

**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, or, if applicable and as specifically referenced herein, outside of Orange County. Orange County Public Schools ("OCPS") assigns students to a school based on the residence/domicile of the parent/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 (6). It is also important to note, that the Superintendent or designee may transfer a student to another school or program located outside of the student's assigned school for the health, safety, or welfare of the student, other students, or staff, in accordance with applicable Florida Statutes, Board Policy JICK, titled "Threats," Board Policy JIC, titled "Code of Student Conduct," and the Code of Student Conduct Handbook.

(2) Change of Address.

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.

(3) Procedure.

Guardians who wish to apply for a Transfer to a school other than the assigned school for their child for one of the reasons set forth below in section (6), 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.

(4) 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) If the student has an Individual Education Plan (“IEP”) at the time of application for the Transfer, the IEP will be reviewed to ensure the receiving school can appropriately implement the student’s IEP before the Transfer is approved.
  - (e) 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 this policy or other Board policy.
- (5) Revocation.
- (a) 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.
  - (b) A Transfer may be revoked through the Office of Student Enrollment with the principal’s and his/her supervisor’s approval, or as permitted by law.
- (6) Transfers. Guardians can request a Transfer for the following reasons:
- (a) Family Empowerment Scholarship for Students with Unique Abilities (“FES UA”) Transfer (formerly John McKay Scholarship Program)
    - (i) Department: ESE Department
    - (ii) Transfer timeframe: Processed as required by the FES UA Scholarship Program
    - (iii) Eligibility
 

The State of Florida offers the FES UA Scholarship which allows Guardians of qualifying students with disabilities to enroll an eligible student in another school within OCPS. Students will be enrolled pursuant to the OCPS School Choice Plan and the receiving school’s ability to appropriately implement the student’s IEP. The following shall apply to FES UA Scholarship Transfers:

- a. In order to be eligible for the FES UA Scholarship, a student must apply for the program prior to withdrawing from public school;
- b. The student must have an IEP or 504 Accommodation Plan;
- c. All requests are made via the public request form found on the OCPS website, [www.ocps.net](http://www.ocps.net); and
- d. Siblings may be eligible to transfer with the student who is granted the FES UA Scholarship Transfer, so long as the school has an available seat for the sibling and is not over capacity.

(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. 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.
- b. Siblings may be eligible to transfer with the student who is granted the Opportunity Scholarship Transfer, so long as the school has an available seat for the sibling and is not over capacity.

(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 IEP 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 1st through April 30th 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; or
  - ii. A third or higher course of a Career and Technical Education program.
- 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, 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. Transportation is not provided by OCPS;
- e. Siblings are not eligible to transfer with the student who is granted the Academic Transfer, unless the sibling meets the same criteria contained herein;
- f. Transfers may be revoked pursuant to section (5) above, or the student's course grade is below C or overall GPA is below 2.0;
- g. 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 8th or 12th grade Transfer; and
- h. 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 ("COET")

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

A COET 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 shall be revised every twelve weeks, at minimum, and published on the Office of Student Enrollment website. The list of receiving schools may also be revised based on programmatic changes or volume of requests;
- b. The published list of available receiving schools shall include available capacity by grade level;
- c. The receiving school must have available capacity and be on an approved list published by the OCPS Office of Student Enrollment;
- d. A waitlist shall be utilized for applicants who do not receive a seat offer;

- e. Transportation is not provided by OCPS, unless a specific exception is provided for transportation in Florida Statutes for a COET or is provided on the Office of Student Enrollment website;
- f. The student requesting the COET cannot be subject to a current expulsion or suspension from the student's current OCPS school or other school district;
- g. Students residing outside of Orange County are eligible for the COET; however, students residing in Orange County may not be displaced by a student from another district seeking enrollment under the COET;
- h. Students may participate in interscholastic and intrascholastic extracurricular activities if they are enrolled at an OCPS school under the COET. However, the student may not participate in a sport if the student participated in the same sport at another school during the same school year, unless the student meets one of the following criteria:
  - i. Dependent children of active duty military personnel whose move resulted from military orders;
  - ii. Children who have been relocated due to foster care placement in a different school zone; or
  - iii. Children who move due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of the custodial parent.
- i. Siblings may apply for the COET to the same school as the student granted the initial COET, so long as the school has an available seat for the sibling and is not over capacity.
- j. Priority for the COET 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 5th, 8th, or 12th Grade Student Transfer (“Rising Transfer”)

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

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

- a. Transportation is not provided by OCPs; and
- b. Siblings may be eligible to transfer with the student who is granted the Rising Transfer, so long as the school has an available seat for the sibling and is not over capacity. In addition, the transfer for the sibling will only be available for one school year.

(g) Magnet

- (i) Department: Office of School Choice
- (ii) Transfer timeframe: To apply for the lottery process, applications are accepted as detailed on the School Choice webpage located at [www.schoolchoice.ocps.net](http://www.schoolchoice.ocps.net).
- (iii) Eligibility

Magnet Transfers are granted for eligible students who apply and accept an offered magnet seat. See Board Policy JFBD, titled, “Magnet School Programs,” and [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 for verification and to determine the appropriate school location to serve the student;
- b. Medical Transfers are to the next nearest qualified school;
- c. Transportation is not provided by OCPS; and
- d. Siblings of a student granted a Medical Transfer may be eligible for a transfer to the same school, so long as the school has an available seat for the sibling and is not over capacity.

(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 after the start of the school year. 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 the State of Florida and outside the attendance area of the school after the start of the school year. 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; and



c. 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. Transportation is not provided by OCPS; and

e. Siblings may be eligible to transfer with the student who is granted the Psychological Transfer, so long as the school has an available seat for the sibling and is not over capacity.

(k) OCPS Staff Transfer

(i) Department: Office of Student Enrollment

(ii) Transfer timeframe: Processed year-round

(iii) Eligibility

a. Students of OCPS staff may request an OCPS Staff Transfer if:

i. The student's Guardian works in a particular school and the Guardian desires to have the student enrolled at that school or the next nearest qualified school if the school of employment does not serve the student's current grade level; or

ii. The student's Guardian works in an OCPS

facility and the Guardian desires to have the student enrolled at the next nearest qualified school.

- b. The “next nearest qualified school” is determined by the Office of Student Enrollment.
- c. Students of OCPS Staff may qualify for an OCPS Staff Transfer to schools that are solely magnet schools, if the student’s Guardian is currently employed at the magnet school. In addition, if applicable, the following will be considered before the OCPS Staff Transfer to a magnet school is granted:
  - i. If the student has an IEP at the time of application to the magnet school, the magnet school will review the IEP to ensure the magnet school can appropriately implement the student’s IEP.
  - ii. If the application is for the Orlando Gifted Academy, the student must be eligible as a gifted student and receiving services via an Education Plan.
- d. Students of OCPS Staff do not qualify for an OCPS Staff Transfer to an OCPS alternative school, unless a specific exemption is provided by the Superintendent or designee;
- e. Transportation is not provided by OCPS; and
- f. Transfers may be revoked pursuant to section (5) above, or 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. 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), with the exception of Windy Ridge grades 6-8 and Arbor Ridge grades 6-8;

- b. The student may remain at the school as detailed herein unless there is a change in 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 ninety (90) days from the date the Application is submitted. The following shall apply to Pending Move Transfers:

- a. The prospective address 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 Guardian may apply for an extension by providing documentation of the reason for the delay to the Office of Student Enrollment prior to the end of the ninety (90) day period; 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 April 30th prior to the opening of the new rezoned school or up to fifteen (15) days after Board approval takes place after April 30th
- (iii) Eligibility

A Grandfathered Transfer applies when a student is rezoned by OCPS and the student has not moved from the student's current residence. The Grandfathered Transfer allows the student to remain at the student's current school instead of being rezoned to another school. The Grandfathered transfer is available only for a student who meets the following criteria:

- a. The student has been rezoned by OCPS two or more times during a grade level (K-5, 6-8, 9-12) at the student's current address.
  - i. Siblings may be eligible to transfer with the student who is granted this type of Grandfathered Transfer, so long as they qualify for another transfer as stated herein.
- b. The student has been rezoned by OCPS from an established school to another established school.
  - i. Siblings may be eligible to transfer with the student who is granted this type of Grandfathered Transfer, so long as they qualify for another transfer as stated herein.
- c. The student has been rezoned by OCPS and is a rising 5th or 8th grade student.
  - i. Siblings may be eligible to transfer with the student who is granted this type of Grandfathered Transfer, so long as the school has an available seat for the sibling and is not over capacity. In addition, the transfer for the sibling will only be available for one school year.

The following shall also apply to the Grandfathered Transfer:

- a. Transportation is not provided by OCPS.

(o) Hope Scholarship

- (i) Department: Office of Student Enrollment
- (ii) Transfer timeframe: Processed year-round
- (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. The following shall apply to Hope Scholarship Transfers:

- 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. Students residing outside of Orange County are eligible for this Transfer; however, students residing in Orange County may not be displaced by a student from another district seeking enrollment under this Transfer;
- d. The student must stay in attendance for the entire school year, unless there is a change of address;
- e. Siblings may be eligible to transfer with the student who is granted the Hope Scholarship Transfer, so long as the school has an available seat for the sibling and is not over capacity;
- f. Transportation is not provided by OCPS;
- 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; 1002.394; 1002.40; 1003.02; 1006.07; 1006.09; and 1006.13, Florida Statutes

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