

Interdistrict Transfer of Resident Students**

The district offers a variety of programs and services designed to meet the individual needs of its students. Nevertheless, the Board recognizes there may be circumstances that arise in which a resident student may benefit from attendance in another public school in the state. Consequently, a student who resides within district boundaries may be released to attend school in another district that agrees to accept the student. The agreement will be by written consent of the affected school boards or designees whereby the student becomes a “resident student” of the attending district, allowing the attending district to receive State School Fund monies. Any additional fees or tuition costs are the responsibility of the parent.

The superintendent may consider for approval requests that meet one or more of the following criteria:

1. The student has not met or has exceeded all of the standards at grades 3, 5, 8 and 10 and appropriate additional services or alternative educational options may better be met in another district;
2. A financial, educational, safety or health condition affecting the student would likely be improved as a result of the transfer. “Would likely be improved” means it is probable, in the judgment of the district, that the nature and effect of the benefit to be received will be real and meaningful;
3. Attendance at the school in the nonresident district is nearer to the parent’s place of work or to the location of child care;
4. There is some other special hardship or detrimental condition affecting the student or his/her immediate family which 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 which has a harmful effect on the student or his/her immediate family, and is not restricted to a financial, educational, safety or health condition.

When the district approves the release of a resident student under the above criteria, the student or his/her parent(s) will be solely responsible for transportation. 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.

Additionally, the superintendent may, to the extent practicable, establish a cooperative agreement for transfer, including transportation, with one or more districts in the area, to meet the requirements of the No Child Left Behind Act of 2001 (NCLBA), as follows:

1. The student attends a district school identified for improvement, corrective action or restructuring. The student may transfer to another district if there are no appropriate district schools available. The

student may remain in the new school until the student has completed the highest grade in the new school;

2. The student has been a victim of a violent criminal offense occurring in or on the grounds of a school the student attends or the student attends a school identified as persistently dangerous, if there are no appropriate district school available;
3. A homeless student residing in the district will be permitted to attend his/her school of origin out-of-district as required by law.

Transfers approved for NCLB purposes must be to a safe school not identified as in need of improvement.

The superintendent is directed to establish procedures for the review of student requests to attend school in another school district.

END OF POLICY

Legal Reference(s):

[ORS 109.056](#)
[ORS 327.006](#)
[ORS 329.485](#)
[ORS 332.107](#)
[ORS 335.090](#)

[ORS 339.115 to -339.133](#)
[ORS 339.141](#)
[ORS 339.250](#)
[ORS 343.221](#)

[ORS 433.267](#)
[OAR 581-021-0019](#)
[OAR 581-022-0705](#)

Illegal Immigration and Immigration Reform Act of 1996, 8 U.S.C. §§ 1101, 1221, 1252, 1324, 1363, 1367 (2006).
McKinney-Vento Homeless Education Assistance Improvements Act of 2001, 42 U.S.C. §§ 11431-11435 (2006).
No Child Left Behind Act of 2001, 20 U.S.C. §§ 6316, 7912.
Elementary and Secondary Education Act (ESEA) Flexibility Waiver; July 18, 2012.