, 6-8, 9-12);
- b. The student must stay for the school year unless there is a change of address or placement of the ESE student; and
- c. OCPS provides transportation to the ESE student as well as to any siblings for so long as the ESE student is being served at a particular school.

(m) Pending Move

- (i) Department: Office of Student Enrollment
- (ii) Transfer timeframe: Processed year round
- (iii) Eligibility

A Pending Move Transfer allows a student to attend a school of the Guardian's future residence/domicile when the move in or closing date, as the case may be, is within sixty (60) days from the date the Application is submitted. The following shall apply to Pending Move Transfers:

- a. Both current and prospective addresses must be located within Orange County, Florida;
- b. Transportation is not provided by OCPS;

- c. If the family does not move by the date provided, the student will be moved to the original zoned school; and
- d. A legal document signed by both parties, such as a contract, indicating the location of the prospective address and the proposed occupancy date (month/day/year) is required.

(n) Grandfathered

- (i) Department: Office of Student Enrollment
- (ii) Transfer timeframe: Processed by May 31<sup>st</sup> prior to the opening of the new rezoned school or up to fifteen (15) days after Board approval takes place after May 31<sup>st</sup>
- (iii) Eligibility.

A Grandfathered Transfer is available only for a student who has been rezoned by OCPS two or more times during a grade level (K-5, 6-8, 9-12) at the current address or who has been rezoned from an established school to another established school. In this case, the student may remain at the existing school instead of being assigned to the rezoned school or rezoned for the 5<sup>th</sup> or 8<sup>th</sup> grade year. The following shall apply to Grandfathered Transfers:

- a. Transportation is not provided by OCPS; and
- b. There is no Transfer eligibility for siblings who do not meet the same criteria for a Grandfathered Transfer.

(o) Hope Scholarship

- (i) Department: Office of Student Enrollment
- (ii) Transfer timeframe: Processed year round, beginning with the 2018-2019 school year and thereafter
- (iii) Eligibility

A Hope Scholarship Transfer allows a student to transfer to any OCPS school that has capacity if the student has been subjected to an incident including: battery; harassment; hazing; bullying; kidnapping; physical attack; robbery; sexual offenses (harassment, assault, battery); threat or intimidation; or fighting. The incident must be

reported to the principal or designee of the student's school and the Hope Scholarship Notification Form (Form IEPC-HS1) must be signed by the school's principal or designee. Relevant factors are as follows:

- a. The list of available receiving schools is revised and published by the Office of Student Enrollment;
- b. The receiving school must have available capacity;
- c. The student must stay in attendance for the entire school year, unless there is a change of address or the student is excused for illness or other good cause;
- d. An approved Transfer is valid for the duration of all grade levels at the school (K-5, 6-8, 9-12);
- e. Sibling Transfers do not apply;
- f. Transportation is not provided by OCPS, unless required under Board Policy, federal law, or Florida Statutes;
- g. The list of approved receiving schools may be modified by OCPS based on programmatic changes or volume of requests;
- h. An approved Transfer may be revoked if the Transfer is not immediately utilized and the receiving school no longer has available capacity; and
- i. The qualifying incident must have occurred during the 2018-19 school year or beyond.

**SPECIFIC AUTHORITY:**

Sections 1001.32; 1001.42; 1002.31; 1002.38; 1002.39; 1002.40; 1003.02, Florida Statutes

ADOPTED: 11/08/11

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