

# S-1: Administrative Procedures

## School Admissions



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### REFERENCES

[Board Policy S-1](#)

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### DEFINITIONS

**Alternative District or Alternative District of Residency:** A district, which may provide educational services, where a student resides:

- A. with a responsible adult, other than a custodial parent or legal guardian; or
- B. in a health care facility or human services program facility.

**Children of Military Families:** School aged children, enrolled in kindergarten through twelfth grade, in the household of an active duty member.

**Health Care Facility:** General acute hospitals, specialty hospitals, home health agencies, hospices, nursing care facilities, residential-assisted living facilities, birthing centers, ambulatory surgical facilities, small health care facilities, abortion clinics, facilities owned or operated by health maintenance organizations, end stage renal disease facilities, and any other health care facility that is designated by the State's Health Facility Committee. Health care facility does not include the offices of private physicians or dentists, whether for individual or group practice, except that it does include an abortion clinic.

**Human Services Program:** For purposes of these administrative procedures, human services program means a: foster home; therapeutic school; youth program; resource family home; or recovery facility. Human services program also includes a facility or program that provides: secure treatment; inpatient treatment; residential treatment; residential support; adult day care; day treatment; outpatient treatment; domestic violence treatment; child placing services; social detoxification; or any other human services that are required to contract with and be licensed by Utah's Department of Human Services. Human services program does not include a boarding school.

**Parent:** For the purposes of these procedures, parent means a custodial parent or legal guardian of a student.

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### PROCEDURES FOR IMPLEMENTATION

#### I. Determination of a Child's School District of Residence

- A. The school district of residence for a minor child whose parent resides within Utah is:
  1. the district in which the parent resides; or
  2. the school district in which the child resides:
    - a. while in the custody or under the supervision of a Utah state agency;
    - b. while under the supervision of a private or public agency authorized to provide child placement services by the Division of Child and Family Services (DCFS);
    - c. while living with a responsible adult resident of the district, if a determination has been made by the board that:
      - i. the child's physical, mental, moral, or emotional health would best be served by considering the child to be a resident for school purposes;
      - ii. exigent circumstances exist which would not permit the case to be appropriately addressed under the district's open enrollment procedures; and
      - iii. considering the child to be a resident of the district would not violate any other applicable law or rule;
    - d. if the child is married or has been legally declared an emancipated minor; or
    - e. while the child is receiving services from a health care facility or human services program, if a determination has been made by the board that:
      - i. the child's physical, mental, moral, or emotional health would best be served by considering the child to be a resident for school purposes;
      - ii. exigent circumstances exist which would not permit the case to be appropriately addressed under the district's open enrollment procedures; and
      - iii. considering the child to be a resident of the district would not violate any other applicable law or rule.
- B. A minor child whose parent does not reside in the state is considered to be a resident of the district in which the child lives, if:
  1. the child is married or an emancipated minor; or
  2. the child lives with a resident of the district who is a responsible adult and whom the district agrees to designate as the child's legal guardian in accordance with state law;

3. the board determines that:
  - a. the child lives with a responsible adult who is a resident of the district and is the child's noncustodial parent, grandparent, brother, sister, uncle, or aunt;
  - b. the child's presence in the district is not for the primary purpose of attending school;
  - c. the child's physical, mental, moral, or emotional health would best be served by considering the child to be a resident for school purposes; and
  - d. the child is prepared to abide by the rules and policies of the school and district; or
4. the board determines that:
  - a. the child's parent or guardian moves from the state; and
  - b. the child's parent or guardian executes a power of attorney under Utah Code Ann. §75-5-103 that
    - i. meets the requirements of section I.C. below; and
    - ii. delegates powers regarding care, custody, or property, including schooling, to a responsible adult with whom the child resides;
  - c. the responsible adult described in section I.B.4.b.ii. is a resident of the district;
  - d. the child's physical, mental, moral, or emotional health will best be served by considering the child to be a resident for school purposes;
  - e. the child is prepared to abide by the rules and policies of the school and school district in which attendance is sought; and
  - f. the child's attendance in the school will not be detrimental to the school or school district.
- C. If admission is sought under sections I.A.2.c, I.B.3, or I.B.4 above, then the district requires the person with whom the child lives to be designated as the child's custodian in a durable power of attorney or the child's guardian. See, section IV below for more information of durable powers of attorney and guardianships.

## **II. Enrollment of Homeless or Unaccompanied Youth, or Emancipated Minors**

- A. Pursuant to state and federal law, homeless students are entitled to immediate enrollment and full participation in school, even if they are unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency, guardianship records, birth certificate, or other required documents.
- B. A homeless child or unaccompanied youth must:
  1. be allowed to continue in their school of origin, defined as the school the child has attended when permanently housed or the school the child last attended;
  2. be allowed to enroll in the school in whose boundaries the child actually resides;
  3. be enrolled immediately with the expectation that the child begin attending immediately;
  4. be provided transportation support to the child's school of origin; and
  5. be eligible for free meals.
- C. Determination of residence for homeless, unaccompanied youth, or emancipated minors may include consideration of the following criteria:
  1. the place, however temporary, where the student actually sleeps;
  2. the place where the student keeps his/her belongings; and/or
  3. the place which the student considers to be home.
- D. Determination of residence for such students may not be based upon:
  1. rent or lease receipts for an apartment or home;
  2. the existence or absence of a permanent address; or
  3. a required length of residence in a given location.
- E. After the student is enrolled and attending the school, in coordination with the district, homeless liaison, will assist the parent or unaccompanied youth in obtaining necessary records, completing forms, and/or providing other assistance as necessary.
- F. Any disputes involving school selection or enrollment of a homeless child or an unaccompanied youth shall be referred to the district's homeless liaison. However, a homeless child or unaccompanied youth must be immediately admitted to the school in which enrollment is sought pending resolution of the dispute.
  1. The parent, guardian, or unaccompanied youth must be provided with a written explanation of the school's decision regarding school selection or enrollment, including the rights of the parent, guardian, or youth to appeal the decision.
  2. If the parent, guardian or unaccompanied youth wish to appeal the decision, the district homeless liaison should be notified.
  3. The district homeless liaison will ensure the appropriate dispute resolution process is carried out as quickly as possible.

4. The district homeless liaison will notify the director of student services, who will convene an appeals committee. This committee will be comprised of a school administrator, a counselor from an uninvolved school, and a staff member from the student services department.
  5. The appeals committee will hear the dispute, and render a written decision which will be provided to the appellant. The decision of this committee may be appealed to the superintendent or his/her designee within fifteen business days of the date of the decision. The parent, guardian, or unaccompanied youth, may also appeal the decision of the State Superintendent of Public Instruction.
- G. If there is a dispute as to the residence or the status of an emancipated minor or an unaccompanied youth, the district homeless liaison should be contacted, but the issue may also be referred to the Utah State Board of Education (USBE) for resolution.

### **III. Determination of Alternative District of Residency**

- A. A student's custodial parent may request a determination that the district is a student's alternative district of residency.
1. Any such requests must be in writing;
  2. The parent/student must indicate why the student should receive resident services from the district in accordance with sections I.A.2.c or I.A.2.e above; and
  3. The request must be submitted to the district's executive director of equity and student support.
- B. Upon receiving such a request, the district's executive director of equity student support will review the request and, within ten business days, make a recommendation to the superintendent on whether the student should be treated as a resident of the district.
- C. The student's custodial parent's district of residence is responsible for the student's education services pending the superintendent's decision.
- D. The superintendent will issue a written decision within ten business days setting forth the statutory reasons for approving or denying the request.
- E. If the superintendent approves the request, the district shall assume responsibility for providing educational services for the student and enroll the student immediately.
1. If a request is approved for a student qualifying for services under IDEA, the district shall conduct an individualized education program (IEP) meeting with representation from the district and the former district of residence.
  2. If a request is approved for a student attending a private human services program facility, the student is entitled to educational services at a school designated by the district.
    - a. The district is not required to provide educational services on site at a private human services program facility, unless the student's district IEP team determines that on site services are required to meet the student's needs under federal law.
  3. The district is not responsible for a student's required transportation between a health care facility or human services program facility and the designated school.
  4. The superintendent or executive director of equity and student support may periodically reevaluate the non-resident student's eligibility for district education services in accordance with the criteria outlined in sections I.A.2.c or I.A.2.e.
- F. If the superintendent denies a student request, the student may appeal the decision within ten business days to the State Superintendent of Public Instruction.

### **IV. Residency Documentation**

- A. Before a student is enrolled in a district school, the student's parent(s) must show proof of residency in the district, except for a determination regarding homeless or unaccompanied youth, or emancipated minors (see, section II above).
- B. The following are examples of documentation a school may request to show residency. The district considers two forms of any of the following -- in any combination -- to be sufficient to establish residency (e.g., one document from section 1 and one document from section 2; or two documents from section 2; or one document from section 1 and one document from section 3, etc.):
1. Documents showing primary residence:
    - a. copy of deed and/or record of most recent mortgage payment;
    - b. copy of lease and record of most recent rent payment;
    - c. legal affidavit from landlord affirming tenancy, stating the duration of tenancy, and record of most recent rent payment, if available, or statement in the landlord's affidavit that he or she is not charging the family rent;
    - d. other documentation acceptable to the district that confirms legal guardian's primary residence; or

- e. if none of the above is available, a legal affidavit from the leader of a recognized, established religious unit (ward, stake, parish, mosque, synagogue, etc.) affirming that the family lives at the address designated by the parent.
- 2. Documents dated within the past 60 days:
  - a. letter from approved government agency, such as assisted housing, food stamps, or unemployment payments;
  - b. payroll stub;
  - c. bank or credit card statement;
  - d. utility bill;
  - e. valid driver's license;
  - f. current vehicle registration;
  - g. valid Utah photo identification card;
  - h. valid passport;
  - i. voter registration documentation; or
  - j. church or religious records.
- 3. Documents dated within the past year:
  - a. W-2 form;
  - b. excise (vehicle) tax bill; or
  - c. property tax bill.
- C. The following documents do not establish residency:
  - 1. powers of attorney;
  - 2. letters from friends or relatives;
  - 3. P.O. Box in district boundaries; or
  - 4. property owned in district boundaries.
- D. The school does not need to retain documentation provided by a student's parent(s) or legal guardian(s) once residency has been confirmed.
- E. False or misleading information regarding residency or other pertinent information will result in revocation of the student's enrollment.

**V. Age of Entrance Requirement and Grade Placement**

- A. School assignment and grade placement of any K-12 student is determined by the district.
- B. In order to enroll a child in kindergarten, the child must be at least five years of age on or before September 1 of the school year for which enrollment is sought. Enrollment in a kindergarten program is optional.
- C. The district will enroll six-year-old children, who have not attended a kindergarten program, based on the child's date-of-birth:
  - 1. Children who turn six years old between July 1 and September 1 will be enrolled in kindergarten, and their grade-level placement will be evaluated before the end of that school year.
  - 2. Children who turn six years old prior to July 1 will be enrolled in first grade, and their grade-level placement will be evaluated before the end of that school year.
- D. In order to enroll a child in first grade, the child must be at least six years of age on or before September 1 of the school year for which enrollment is sought.
- E. Students entering the district after first grade, will be placed according to their age. (For additional information on grade placement, see I-8: Administrative Procedures, Student Progress and Academic Achievement.)
- F. Compulsory education laws require all children age six to 18 to be enrolled in school or have a documented, current, authorized exemption from school.

**VI. Enrollment Documentation**

- A. In accordance with state law, upon enrollment for the first time in any school, the individual enrolling the student must provide within 30 days of the date of enrollment:
  - 1. a certified copy of the student's birth certificate; or
  - 2. other reliable proof of the student's identity and age, together with an affidavit explaining the inability to produce a copy of the birth certificate; and
  - 3. a certified, accurate, and complete immunization record or official immunization exemption; and
  - 4. if applicable, a report card or written withdrawal form from the school last attended.
- B. If the individual fails to comply with section VI.A. above, the school shall provide written notification to the individual that unless he or she complies within ten days, the case shall be referred to the local law enforcement authority for investigation.
  - 1. If the individual fails to comply within that ten day period, the school shall refer the case to the Criminal Investigations & Technical Services Division of the Department of Public Safety (DPS).

- C. The school shall immediately report to DPS any affidavit received pursuant to this section which appears inaccurate or suspicious.
- D. A school enrolling a transfer student must request a certified copy of the transfer student's cumulative file directly from the student's previous school within 14 days.
  - 1. The student's previous school must send the file within 30 school days of receiving the request, unless it has been notified by DPS that the record is that of a missing child.
    - a. If the student's record has been flagged as that of a missing child, the school may not forward the record to the new school, and must notify DPS of the request.

**VII. Legal Surname**

Students must be registered, and permanent records maintained, under the legal surname as shown on the student's birth certificate. This does not preclude the use of a preferred surname in daily school activities.

**VIII. Guardianships and Durable Powers of Attorney**

- A. The district may grant a child admission to one of its schools under a durable power of attorney in circumstances described in sections I.A.2.c and B.2-3.
- B. The durable power of attorney must be issued by the party who has legal custody of the child, must designate the individual with whom the child lives as the child's custodian, and must grant the custodian full authority to take any appropriate action in the interests of the child, including authorization for educational and medical services.
- C. Both the party granting and the custodian shall agree to assume responsibility for any fees or other educational charges, and, if a fee waiver is requested, to provide the district with all financial information necessary in order to determine eligibility for fee waivers.
- D. The district may revoke its grant of admission to a student under durable power of attorney at any time.
- E. Be aware that durable powers of attorney do not confer legal guardianship of a child, and may be revoked at any time by the parties named in the agreement.
- F. Upon request, the district may provide required court documents, including affidavits of waiver, when an individual is petitioning a court for legal guardianship of a minor child.
- G. Before the director of student services signs appropriate court waivers for guardianships, all non-resident students over the age of eleven must complete a background check, and petitioner(s) must present a written, notarized letter of parental consent conveying care and custody of the child to the petitioner.

**IX. Tuition**

- A. Students residing outside of the state, and whose parents reside outside the state, will be charged a tuition fee in an amount determined by the board. Tuition fees may be waived if the following criteria are met:
  - 1. the student did not come to Utah for the primary or sole purpose of attending public school; and
  - 2. the intent of the student, the student's parent, and the party with whom the student lives, is that the student remains in Utah as a permanent resident.
- B. The district is under no obligation to enroll a non-resident student even though the person seeking to enroll the student is willing to pay tuition.

**X. School Choice, Standard Open Enrollment Applications, and Transfers**

- A. All students may attend their designated neighborhood boundary school without consideration of enrollment capacity.
- B. Students who wish to attend a school other than their boundary school must submit a Standard Open Enrollment Application to the student services department.
  - 1. Some district optional programs require submission of a separate application. Information about applications to various district optional programs is available in the student services department and on the district's website.
- C. A non-refundable \$5.00 processing fee, payable to the Salt Lake City School District, may be charged when the application is submitted.
- D. If a school or grade level is open, students will be accepted in district schools in the following order of priority:
  - 1. student(s) whose sibling currently attends the school of choice;
  - 2. students whose parent is a district employee;
  - 3. in-district students;
  - 4. out-of district students; and
  - 5. students with a pressing need or extenuating individual or family circumstances take priority over other requests.Once a school or grade level is closed, no out of boundary students will be admitted regardless of the priority preferences listed above.
- E. When determining whether to accept or reject an enrollment application, schools may not consider:
  - 1. previous academic achievement;

2. athletic or other extracurricular ability;
  3. the fact that the student requires special education services for which space is available;
  4. proficiency in the English language, including the fact that the student needs alternative language services, English as a Second Language classes and/or English Language Development services; or
  5. previous disciplinary proceedings, except as provided in section F.3. below.
- F. A student's application may be denied or a student may be excluded from enrollment based on:
1. unavailability of space in a building;
  2. no capacity in a special education and/or extended learning program;
  3. for an elementary school, maximum capacity has been reached in the requested grade level;
  4. for a secondary school, the capacity of a comprehensive program such as a specific career and technical education pathway, or the Junior Reserve Officers' Training Corps (JROTC) program.
  5. unavailability of a program the student requires; or
  6. prior significant behavior problems. The district may deny enrollment to, or place conditions on the enrollment of, a student who has committed serious infractions of the law or school rules, including board policies and district administrative procedures, or has been guilty of chronic misbehavior which would, if it were to continue after the student was admitted, endanger persons or property, cause serious disruption in the school, or place unreasonable burdens on school staff.
- G. The parents of transfer students are responsible for the student's transportation to and from school, except as provided in state law.
- H. Transfer students may be allowed to ride on established district bus routes on a space available basis, as long as no additional costs will be incurred by the district. For more information on transportation, contact the district's transportation department at 801.974.8345. A transfer student's participation in interscholastic athletics and activities is governed by the rules of the Utah High School Activities Association (UHSAA) and the USBE. It is the parent's responsibility to verify and resolve any issues regarding their student's eligibility with UHSAA.
- I. Once enrolled, the transfer student may remain enrolled in the school, subject to the same rules and standards as resident students, without renewed application, as long as he or she complies with all school rules, board policies, and district administrative procedures.
1. However, as the transfer student moves from elementary to middle school, a new application must be made for the middle school of choice, assuming the student does not return to his/her boundary school. Similarly, as the student moves from middle school to high school, an application must be made for the high school of choice.
- J. The principal will notify transfer students who are currently enrolled by March 15 if they are to be excluded for the next year due to the student's unwillingness to follow rules or policies, or as a result of the student's suspension or expulsion.

## **XI. Open Enrollment Period**

- A. Prior to November 30 of each school year, the board will designate which schools will be available for open enrollment during the upcoming year.
- B. The open enrollment period begins every year on December 1 and continues through the third Friday in February for placement in the upcoming school year.
- C. Some schools declared "open" during this enrollment period may be at capacity and unable to accept students after the window closes. The principal will deny applications if space is unavailable or programs are at capacity.
- D. Applications will not be available for schools designated as "closed" during the open enrollment period.
- E. Applications are available in the student services department, 440 East 100 South, Suite 104. Applications must be completed and submitted to the student services department by the deadline of the third Friday in February.
- F. Students will be accepted in participating schools in the order of priority as stated in section X.D. A lottery will be used when applications exceed space or capacity.
- G. After the open enrollment period closes, the principal will act on all properly submitted applications. Principals will notify the students and parents in writing on or before March 31 whether their application has been approved or denied.
  1. Schools may not create waiting lists of students who were not accepted during the open enrollment period.
- H. If the student is accepted, the principal may require a signed letter of intention from the parents stating that they are making a commitment to enroll the student in that school for the upcoming year. If parents do not respond by the deadline established by the principal, the student's acceptance will be nullified.

**XII. Late Enrollment Period**

- A. Before completing and submitting an application for a late enrollment or transfer, check with the preferred school to make sure it is accepting transfer students.
- B. An application for a late enrollment or transfer may be submitted to the school principal at any time during the current school year, or after April 1 for the next school year.
- C. For applications made for the upcoming year, principals may not be able to approve a late enrollment or transfer until after the beginning of school when the principal can determine if space is available to accommodate the request.

**XIII. School Choice Appeals**

- A. Any denial of an initial, late or continuing enrollment application made under these procedures may be appealed.
- B. The parent of the student may appeal the denial to the district executive director of equity and student support by filing a written request for an appeal within 20 school days of the date of the written notice of the denial of the transfer.
- C. The request for an appeal must be accompanied by a copy of the written notice denying the transfer, and include a statement of the facts surrounding the denial, and the reasons why the appellant believes the denial should be reversed. The request for appeal may also include relevant legal authority or argument.
- D. The executive director of equity and student support will forward the request to the district appeals committee to review the appeal and make a decision within ten school days of receipt of the written request for an appeal.
  - 1. The committee is comprised of at least three staff members, one of whom is an administrator. Other designated members will advocate for the needs and interests of students, parents and the district.
- E. The committee will notify the executive director of equity and student support of their decision. The director will then notify the appellant of the committee's decision.
- F. The committee's decision may be appealed to a board subcommittee by the same process. The committee's decision will be upheld unless the committee's decision is found, by clear and convincing evidence, to violate applicable law or regulations, or to be arbitrary and capricious.
- G. The board subcommittee, after reviewing the appeal, may either make its decision without a hearing, or determine that a hearing would materially aid its deliberations. The appeal may be discussed in a closed executive meeting should the facts and circumstances warrant such action.
- H. A decision will be rendered within ten school days of the receipt of the written appeal. The board subcommittee may extend the time period in which to render a decision, however it will notify the appellant of the need for any such extension.
- I. Notice of the decision will be mailed to the appellant, and will constitute the district's final action.

**XIV. Enrollment Options for Students with Disabilities**

- A. For a student with a disability being educated pursuant to an Individualized Education Program (IEP), the appropriate educational placement must be determined by the student's IEP team.
- B. The decision to accept an enrollment or transfer application must include consideration of the capacity of the school's special education program, and the services mandated by the student's IEP. Services provided in self-contained programs are an IEP team decision and not an enrollment option.
- C. The capacity of the special education program is defined by using the weighted count described in the USBE Special Education Rules. If 90% of that capacity has been reached, additional enrollment requests requiring special education services may not be granted.
- D. If it is determined that the school has not reached the 90% capacity, schools must use a non-discriminatory process in determining which applications to grant.
- E. Behavior or school performance that is related to a disability may not be used as a reason to accept, deny, or reject an application.
- F. If, during the course of the school year, a student requires additional special education services, the IEP team will determine an appropriate placement, which may or may not be at the same school.
- G. A transfer student's enrollment may be discontinued if it is determined by enrollment projections that the capacity of the special education program will exceed 90% capacity for the coming school year. Parents will receive notice no later than March 15 if the student's enrollment is to be discontinued.
- H. Failure to disclose the special education status of a student on the enrollment application may result in immediate rejection of the application.
- I. For students enrolled in a special education program in another school within the district or in another district, their parents may not decline special education services or programs for the purpose of obtaining enrollment in the requested school. Evidence of such action will result in a transfer rejection.

**XV. Procedures for Admission of Foreign Exchange Students**

- A. The USBE will determine how many foreign exchange students may be accepted annually based on availability of space and legislative resources.
- B. Foreign exchange students seeking admission to a district school on a J-1 VISA must be sponsored by a district approved agency or program in coordination with the student services department according to board policy and procedures.
  - 1. The district will only accept foreign exchange students from agencies and programs that meet the following two requirements:
    - a. The program has been evaluated and approved by the Council on Standards for International Educational Travel (CSIET) or can provide other acceptable documentation in order to ensure that the agency is in compliance with all rules and regulations established by the U.S. Department of State regarding foreign exchange programs; and
    - b. The agency or program has completed the district's required sworn affidavit of assurances as prescribed in state law and board policy.
  - 2. The annual deadline for an agency or program to submit both the certificate of satisfactory CSIET evaluation and the district affidavit of assurances is November 15. The district reserves the right to require further documentation of CSIET approval from any agency or program.
  - 3. No application for an exchange student will be accepted for consideration of admission for the coming school year if the agency or program has not submitted both documents to the director of student services before the November 15 deadline.
- C. Annually, the director of student services will submit a list of qualified agencies or programs seeking to place exchange students in the district to the board for its approval.
  - 1. A final list of approved board agencies will be available in December.
  - 2. Board approval does not guarantee the acceptance of all foreign exchange student applications.
- D. Student applications from board approved agencies may be submitted to the director of student services after January 15 and no later than July 1. No applications will be accepted after the deadline, however the district may reach its quota before July 1.
- E. Agencies will be notified in writing as soon as possible if the student's application has been accepted or denied by the district. If the student's application has been accepted, this written notification constitutes the district's approval letter.
- F. If an application is accepted, the district will determine in which school the student is accepted, and will coordinate the placement with the agency and the local school principal.
- G. Transcript of credits, complete Utah School Immunization Records, and the district approval letter must be presented at the time of registration. Upon request by the district, the agency or program must provide translations of transcripts or other student documents before the student may be registered.
- H. Foreign exchange students may not be granted fee waivers, or be provided transportation at district expense beyond established school bus routes.
- I. Exchange students are not eligible to receive special education services or English Language Development services.
- J. Exchange students will not be eligible for graduation from a district high school.
- K. If the district has accepted foreign exchange students into its program, the district must provide the approved foreign exchange student agency with a list of names and telephone numbers of individuals, not associated with the agency, who could be called by an exchange student in the event of a serious problem.
- L. The district is not a designated district in the state of Utah to issue I-20's F-1 VISA; as per state law, the district does not admit foreign students who are temporarily in the country on a tourist or visitor VISA. However, resident students whose parents are in the country on a work or educational VISA may be admitted to the district.

**XVI. Transfers from Persistently Dangerous Schools and for Student Victims**

- A. Pursuant to state law, students may transfer out of schools designated by the USBE as "persistently dangerous" (see, Utah Admin. Code R277-483-4, Identification of Persistently Dangerous Schools). In the event such a designation occurs:
  - 1. the board shall develop criteria for and subsequently designate district schools available to accept students requesting a transfer from the persistently dangerous school;
  - 2. parents of all students attending the persistently dangerous school shall be notified of available transfer schools no later than August 15 of the school year of designation; and
  - 3. parents of students moving into a persistently dangerous school community shall be immediately notified of the school's persistently dangerous status and their right to request a transfer.



- B. Within 30 days of receiving notification of persistently dangerous school status, parents may submit a written transfer request to the board. Students shall be assigned to an available school within 30 days of a written parent request for transfer. Parents must make a decision within ten days following notification to accept the school assignment offered by the board or have their children remain in the resident school.
- C. Parents may appeal any decisions made under this section to the director of student services in accordance with section XIII of these administrative procedures.
- D. In accordance with state law, students who have been disciplined for certain violent criminal offenses or federal gun-free school violations forfeit their right to transfer.
- E. If a student is a victim of a violent criminal offense that occurs on school property or a federal gun-free school violation, the student and his/her parents shall receive notice of transfer options and other available services in accordance with state law.

**XVII. Special Provisions Related to Children of Military Families**

The Interstate Compact on Educational Opportunity for Military Children ("Compact") may require the district to implement alternative procedures relating to the enrollment and placement of children of military families. For purposes of these procedures, the Compact may affect enrollment requirements, including requests for documentation, age of entrance requirements, and grade placements. See, Utah Code Ann. §53E-3-901 et seq.