

**10100 STUDENT ATTENDANCE AREAS****10102 Assignment of Students to School**

- I. 24 P.S. §13-1302 mandates that a student is entitled to enroll in the Warren County School District if residency within the District is established. However, the Board has the legal authority, and it is within the Board's discretion, to adopt rules that determine which school within the District a child will attend. As an exercise of this discretion the Board has determined that, unless special permission has been granted pursuant to Section II of this policy, the attendance area in which a student will be required to attend school shall be determined as follows:
1. A student shall attend school in the attendance area in which his/her parents/guardians are domiciled. If the parents/ guardians are each domiciled in a different attendance area, the student shall attend school in the attendance area where the parent/guardian that has physical custody a majority of the time during the school year is domiciled. If the parents/ guardians are each domiciled in a different attendance area and the parents/guardians have a 50/50 physical custody arrangement, the parents/guardians must designate the attendance area, in which one of them is domiciled, that they desire their child to attend school for the school year.
  2. If the student does not have a parent who is domiciled within the District's boundaries, but the student is entitled to enroll in the District because residency within the District has been established pursuant to 24 P.S. §13-1302, the student shall attend school in the attendance area in which the parent(s)/guardian(s) is residing.
  3. The attendance area in which a homeless student attends school shall be determined pursuant to District Policy 10140.
  4. The attendance area in which a foreign exchange student, or other student that is placed under the supervision of a District resident, attends school shall be the attendance area in which the supervising District resident is domiciled. If a student is enrolled in the District, but neither the student nor his/her parents/guardians are domiciled in, or reside in, the District, the Superintendent shall determine the attendance area to which the student is assigned.
  5. The attendance area in which an emancipated minor or an 18-year old student (who does not live with, and is not dependent on, his/her parents/guardians) attends school shall be the attendance area in which the student is domiciled.

II. The reasons for ~~which~~ special permission ~~may be granted~~ are as follows:

1. A child whose parents/guardians domicile (or residence, if the parents/guardians are not domiciled within the District) changes from one attendance area to another during the school year, and whose parent/guardian has submitted a request in writing, may be given permission to continue to attend his or her former school if it is determined that it is in the best interest of the child. Such permission shall not extend beyond the current school year.
2. In accordance with the regulations governing the identification and placement of exceptional students, a special education student may be assigned to another building via his/her Individualized Education Plan (IEP) when the program and services the student requires are not available in his/her assigned school. Placement decisions regarding an exceptional student must always consider the home school first when the recommended program is available in the student's assigned attendance area.
3. **If, prior to the commencement of a particular school year, it is determined that a student will be taking the majority of his/her credit hours at a school other than his/her assigned school during the school year because one or more of the courses in which the student is enrolled are not available at his/her assigned school, the student shall be transferred to the other school for that school year. If any such transfer occurs for a particular school year, the decision as to whether the transfer shall remain in effect for any subsequent school year shall be determined by the Superintendent on an annual basis prior to the start of the school year. and pursuant to the same criteria.**
- ~~3. Recognizing that the transfer of students can complicate staffing decisions, create imbalances in class size, generate additional costs, and other inequities and difficulties, the Superintendent is directed to limit discretionary transfers to situations in which transfer is the only viable option to avoid significant detriment to the educational well-being of a student in either or both of the following conditions:~~
4. A child who is involved in a serious disciplinary situation in his or her assigned school may be assigned to another school within the District when such a transfer appears to be in the best interest of the student and the District. The transfer shall remain in effect according to the provisions established at the time of the transfer.
5. A child with a physical and/or psychological condition, verified by a written statement from a licensed physician or psychiatrist, may be transferred to another school within the district which better meets the child's needs **if the transfer is the only viable option to avoid significant detriment to the educational well-being of a student.** The transfer shall remain in effect as long as it is necessary to meet the student's needs and is supported by the child's doctor.

6. A written request from a student's parent/guardian may be approved to transfer a student into the District from another school district, or from the District to another school district, when it has been determined to be in the best interest of the student, and when a written agreement has been entered into between both districts. Such a transfer must be in compliance with the School Code and with the applicable regulations promulgated by the Pennsylvania Department of Education. The financial responsibility for the payment of tuition, transportation, and any other expenses which are incurred as a result of a student transferring to or from another school district and which are reimbursed pursuant to the School Code and applicable regulations shall be the responsibility of the parents/guardians who are requesting the transfer and not the responsibility of the Warren County School District, unless otherwise required by law.

7. ~~A The decision to grant or deny a discretionary transfer pursuant to section 1, 2, or 4 of this Section may be granted shall be made by the Superintendent. and implemented without the need for Board approval. A discretionary transfer pursuant to section 3 of this Section must be both recommended by the Superintendent and approved by the Board of School Directors at a publicly held meeting prior to implementation of the transfer.~~

8. Unless otherwise required by law **or determined by the Superintendent**, transportation for a student with an approved attendance area transfer will be the responsibility of the parent/guardian.

III. For purposes of this policy the attendance area in which a parent/guardian is domiciled shall mean the attendance area in which the parent/guardian has fixed his/her family permanent home and principal establishment and to which, whenever he/she is absent, he/she has the intention of returning. By law, a person can have only one domicile and a new domicile can be acquired only by physical presence at a new residence coupled with an intent to live in the new residence permanently and to abandon the prior domicile. Whether said intent is present shall be determined by the actual facts, not what a parent/guardian declares the facts to be. The determination regarding domicile shall be made by the Superintendent and shall be based upon the particular facts of each case.

IV. This Policy shall govern all school assignment decisions made by the District for the 2014/2015 school year and thereafter. This Policy does not mandate the reassignment of students who were previously assigned to a school or attendance area for a school year proceeding the 2014/2015 school year.

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Review Date	-	
Legal Reference	-	24 P.S. §13-1302
Cross Reference	-	Policy 10106, 10107, 10110, and 10140