

Intradistrict Transfer Students

1. Intradistrict Transfer Procedures

The parent or guardian of a resident student may request that the student be permitted to attend a district school other than the school within the student's attendance area ("Neighborhood School"). Requests for such an intradistrict transfer may be made as follows:

- a. School Choice (Open enrollment pursuant to Oregon Revised Statute (ORS) 339.133(5)(b)): If the district's Board has determined to offer admission to nonresident students to one or more district schools through its open enrollment procedures for the upcoming school year, as described in Board policy JECB, students residing within the district and attending a Neighborhood School shall be given the opportunity of "school choice" and shall be given first priority to attend any other school that the district has determined will accept students through open enrollment for the upcoming school year.
 - (1) In the event that the Board determines to offer open enrollment at a particular school, applications for enrollment at such school or schools shall be accepted from resident students from March 1 through April 1 of the year immediately preceding the coming school year. As part of the application, applicants will be asked to indicate which schools, among those the Board has determined will accept students through open enrollment, the student prefers to attend.
 - (2) If the number of resident students seeking consent to enroll in a particular school exceeds the number of students the Board has determined to admit to such school, the Board will use an equitable lottery selection process to determine which resident students will be allowed to enroll in such school, with priority given in the following order:
 - (a) First, to students residing within the district who were previously enrolled in the school for which an intradistrict transfer is requested but whose parents have moved to the attendance area of another district school;
 - (b) Second, to students residing within the district who request an intradistrict transfer to a school that will be attended during the upcoming school year by a sibling of the requesting student;
 - (c) Third, to students that do not reside within the district but who are enrolled in a district school through the district's open enrollment or interdistrict transfer procedures at the time the intradistrict transfer request is submitted and are therefore treated as resident students.
 - (3) The Board may not deny consent, give priority nor request student information related to race, religion, sex, sexual orientation, ethnicity, national origin, disability, health, whether a student has an individualized education program (IEP) or the terms of any such IEP, income level, residence, proficiency in the English language, athletic ability, academic records or eligibility or participation in talented and gifted programs.

- (4) By May 1, the district will provide written notification to all resident applicants for school choice as to whether such applicant has been accepted for enrollment in their school of choice for the coming school year. Any resident applications that are not accepted by May 1 will no longer be considered active school choice applicants for the coming school year, and will need to reapply during the next open enrollment period or seek an intradistrict transfer for the coming school year, if space is available, pursuant to Section 1.b. of this Board policy JECBB. No waiting lists for school choice will be maintained by the district.
- (5) Parents of siblings who want all of their children to attend the same school may either:
 - (a) Submit separate applications for each sibling, in which case each sibling will be given their own lottery number for lottery purposes. If not all of the siblings are selected for enrollment through the lottery, the other siblings may be considered for placement in the school for the following school year and will be given priority under Section 1.a.(2)(ii) of this Board policy JECBB; or
 - (b) Submit a joint application for all of their children, in which case all of the children will be placed in the same position for lottery purposes and if that position is accepted for enrollment through the lottery, each of the children identified on the joint application would be accepted.

b. Criteria-Based Intradistrict Transfer

At any time, the parent or guardian of a resident student may request that the student be permitted to attend a district school other than the student's Neighborhood School under the specific criteria set forth in this Section 1.b.

- (1) Requests for a Criteria-Based intradistrict transfer based on one or more of the following criteria will be considered:
 - (a) A request to enroll a resident student in a school's attendance area to which the student's parent or guardian is in the process of moving. Proof of residency may be required;
 - (b) A request to allow a resident student to continue enrollment in his/her former school if the student's parent or legal guardian has moved to a different attendance area within the district;
 - (c) A request to permit a child of a full-time, school-based district employee to attend:
 - (i) A school other than the school in which the parent/employee is assigned, (in the event that the parent/employee resides in the same attendance boundary in which the parent/employee is assigned as an employee); or
 - (ii) The same school in which the parent/employee is assigned
 - (d) Significant circumstances of an educational nature which would, in the reasonable determination of the superintendent or the superintendent's designee, be relieved by a change in attendance area;
 - (e) Significant circumstances of a family nature which would, in the reasonable determination of the superintendent or the superintendent's designee, be relieved by a change in attendance area.

- (2) Requests for an intradistrict transfer pursuant to this Section 1.b. which, in the reasonable determination of the superintendent or the superintendent’s designee, meet the criteria set forth in Section 1.b.(1) of this Policy will either be approved, approved with conditions, or disapproved by the superintendent or the superintendent’s designee based on the following factors:
 - (a) Approval of both the principal of the Neighborhood school and the receiving school;
 - (b) Availability of space at the receiving school and anticipated additional enrollment at the receiving school;
 - (c) Any special services required for the requesting student;
 - (d) Any learning or behavior problems evidenced in the record of the requesting student;
 - (e) Any other criteria which the superintendent, the superintendent’s designee, and/or the principals of the Neighborhood School and the receiving school deem relevant.
- (3) Until a decision has been made to allow a student’s Criteria-Based intradistrict transfer request, the student is expected to register and attend their Neighborhood School.
- (4) Approval of a Criteria-Based intradistrict transfer for one student in a family does not automatically apply to other students in the same family, although parents/guardians may request that students from the same family be considered together.

c. Transfers To Comply with No Child Left Behind Act

In the event a resident student’s Neighborhood School is identified by the Oregon Department of Education as persistently dangerous, or if the student has been the victim of a violent criminal offense while in or on the grounds of the student’s Neighborhood School, a transfer to comply with the safe public school choice requirements of the No Child Left Behind Act will be provided.

d. Special Education and Public School Choice

The district will ensure that students with disabilities are provided a free appropriate public education (“FAPE”) in their school of choice, consistent with the Individuals with Disabilities in Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans With Disabilities Act. In offering choice to students with disabilities, the district may match the abilities and needs of a student with disabilities to the possible schools that have the ability to provide the student with FAPE.

2. Approved Transfers

- a. Except as may otherwise be provided with respect to an intradistrict transfer approved under Section 1.b.(1)(i) or 1.c., above, the transfer will ordinarily remain in effect until the student completes the highest grade in the receiving school, the student’s parent/guardian requests that the intradistrict transfer be rescinded, or the transfer is revoked pursuant to Section 2.c., below. Notwithstanding the foregoing, a mid-year intradistrict transfer request granted to a 9th grade student will only be valid for the remainder of the school year in which the transfer is granted.
- b. When a student is promoted to a new level (elementary to middle school, or middle school to high school), the student will enroll in the next level school in the attendance area in which the

- student's parent or guardian resides unless a new intradistrict transfer request is submitted and approved in the manner set forth in this Board policy JECBB; provided, however, that students attending Ruch Elementary will be automatically enrolled in the next school level upon completion of sixth grade unless they elect to attend McLoughlin Middle School.
- c. An intradistrict transfer request may be revoked by the superintendent or the superintendent's designee if:
 - (1) The information submitted on the transfer request form is determined to have been falsified;
 - (2) The student's attendance is less than satisfactory, as defined by the Adequate Yearly Progress requirements of the No Child Left Behind Act (92 percent attendance);
 - (3) The student does not maintain good behavior at the receiving school.
 - d. Responsibility for transportation to the receiving school shall be assumed by the student's parent or guardian. Students must be delivered to the receiving school and leave school at times established by the principal of the receiving school. Students may ride a school bus to and from the receiving school if space is available and if the point of pickup and dropoff is on an established bus route servicing the receiving school.
 - e. Athletic eligibility of a high school student who receives approval for an intradistrict transfer pursuant to this Board policy JECBB shall be subject to compliance with any and all rules adopted by the Oregon Schools Activity Association, as well as any procedures established by the superintendent. The procedures are intended to prohibit recruiting of athletes without unjustly penalizing students. The procedures are in no way to be interpreted as condoning the recruitment of athletes from one high school to another, since recruitment is a clear violation of district policy.

END OF POLICY

Legal Reference(s):

[ORS 329.485](#)

[ORS 332.107](#)

[ORS 339.133](#)

[OAR 581-021-0045](#)

No Child Left Behind Act of 2001, 20 U.S.C. §§ 6316, 7912.

Elementary and Secondary Education Act (ESEA) Flexibility Waiver; July 18, 2012.