

## Intradistrict Transfer Students

The following procedures will govern consideration of a Criteria-Based intradistrict transfer request:

### Criteria-Based Intradistrict Transfers

1. Requests for an intradistrict transfer which, in the reasonable determination of the superintendent or the superintendent's designee, meet the criteria for a transfer 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.
2. 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.
3. 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.
4. Students whose consent is revoked for violation of set attendance and/or behavior standards will not be allowed to apply for an intradistrict transfer in the same or the following school year.
5. 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:
    - (1) 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
    - (2) 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.

### **Safe Public School Choice Transfer Request**

In the event a district school is identified by the Oregon Department of Education (ODE) as persistently dangerous, or a student has been a victim of a violent criminal offense while in or on the grounds of a school the student attends, a transfer to meet the safe public school choice requirements of the Every Student Succeeds Act of 2015 (ESSA) will be provided, subject to the following.

1. The district will provide notification to parents of all students attending a school identified as persistently dangerous of their student's right to transfer.

The notice will:

- a. Be in writing, provided within 10 school days from the time the district becomes aware that the school has been identified by ODE as persistently dangerous or from the time a parent or student has notified the district that the student has been the victim of a violent criminal offense as defined by ODE;
  - b. District due to the identification of the school as persistently dangerous, or inform the parent of a student who has been the victim of a violent criminal offense, as defined by ODE, while in or on the grounds of a school the student attends, that their student is eligible to attend another public school in the district;
  - c. Identify each public school in the district, including public charter schools, that the parent may select;
  - d. Explain why the choices made available may have been limited including, as applicable, that no choices are currently available; and
  - e. Describe the performance and quality of those schools of choice. Parents may request more detailed information and may ask to see a school's academic report card.
2. The transfer will be to a safe school in the district;
  3. Requests to transfer must be in writing (e.g., standard mail, fax or email) and submitted to the school office for consideration generally no later than 20 school days from the district notice. The district will confirm requests;
  4. The district will consider the education needs and preferences of the student and parent. Parents may decline the assigned school;
  5. Approved transfers will generally occur within 30 school days from the time the district learns that the school has been identified as persistently dangerous. A student who has been the victim of a violent criminal offense will be transferred as soon as practicable;
  6. Transfers may be temporary or permanent but will minimally be in effect as long as the student's original school is identified as persistently dangerous. Transfers for a student who has been the victim of a violent criminal offense will remain in effect until such time as may be appropriate, based

on the safety and welfare of the student. The district will consider the educational needs of all transfer students as well as other factors affecting the student's ability to succeed if returned to the transferring school;

7. The district may provide transportation using federal funds or through cooperative agreements with local victims assistance units.

In the event a district school is identified by ODE as persistently dangerous, or a student has been a victim of a violent criminal offense while in or on the grounds of a school the student attends and there is not another school in the district for the student to transfer to, the district may develop an agreement with a neighboring district to accept transfer students. The development of such agreements is at the discretion of the district. Transfer approval will be in accordance with established Board policy and administrative regulations.

### **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.

### **Approved Transfers**

1. 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. 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.
2. 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. However, students attending Ruch Outdoor Community School K-8 will be automatically enrolled in the next school level upon completion of sixth grade unless they elect to attend McLoughlin Middle School.
3. In the event building capacity is reached with attendance area residents or students from outside the attendance area who have transferred under provisions of ESSA, transfer students may be asked to enroll in another school or return to their school of origin;
4. An intradistrict transfer request may be revoked by the superintendent or the superintendent's designee if:
  - a. The information submitted on the transfer request form is determined to have been falsified;
  - b. The student's attendance is less than satisfactory, as defined by the requirements of ESSA
  - c. The student does not maintain good behavior at the receiving school.

5. 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 drop-off is on an established bus route servicing the receiving school.
6. Athletic eligibility of a high school student who receives approval for an intradistrict transfer 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.