

**W. Va. 126CSR189, Policy 7212, Nonresident and Resident Student Transfers
Comment Log**

Comment Period: April 10, 2024 – May 13, 2024

Action

A/S Comment was accepted and supports the proposed policy.

A/C Comment was accepted and resulted in changes to the proposed policy.

N Comment was not accepted.

Date	Commenter	Comments	Action	Rationale
§126CSR189. General.				
4/15/2024	Linda Fonner	Somewhere, transferring for sports to a different county should be addressed. We have many students leaving a county for sports. This adversely hurts small schools.	N	Policy 7212 requires county boards of education to adopt and implement an open enrollment policy and provides guidelines for the denial of student transfer applications.
5/13/2024	Richard Duncan	As it is the primary driver for open enrollment, mention should be made that this policy does not supersede WVSSAC requirements on transfers and that districts should make clear that their approval to transfer does not necessarily grant immediate eligibility under WVSSAC rules.	N	WVSSAC eligibility is governed by WVSSAC rules.
5/13/24	Richard Duncan	Requiring local districts to adopt a policy that governs a purely internal operation that has no effect on state or federal funding to the district is concerning. This is especially the case when considering how many districts in the state have only one or two schools at certain programmatic levels and how many of those are so situated due geography, consolidations driven by state funding pressures, etc., so this policy will only practically impact a few districts at the high school and middle school levels. As it is the primary driver for transfers, mention should be made that this policy does not supersede WVSSAC requirements on	N	7.1 requires county boards to adopt and implement a policy for resident student transfer requests. 7.1.a through 7.1.c.4 are considerations for inclusion in said policy.

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		transfers and that districts should make clear that their approval to transfer does not necessarily grant immediate eligibility under WVSSAC rules. The requirements are obviously modeled too closely to the nonresident transfer language, as 7.1.c.4 should not be an issue within a district. If this exists, then the district has not thoughtfully constructed its attendance zones and may be in violation of WVBE Policy 4336 anyway.		
5/13/24	Richard Duncan	This statement is deceptively simple but could be problematic by giving districts the ability to deny transportation services to a student simply because of a resident transfer. The district may still be required to provide specialized transportation services to certain students. The parent / guardian may still be able to transport the student part of the way to school to an existing bus stop and/or have the student transported to a friend or relatives' house. The statement should clarify that it does not exempt a district from transportation responsibilities mandated elsewhere and that it (presumably) applies to daily transportation to and from school, not to extracurricular activities.	N	7.1 requires county boards to adopt and implement a policy for resident student transfer requests. Considerations listed in this comment could be addressed in county board of education policies.