

Policy 410 – Enrollment

Revised policy effective July 1, 2021

<i>1st reading</i>	<i>May 27, 2021</i>
<i>2nd reading</i>	<i>June 10, 2021 (tentative)</i>
<i>3rd reading and Adoption</i>	<i>June 21, 2021 (tentative)</i>

Statutory authority West Virginia Code 18-2-5c, 18-5-15F, 18-5-16, 18-8-1a, West Virginia Board of Education Policy 4110

Administrative Guidelines

- i. Procedures for Enrolling, Transferring, and Withdrawing Students
- ii. Procedures for Initiating and Terminating Home Instruction

The Board shall provide a free and appropriate education to all children who enroll in its schools pursuant to the requirements of state law and policy.

The provisions of this policy shall apply to all students in grades Kindergarten through 12th grade. This policy is not applicable to students in Pre-Kindergarten or adult programs, though similar provisions may be found in the policies applicable to these students.

Students must be residents of the County in order to enroll in the school system unless they are approved to transfer into the County from outside the County, are foreign exchange or visiting students residing with persons in the County, or are “homeless” as designated by federal law.

Missing and Absent Children

It is the interest of this Board to cooperate with local, State, and National efforts to decrease the number of missing children.

The Superintendent shall develop administrative guidelines to provide for enrollment of a student lacking records into the school.

Enrollment of Students Residing Outside of the County

The Board ~~may~~ shall permit the enrollment of students who reside outside of the County in a school or program of this County under the same general criteria for students who reside within the County.

The Board may only deny enrollment to a student who resides outside of the County if such enrollment would cause the Board to be required to employ additional teacher(s) or support staff under any pupil-teacher ratio or other class size- or building or vehicle occupancy-related requirement under state or Federal law or policy or if the application for enrollment was not filled out or submitted correctly. The Superintendent or designee shall develop and make available said application to any who request it.

A parent or guardian of a student may appeal the refusal of the Board to enter into an agreement to transfer or accept the transfer of the student ~~by following the procedure outlined in West Virginia Board of Education policy to the State Superintendent.~~

~~Students residing outside of the County shall meet the following admission criteria prior to enrollment:~~

- ~~1. Be of the age required of any other student enrolling in the relevant school or program;~~
- ~~2. Must not have been expelled under the provisions of WV Code 18A-5-1a by the Board of the county in which the student resides or by the governing body responsible for the school the student attended immediately prior to his / her proposed enrollment in this County, nor be presently under suspension by the same;~~
- ~~3. Must have maintained regular attendance in the school the student attended immediately prior to his / her proposed enrollment in this County;~~
- ~~4. Must not have been retained or recommended for retention in the grade the student was assigned to immediately prior to his / her proposed enrollment in this County.~~

~~Any student residing outside of the County wishing to enroll in a school or program of this County shall make such wishes known by completing the form prescribed by the Superintendent and providing any relevant documentation as may be requested by the Superintendent or designee. Any such student shall make application for enrollment in this County no later than 15 calendar days prior to his / her intended enrollment date. Additionally, such students shall be admitted no earlier than the beginning of the next quarterly grading period.~~

The Board may provide transportation to any student who resides outside of the County, but such is not guaranteed nor required of the Board unless transportation services are necessary to fulfill the educational program of the student as detailed in an individualized education plan. It shall be solely at the Superintendent's discretion, acting under the authority of the Board, to determine if transportation services will be provided to students who reside outside of the County not required to be provided such under an individualized education plan. In making such decisions, the Superintendent shall consider the ability of the student to access an existing bus stop, arrive at a location within the County along an existing bus route, and the cost required to provide transportation to the student if more than incident to the Board's current transportation program.

~~The Board may deny enrollment to any student who resides outside of the County if such enrollment would cause the Board to be required to employ additional teacher(s) or support staff under any pupil-teacher ratio or other class size or building or vehicle occupancy-related requirement under state or Federal law or policy.~~

Approval of the enrollment of each student residing outside of the County in a County school shall be subject to action of the Board upon recommendation of the Superintendent, and no student shall be so enrolled or attend classes at a County school unless and until such approval is granted; provided, that no student who is designated as "homeless" under the provisions of the federal McKinney-Vento Act shall be denied enrollment pursuant to the Act.

The Board reserves the right to modify the conditions under which the enrollment of students residing outside of the County would continue for any particular program, classroom, or school. Additionally, the Board reserves the right to provide preferential enrollment to students who meet one or more of the following criteria:

1. Siblings of students already enrolled through this policy;
2. Secondary students who have completed 10th grade and, due to family relocation, come to reside outside the County but wish to complete their education in this County;
3. Students who children, grandchildren, or legal wards of employees of the Board;
4. Students whose residences, though in another county, are more proximate to a school within this County whether by distance or travel time;
5. Students who reside in a portion of a county where practical transportation is prevented to a school within that County and a school in this County is more easily accessible

~~The Board shall submit an invoice for an amount to be determined on a pro rata basis to the appropriate West Virginia county board when any student residing in this County re-enrolls in a school or program of the Board after the second~~

~~month of any school year after having been enrolled as a student of that county board.~~

Should any student who resides outside the County enroll after the second month of school, the County shall issue an invoice to the county from which the student transferred for the *pro rata* amount that the County would have received under the state basic foundation program or aid to exceptional students for that student.

Should any student who resides outside of the County and wishes to enroll in a school or program of the Board also reside outside of the state of West Virginia, the transfer of such student to a school or program of the Board shall be based upon the criteria listed above in addition to terms mutually agreed upon by the Board and the governing body of the school or district from which the student wishes to transfer, including payment of tuition in the amount commensurate with the per-pupil expenditure of local and state funds for a student in the County schools for the term of that student's enrollment.

Enrollment of Students in Particular Schools

The Board shall permit any eligible, elementary or middle school student in the County to apply for enrollment in any County program or school.

The Board shall divide the County into separate attendance areas so that the assignment of students to schools within this County be consistent with the best interests of students and the best use of the resources of this County.

The Superintendent shall annually review existing attendance areas and recommend to the Board such changes to the boundaries of the school attendance areas as may be justified by:

- A. considerations of safe student transportation and travel;
- B. convenience of access to schools;
- C. financial and administrative efficiency;
- D. the effectiveness of the instructional program;
- E. a wholesome and educationally sound balance of student populations;
- F. teacher-student ratios imposed by State law.

Acting upon the recommendation of the Superintendent, the Board may periodically redefine the school attendance areas of the County and shall expect the students within each area to attend the school so designated.

The Superintendent may assign a student to a school other than that designated by the attendance area when such exception is justified by circumstances and is in the best interest of the student, when a class exceeds State mandated enrollment requirements, or when a school is overcrowded.

Wherever possible and advisable in the interests of the students, siblings shall be assigned to the same building.

The principal shall assign students in his/her school to appropriate grades, classes, or groups. This action shall be based on consideration of the needs of the student as well as the administration of the school.

A student may be permitted to attend a school other than the school serving the parents' residential area requesting such on the form provided by the Superintendent, who shall take into consideration, among other factors, the following:

- A. severe health problems
- B. class/school size
- C. acceptance of responsibility for transportation, good attendance, and acceptable behavior
- D. programs availability

E. other hardships

The Superintendent shall develop administrative guidelines that establish procedures that provide for the process by which students residing inside the County may apply for enrollment in a particular County school outside of the attendance area in which they reside and the conditions under which such enrollment may be considered or rejected.

The enrollment of each student residing inside the County may apply for enrollment in a particular County school outside of the attendance area in which they reside shall be subject to the approval of the Superintendent, and no student shall be so enrolled or attend classes at a particular County school outside of the attendance area in which they reside unless and until such approval is granted; provided, that no student who is designated as “homeless” under the provisions of the federal McKinney-Vento Act shall be denied enrollment pursuant to the Act.

Immunization

All students enrolled in the County schools shall show proof of proper immunizations as required by state law and policy. The Superintendent, upon recommendation of the Director of Student Support Services, may cause a student to be disallowed from attending classes in a County school until such proof is provided.

Home Instruction

The Board recognizes its responsibility for assuring that every resident school-age child is enrolled in a public, private, parochial or other approved school or is offered an equivalent education elsewhere and designates the Superintendent to act in its behalf.

All requests to educate a child with a home instruction program are to be submitted to the Superintendent.

The Superintendent shall develop administrative guidelines which ensure that, prior to approval of a home instruction request, all statutory and regulatory requirements have been met.

Upon approval of the Board, the student may attend any class offered by the Board, subject to normal registration and attendance requirements.

Should a student receiving home instruction wish to terminate such instruction and enroll in a school or program of the Board, the student shall be placed in the grade level and / or program of study commensurate with his / her age, physical and emotional maturity, and educational progress thus far and granted high school credit as appropriate. This educational progress may be measured by a variety of methods, including but not limited to:

1. A transcript(s) of his / her educational experience(s) from a regionally accredited institution(s)
2. Demonstration of proficiency on an assessment(s) of the Board's choosing
3. Evaluation of his / her educational progress as evidenced in a portfolio of work products, to be performed by a teacher holding certification or licensure from the West Virginia Department of Education in a field and for grade level(s) appropriate to the student's educational progress thus far.

~~A student may be determined to have met one or more high school graduation requirements set forth by the Board and / or the West Virginia Board of Education while receiving home instruction, provided that the evaluation of a portfolio of work products shall not be used to determine progress beyond the 10th grade or equivalent.~~

Nonimmigrant Students and Foreign-Exchange Programs

The Board authorizes the Superintendent to consider a request to admit an exchange visitor student who meets the United States Department of State requirements and applies for enrollment through a sponsoring organization and to determine whether or not that student should be enrolled.

The Board, pursuant to Federal law, requires the sponsoring agency to secure prior written acceptance of the Superintendent for the placement of an exchange visitor student in any County high school.

Other Nonimmigrant Students

This policy does not apply to nonimmigrant students with citizenship in countries other than the United States who are not participating in an approved exchange visitor program at a County school.

All other nonimmigrant students with citizenship in countries other than the United States who seek to enroll in the County's schools are subject to Federal law, State law, and the County's policies regarding enrollment and, if applicable, tuition.

Withdrawal from School

The Board affirms that, while statute requires attendance of each student from six (6) years of age by July 1st or five (5) years of age by July 1st if enrolled in kindergarten, and not formally withdrawn, it is in the best interest of both students and the community that they complete the educational program that will equip them with skills and increase their chances for a successful and fulfilling life beyond the schools.

A student is officially enrolled when one of the following conditions occur:

- A. student was enrolled the previous year;
- B. student appears at school to enroll with or without a parent/guardian; or
- C. student and/or parent/guardian appears at school to enroll with or without records.

A dropout is an individual who:

- A. was enrolled in school at some time during the previous school year and was not enrolled on October 1st of the current school year; or
- B. was not enrolled on October 1st of the previous school year although expected to be in membership (i.e., was not reported as a dropout the year before); and
- C. has not graduated from high school, obtained a GED diploma, or completed a State-or district-approved education program; and
- D. does not meet any of the following exclusionary conditions:
 - 1. transfer to another public school district, private school, registered home school, or State - or district-approved education program;
 - 2. temporary school-recognized absence due to suspension or illness; or
 - 3. death.

For students of ages seventeen or older, the dropout date is defined as the school day after the student's last day of attendance.

The Board directs that whenever a student wishes to withdraw, effort should be made to determine the underlying reason for such action and the resources of the School System should be used to assist the student in reaching his/her career goals. No student under the age of eighteen will be permitted to withdraw without the written consent of a parent.

No later than five days from the date of withdrawal, the Director of Student Support Services shall notify the West Virginia Division of Motor Vehicles of the withdrawal from school of any student fifteen years of age, but less than eighteen years of age. If a student's withdrawal from school is beyond the control of the student and such student is applying for a license, Director of Student Support Services shall provide the student with documentation to present to the West Virginia Division of Motor Vehicles to secure his/her license or instructional permit. The Superintendent, with

the assistance of the Director of Student Support Services or any other staff or school personnel, shall be the sole judge of whether such withdrawal is due to circumstances beyond the control of such person.

The Superintendent shall develop administrative guidelines detailing procedures to be followed so that such notification complies with State law and which:

- A. make counseling services available to any student who wishes to withdraw;
- B. help the student define his/her own educational life goals and help plan the realization of those goals;
- C. inform the student of alternative programs;
- D. assure the timely return of all School System-owned supplies and equipment in the possession of the student.

The Superintendent may initiate and maintain expulsion proceedings against a student who has committed an act that warrants expulsion under Board policy even if the student withdraws from school prior to the hearing or decision to impose the expulsion. Any resulting expulsion shall be noted in the student's record and shall be imposed for the same duration it would have been had the student remained enrolled.