

Transfer Student Procedures

Summary Points

- When a student transfers to Marjorie Williams Academy from either another district in NC or from another state, Marjorie Williams Academy is required to provide “comparable” (not exactly the same) services to the current IEP.
- For students transferring into Marjorie Williams Academy from another district, the school
 - Will request records;
 - Review records for compliance;
 - Convene an IEP team to review records and if necessary, initiate a reevaluation or;
 - Review and revise the IEP as need;
 - Parents/guardians will be invited to and will be involved in these procedures.
- For students transferring to Marjorie Williams Academy from another state, the school
 - Will request records;
 - Convene an IEP team to review records and if necessary, start an initial evaluation process in order to determine eligibility in NC, including obtained parent consent for evaluation and placement;
 - Adopt or develop a new IEP;
 - Parents/guardians will be invited to and will be involved in these procedures.

Transfer Student Rules from Policies Governing Services for Children with Disabilities:

A. Procedures for IEPs for children who transfer public agencies in the same State.

- If a child with a disability (who has a current IEP that was in effect in a previous LEA in the State) transfers to a new LEA in the State, and enrolls in a new school, the new LEA, in consultation with the parents, must provide FAPE to the child (including services comparable to those described in the child’s IEP from the previous LEA), until the new LEA either –
 - Adopts the child’s IEP from the previous LEA; or
 - Develops, adopts, and implements a new IEP that meets the applicable requirements in NC 1503-4.1 through NC 1503-5.1.
- A student who has been determined eligible in North Carolina using the response to scientific research-based intervention method continues to be a student with a disability and should not be reevaluated for the sole purpose of re-determining eligibility using the discrepancy method.

B. IEPs for children who transfer from another State.

- If a child with a disability (who has a current IEP that was in effect in a previous public agency in another State) transfers to an LEA in North Carolina, and enrolls in a new school, the new LEA (in consultation with the parents) must provide the child with FAPE (including services comparable to those described in the child’s IEP from the previous public agency), until the new LEA –
 - Conducts an evaluation pursuant to NC 1503-2.5 through NC 1503-2.6 (if determined to be necessary by the new LEA); and
 - Develops, adopts, and implements a new IEP, if appropriate, that meets the applicable requirements in NC 1503-4.1 through NC 1503-5.1.

C. Transmittal of records.

- To facilitate the transition for a child described in paragraphs (e) and (f) of this section –
 - The new LEA in which the child enrolls must take reasonable steps to promptly obtain the child's records, including the IEP and supporting documents and any other records relating to the provision of special education or related services to the child, from the previous LEA or public agency in which the child was enrolled, pursuant to 34 CFR 99.31(a)(2); and
 - The previous LEA or public agency in which the child was enrolled must take reasonable steps to promptly respond to the request from the new public agency.