

## **Inter-district (Out-of-District 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. Therefore the Board authorizes the superintendent, or designee, to manage inter-district transfer of resident students in keeping with state law and district guidelines.

Prior to March 1 of each year the Board will determine the number of students, if any, it will accept and release for the coming school year.

The district will release all students up to the number declared.

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

In emergency situations, a student who resides within district boundaries may be released to attend school in another district that agrees to accept the student. Any additional fees or tuition costs are the responsibility of the parent.

In all of the above situations, the parent assumes the responsibility of transportation regardless of documented disability.

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

1. A 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;
2. There is hardship affecting the student or his/her immediate family which would be alleviated as a result of the transfer. "Hardship" apply to any circumstance or factor which has a harmful effect on the student or his/her immediate family, and is restricted to a safety or health condition.

Additionally, the inter-district transfer of resident students will be permitted, as appropriate, to meet the requirements of the No Child Left Behind Act of 2001 (NCLBA). Accordingly, the district shall, to the extent practicable, establish a cooperative agreement with one or more districts in the area to allow the transfer of any student who attends a school receiving Title I funds that has been identified for improvement, corrective action or restructuring when all other district schools the student may transfer to are also identified as in need of improvement, or there is no other district school to which the student may

transfer. The student may remain in the new school until the student has completed the highest grade in that school.

All such transfers must be to a safe school not identified as in need of improvement, corrective action or restructuring. Priority shall be given to the lowest achieving students from low-income families.

An inter-district transfer may also be permitted in the event a 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, and all other district schools the student may transfer to are also identified as persistently dangerous or there is no other district school to which the student may transfer. The transfer must be to a safe school and, to the extent possible, to a school that is making adequate yearly progress and has not been identified for school improvement, corrective action or restructuring.

A homeless student residing in the district and the student's parent, or in the case of an unaccompanied student, the district's liaison for homeless students, may request that the student attend his/her school of origin, located out-of-district. The request will be considered based on the best interest of the student. The student may continue in his/her school of origin for the duration of the student's homelessness when the student's family becomes homeless during or between an academic year, or for the remainder of the academic year if the student becomes permanently housed during the school year. Transportation to an out-of-district school will be provided through the McKinney-Vento program.

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

END OF POLICY

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**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.