

Three Rivers School District

Code: JECB
Adopted: 9/18/06
Readopted: 9/17/07; 4/15/14; 5/19/15
Orig. Code: JECB

Interdistrict Transfers

The district may enroll nonresident students ~~under the following conditions~~ as follows:

1. Interdistrict Transfer Agreement: By written consent of the ~~sending and receiving district superintendents or designees. If granted, the student becomes a “resident pupil” of the attending district for that school year,~~ affected school boards, the student becomes a resident student of the attending district thereby allowing the attending district to receive State School Support Fund dollars moneys;
2. Tuition Paying Student: By admitting a nonresident student with tuition, whereby neither affected districts are eligible for State School Fund dollars moneys;
3. Court Placement: If a juvenile court determines it is in the student’s best interest, a student is placed in a substitute care program outside the district will continue to be considered a resident student and allowed to attend the school the student attended prior to placement. The public agency placing the student in a substitute care program will be responsible for the transportation of the student, if public agency funds are available.

The board shall deny regular school admission to nonresident students who are under expulsion from another district for a weapons policy violation. The Board will, based on district criteria, deny admission to nonresident students who are under expulsion from another school district for reasons other than a weapons policy violation.

~~Consent to Release Students from TRSD for Admission of a Nonresident Student by Interdistrict Transfer or Consent for Admission of a Tuition Paying Student~~

Annually, by June 1st, the Board shall establish the number of student transfer requests into the district, and out of the district, to which consent will be given for the upcoming school year.

~~Except as otherwise required by law, the Board reserves the right to reject student interdistrict transfer release requests based upon availability of space.~~ The Board may not consider nor ask for any information from the student about race, religion, sex, sexual orientation, gender identity, ethnicity, national origins, disability, health, whether a student has an individual education program (IEP) or the terms of that IEP, identified as talented and gifted, income level, residence, proficiency in English, athletic ability, or academic records. The Board may not request or require the student to participate in an interview, tour any of the schools or facilities, or otherwise meet with any representatives of the school or district prior to the district deciding whether to give release consent.

The Board may only ask for the student’s name, contact information, date of birth, grade level, and whether the student may be given priority on consent for admission (see the following paragraph for

priorities), information about which schools the student prefers to attend, and whether the student is currently expelled for a weapons violation.

The Board will annually determine whether to limit the number of students to whom consent for release will be given. If the number of students seeking consent for release exceeds the number of students established by the Board, the Board will use an equitable lottery selection process. The process may give release priority to students who have siblings currently enrolled in the district, and to students who are children of employees of the receiving district.

The Board may revise the maximum number of students to whom release consent will be given at a time other than the annual date established by the Board if there are no pending applications for release consent. If the Board decides not to give release consent to a student the Board must provide a written explanation to the student.

The district is not required to provide transportation to students released from the district. The student will be allowed to use existing bus routes and transportation services of the district. Transportation will be provided if required by federal law. The attending district is responsible for a free appropriate public education for those students on an IEP.

Consent to Accept Students into TRSD

Except as otherwise required by law, the Board reserves the right to accept nonresident students based upon the availability of space and resources. The Board may not consider nor ask for any information from the student about race, religion, sex, sexual orientation, ethnicity, national origins, disability, health, whether a student has an individual education program (IEP) or the terms of that IEP, identified as talented and gifted, income level, residence, proficiency in English, athletic ability or academic records. The Board may not request or require the student to participate in an interview, tour any of the schools or facilities, or otherwise meet with any representatives of the school or district prior to the district deciding whether to give acceptance consent.

The Board may ask for the student's name, contact information, date of birth, grade level and whether the student is currently expelled for a weapons violation.

The Board will annually determine whether to limit the number of students to whom consent for acceptance will be given. If the number of students seeking consent for acceptance exceeds the number of students established by the Board, the Board will use an equitable lottery selection process. The process may give priority to students who have siblings currently enrolled in the district, and to students who are children of current employees.

Annually the Board shall establish the number of kindergarten through twelfth grade students to whom acceptance consent will be given for the upcoming school year. The Board may choose to limit acceptance consent based on school, grade or the combination of both. The Board may decide not to give acceptance consent to any person under this process.

If the number of students seeking consent exceeds the number of spaces, the Board will use an equitable lottery selection process. The process may give priority to students who have siblings currently enrolled in the district; who previously received consent for admission because of a change in legal residence; or who attended a public charter school located in the same district in which the student seeks to attend, for three

consecutive years, completed the highest grade offered by the public charter school, and did not enroll and attend school in another district following completion of that highest grade in the public charter school.

The Board may revise the maximum number of students to whom ~~release~~ consent will be given at a time other than the annual date established by the Board if there are no pending applications for ~~release~~-consent.

If the Board decides not to give ~~release~~ consent to a student the Board must provide a written explanation to the student.

The district may require minimum standards of behavior and/or attendance once the student has been accepted. The minimum standards must be the same for all students that are given consent. The district is not allowed to establish minimum standards for academics as a criteria for the student to remain in the district. Students whose consent is revoked for violation of set attendance and/or behavior standards will not be allowed to apply for consent to return to this district in the same or the following school year.

The Board may determine the length of time the ~~acceptance~~ consent is given ~~and different lengths of time can be established based on grade level~~. Any limitations in length of time must be applied consistently among all students at a grade level to whom ~~acceptance~~ consent ~~was~~ ~~is~~ given.

The district is not required to provide transportation ~~to students released from the district~~ outside the boundaries of the district. ~~The student will be allowed to use existing bus routes and transportation services of the district.~~ Transportation will be provided if required by federal law.

The attending district is responsible for a free appropriate public education for those students on an IEP.

~~Except as otherwise required by law, admission of nonresident students may be terminated if a student fails to meet the standards for attendance and behavior established by the district.~~

~~As necessary, the district will enter into protocol agreements with neighboring districts to establish release and acceptance slots for approval by the Board.~~

END OF POLICY

Legal Reference(s):

[ORS 174.100](#)
[ORS 327.006](#)
[ORS 409.056](#)
[ORS 329.485](#)

[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](#)

~~Letter Opinions, Office of the Attorney General (March 15, April 18, June 30, 1988).
Oregon Department of Education, Memos #23-1988-89, #42-1994-95.~~

Cross Reference(s):

JEC - Admissions