

TRANSFER STUDENTS AGREEMENT

DATE _____

STUDENT NAME(S) _____ Grade (2021-2022) _____

_____ Grade (2021-2022) _____

PARENTS' _____

ADDRESS _____

CITY, STATE, ZIP _____

PHONE NUMBER(S) _____

I request that my child be transferred from _____ School District.
 (Name of School District which you currently reside in.)

Requesting transfer to: _____ School for the **2021-2022 school year.**

Name of School wishing to transfer to:

Greensburg Elementary, Greensburg Jr. High or Greensburg High School

 (School your child attended for the 2020-2021 school year)

I understand that this transfer, if approved, may be temporary and my child may have to return to the school in our attendance area if overcrowding or other factors influencing the educational program or student well-being makes the transfer no longer feasible. If your child has an IEP, it must be provided to GCS before admittance will be considered.

I have read the Transfer Students Policy and agree to abide by all the requirements.

 Parent Signature

 Date

APPROVED _____
 DENIED _____

 SCHOOL OFFICIAL

 DATE

**TRANSFER REQUEST
 AGREEMENTS WILL BE
 ACCEPTED UNTIL
 JUNE 1, 2021**



Book	Policy Manual
Section	5000 Students
Title	DETERMINATION OF LEGAL SETTLEMENT AND ELIGIBILITY FOR ENROLLMENT OF STUDENTS WITHOUT LEGAL SETTLEMENT IN THE CORPORATION
Code	po5111
Status	Active
Adopted	February 1, 2002
Last Revised	October 13, 2020

5111 - DETERMINATION OF LEGAL SETTLEMENT AND ELIGIBILITY FOR ENROLLMENT OF STUDENTS WITHOUT LEGAL SETTLEMENT IN THE CORPORATION

The School Board establishes the following policy for determining student eligibility to attend the schools of this School Corporation.

- A. The Board will educate, tuition-free, students who have legal settlement in the Corporation, and students enrolled according to the requirements of I.C. 20-26-11.
- B. Where the legal settlement of a student cannot reasonably be determined by reference to the residence of the student's parent or legal guardian and the student is being supported by and living with a person whose residence is within the Corporation, the student may be enrolled without payment of tuition. If the parents are able to support the student and have placed the student in the home of another person primarily for the purpose of attending school in this Corporation without establishing legal guardianship as required by Indiana law, tuition will not be charged unless otherwise required by law.
- C. A child who is placed in foster care by a court of competent jurisdiction shall be admitted tuition-free, without regard to residency, to a school within the Corporation, as selected by the State Department of Human Services or the child placing agency responsible for placement of that child.
- D. Foreign students participating in a foreign-exchange program approved by the Indiana State Board of Education and living with a resident host family will be admitted tuition-free.
- E. The Corporation will provide a free education to those students who are considered by Federal law to be illegal aliens, if the student's parent or legal guardian has legal settlement within the Corporation, or considered to be homeless by criteria established by the State (see Policy 5111.01 and AG 5111.01 - Homeless Students).
- F. If a student's legal settlement is changed after the student has begun attending school in the Corporation in any school year, the effective date of withdrawal from the Corporation may, at the election of the parent, the student (if the student is at least eighteen years of age), or a juvenile court conducting a proceeding under IC 31-34-20-5, IC 31-34-21-10, IC 31-37-19-26, or IC 31-37-20-6 (or IC 31-6-4-18.5 before its repeal), be extended to the end of the semester in which the change of legal settlement occurred. At the discretion of the Principal, the effective date of withdrawal from the Corporation may be extended to the end of that school year.

Students who have completed the eleventh grade in this Corporation and have changed legal settlement to another school corporation may complete the twelfth grade in this Corporation.

Transportation from and to the site of the new legal settlement will not be provided by the School Corporation for a student whose effective date of withdrawal is extended beyond the date of the change of legal settlement, unless the student has an Individualized Education Program (IEP) in which transportation is required to be provided as a related

service.

- G. A married student living with a spouse or a married or unmarried emancipated minor is eligible to attend school without payment of tuition if the student resides in the Corporation.

H. Children of Divorced Parents

Children of divorced parents may attend school in this Corporation without the payment of tuition if one (1) parent resides in this Corporation and an election is made utilizing the "Custodial Statement and Agreement: Divorce, Separation, or Abandonment" form provided by the Indiana State Board of Education.

The parent with physical custody of the student or the student, if the student is at least eighteen (18) years of age, must notify the Superintendent of the school corporation in which the parents/student seek to have the student enrolled of their election to enroll the student in the Corporation. The election shall be made on a yearly basis and applies throughout the school year unless the student's parent no longer resides within the attendance area of the Corporation.

- I. Students who do not have legal settlement may/will be enrolled in the special education program of this Corporation pursuant to the provisions of a Cooperative agreement.
- J. Nonresident students may be accepted into the Summer School Program provided by this Corporation.

Transfer Students

In addition to students with legal settlement in the Corporation, students without legal settlement in the Corporation (hereafter referred to as "transfer students") will be enrolled in compliance with I.C. 20-26-11-32 and the following procedure:

- A. By June 30, the Board will establish the number of transfer students that can be accepted in each building and grade level.
- B. The Board will establish a date by which requests to enroll a transfer student must be submitted to the Superintendent. This date shall be submitted to the Indiana Department of Education and published on the Corporation Internet website.
- C. Requests to enroll a student without legal settlement in the Corporation shall not be denied if the student to be transferred:
1. has been enrolled in the Corporation in the prior school year;
 2. is a member of a household in which any other member of the household is a student in the transferee school; or
 3. has a parent who is an employee of the Corporation and has a salary of at least \$8,000.
- D. If the number of requests to enroll in each building and grade level exceeds the number established by the Board reduced by the number of transfers that may not be denied as described in paragraph (C) above, the students to be enrolled in each building and grade level shall be determined by random selection in which each application submitted on or before the date established by the Board pursuant to paragraph (A) above has an equal chance of being selected.

Pursuant to State law, the Board may deny a student's application to transfer to the Corporation, discontinue enrollment of a transfer student currently attending, rescind approval of a student approved to attend in a subsequent year, or establish terms or conditions for enrollment or for continued enrollment in a subsequent school year, if:

- A. during the preceding twelve (12) months, the student has been suspended or expelled for:
1. ten (10) or more school days;
 2. possession of a firearm, deadly weapon, or a destructive device;
 3. causing physical injury to a student, school employee or visitor to the school; or
 4. a violation of the Corporation's drug or alcohol rules.

B. the student has had a history of unexcused absences, and the Board believes that, based upon the location of the student's residence, attendance would be a problem for the student if the student is enrolled in the Corporation.

For purposes of computing the number of days of suspension of the student requesting enrollment, student discipline received from a teacher pursuant to I.C. 20-33-8-25(b)(7) and I.C. 20-26-11-32(j) shall be included in the calculation of the number of school days that a student has been suspended.

The Board delegates authority to the Superintendent to deny a student's application to transfer to the Corporation, discontinue enrollment of a transfer student currently attending, rescind approval of a student approved to attend in a subsequent year, or establish terms or conditions for enrollment or for continued enrollment in a subsequent school year if the student meets the criteria listed above.

Transportation will not be provided by the School Corporation for transfer students accepted for enrollment.

No transfer student shall be accepted for enrollment for athletic reasons.

Transfer students will not be charged unless otherwise required by law.

Students Without Legal Settlement Attending Alternative Education Programs

Students without legal settlement in the Corporation may be accepted into an alternative education program operated by the Corporation even if the Corporation does not otherwise accept transfer students. The Board shall comply with I.C. 20-26-11-32(g), (h), (j), (k) and (l) with respect to those students.

Revised 10/12/04

Revised 10/11/05

Revised 10/10/06

Revised 6/14/11

Revised 9/10/13

Revised 2/11/14

Revised 3/11/14

Revised 11/11/14

Revised 1/12/16

Revised 1/10/17

Revised 8/8/17

Revised 1/14/20

© Neola 2020

Legal

- I.C. 20-18-2-11 (legal settlement defined)
- I.C. 20-33-2-12 (transfer to another accredited or non-accredited school)
- I.C. 20-33-8-17 (expulsion for lack of legal settlement)
- I.C. 20-26-11-1 (residence defined)
- I.C. 20-26-11-2
- I.C. 20-26-11-2.5 (divorced parent election)
- I.C. 20-26-11-6(e) (option to not charge transfer tuition)
- I.C. 20-26-11-6.5 (children of school employees)
- I.C. 20-26-11-6.7 (nonpublic school students)
- I.C. 20-26-11-32 (student transfer requests, HEA 1381 – 2013; SEA 108 - 2017)
- I.C. 20-26-11-33 (non-transfer student attending alternative education program)
- Plyer v. Doe, 457 U.S. 202 (1982) (State Statute denying free public education to illegal immigrants violated the Equal Protection Clause of the Fourteenth Amendment)
- Divorced Parents Agreement: <http://www.doe.in.gov/sites/default/files/legal/formiii.pdf>
- Third Party Agreement:
<http://www.doe.in.gov/sites/default/files/legal/custodialstatementinstructions.pdf>