

**Admission of Nonresident Students and Requests  
for Transfer of Residents Students**

The district has a primary responsibility to provide a free and appropriate education to its resident students. However, there are situations that may make it appropriate to allow non-resident students to enroll in and attend district schools. By the same token, circumstances may arise when it's in the best interest of a resident student to be allowed to transfer to another district. The situations that may justify the admission of a non-resident student or the transfer of a district student include, but are limited to, the following criteria:

1. Whether a student's unique academic needs, including disability needs, can be more thoroughly met in another district;
2. Whether a student's unique abilities can be more thoroughly developed by participating in another program;
3. Whether a transportation hardship can be alleviated by allowing a student to cross district lines;
4. Whether a student's parents may have moved from the district during the school year and the student wishes to complete his/her school year at the district;
5. Whether a student's parents is employed by the district;
6. Whether the release or admission of a student will affect the transfer student count balance established by a reciprocal agreement between districts;
7. Whether the student transfer will involve the resident/nonresident transfer status of other family members/siblings;
8. Whether the transfer of a resident student, and subsequent loss of state school funding support, will impose a financial burden on the district; and
9. There is some other special hardship or detrimental condition affecting the student or his/her immediate family that would be alleviated as a result of the transfer. "Special" means a circumstance or factor not generally applicable to other students or families. "Hardship" and "detrimental condition" apply to any circumstance or factor that has a harmful effect on the student or his/her immediate family, and is not restricted to a financial, educational, safety or health condition.

In all cases that the district approves the release of a resident student, the student or his/her parents(s) will be solely responsible for transportation, unless as otherwise required by law. The Board recognizes that resident students under the Individuals with Disabilities Act (IDEA) remain the primary responsibility of the district. District consideration of transfer requests by students under IDEA will meet the requirements of state and federal law. The superintendent is directed to establish procedures for the review of student requests to attend school in another school District.

### **Admission of Nonresident Students**

The Board reserves the right to accept/reject nonresident students based upon the availability of space, resources, personnel, appropriate programs and a positive review of education records. The following factors will be considered when deciding whether to admit a non-resident student:

1. The impact of the admission of the non-resident student on class size and teacher time;
2. Whether the admission of the non-resident student creates a risk of disrupting existing class environments;
3. Whether the admission of the non-resident student will pose a risk to the safety of resident students and staff and;
4. Whether the admission of the non-resident student will impose a financial burden on the district.

The District shall deny admission to a non-resident student if that student is currently under expulsion for violation of the resident district's Student Conduct policies or co-curricular code of Conduct, including, but not limited to policies regarding: a) weapons, b) substance abuse (illegal drugs, alcohol, tobacco), c) gang activity, d) violence, e) destruction of property, or f) hazing, harassment, and menacing. The district will deny admission to any nonresident student if the admission would violate district policy, agency rules or regulations, or state statute. The district will deny admission to any non-resident student if the admission would violate district policy, agency rules or regulations, or state statute. The district will deny admission to any student if it is determined that the purpose of the request for transfer is an attempt to circumvent Oregon Student Activities Association (OSAA) rules and regulations.

The Board hereby authorizes the superintendent to deny or consent to the transfer of students out of the district. The superintendent shall be guided by this policy and administrative rules that are adopted by the Board. The superintendent will render a written decision to the parents within he 30 days of receiving a completed transfer request form. Parents may submit, in writing, the formal appeal of a denied transfer request to the Board within 30days of receiving the superintendent's written recommendation. The Board will schedule a meeting to consider a transfer request appeal within 20 days of receiving a formal appeal. The Board's decision is final.

The Board shall deny or approve admission of non-resident students to the district. The Board's decision on whether to grant the admission of a non-resident student will be made within 45 days of receiving a completed nonresident student transfer form. The Board's decision is final. There is no appeal process. The superintendent will provide the Board with a report of all out of district transfers and non-resident admission requests on a monthly basis.

The admission of a non-resident student shall be for a period not to exceed the remaining academic year or the upcoming academic year. The admission can be renewed annually upon application by the non-resident student's parents or guardians. The non-resident admission may be terminated by the superintendent should the student violate the terms of behavior contract, fail to demonstrate satisfactory educational progress, engage in disciplinary infractions of a serious or chronic nature, or other violation of Board policy. A non-resident transfer agreement can also be terminated in the event of a change in conditions at the school with respect to class size or the availability of staff.

END OF POLICY

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**Legal Reference(s):**

[ORS 109.056](#)  
[ORS 327.006](#)  
[ORS 329.485](#)  
[ORS 335.090](#)  
[ORS 339.115 - 339.133](#)  
[ORS 339.141](#)  
[ORS 339.250](#)  
[ORS 343.221](#)  
[ORS 433.267](#)

Letter Opinions, Office of the OR Attorney General (March 15, April 18, June 30 1988).  
Or. Dep't of Educ., ODE Executive Memoranda 23-1988-89, 42-1994-95.

**Cross Reference:**

JEC - Admissions