

**Greater Albany SD 8J
Board Policy**

Code: **JECC**
Adopted: 11/23/97
Revised/Readopted: 3/12/01; 5/20/02; 9/27/04
8/13/07; 10/22/12; 1/11/16;
7/07/17
Orig. Code(s): BP 5100

Assignment of Students to School

Students have a right to attend the neighborhood school within their attendance area. However, when overcrowding exists or a different school placement is considered to be in the best interest of the students, a student can be assigned to a different school.

Students who attend a district school identified as persistently dangerous, or who are victims of a violent criminal offense occurring in or on the grounds of the school the student attends, may transfer to a safe public school in the district.

The district will approve transfers to a school within the district if space is available following procedures provided in the administrative regulations of the district. Transfer requests shall not be denied because of participation in athletics or other school activities, but OSAA rules regarding transfers will be followed. Transfer requests shall not be denied because the student has special needs if the appropriate special education services, e.g., special education, ESL, Section 504, are provided at the school. Transfer of special education students, in a specialized program, with an existing Individual Education Plan must also have the approval of the multi-disciplinary team with members from both the sending and receiving schools.

Transfer requests may be denied on an individual basis based on an expressed lack of commitment by the student to abide by school behavior and attendance rules, Transfers may be revoked for violation of school attendance policies or refusal to abide by school rules for student behavior.

Transfers will only be made at the beginning of the semester. Exceptions to this rule can be made only by the superintendent/designee.

When student transfers are approved by the district, the student may continue at the transferred school until such time he/she completes that level of instruction provided there is a space available. Should overcrowding occur, transfers will be rescinded in the reverse order of approval date by grade. New transfer applications must be submitted and approved prior to student movement to the next level of instruction (from elementary to middle school, and from middle school to high school). The parent or guardians¹ must assume responsibility for student transportation in such transfers except as provided by policy.

¹As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005 (4) and 125.300 - 125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-2000.

Appeals for the reconsideration of transfers may be made to the superintendent. Appeals of the superintendent's decision may be made to the Board.

END OF POLICY

Legal Reference(s):

[ORS 329.485](#)

[ORS 332.107](#)

[OAR 581-021-0045](#)

Every Student Succeeds Act of 2015, 20 U.S.C. § 7912.