

# Three Rivers School District

8550 New Hope Rd • PO Box 160 • Murphy, OR 97533

**Policy: JECB**

Adopted: 9/18/06

Readopted: 9/17/07, 4/15/14

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## INTERDISTRICT TRANSFERS

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The district may enroll nonresident students under the following conditions:

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, allowing the attending district to receive State School Support Fund dollars.
2. **Tuition Paying Student:** By ~~unilaterally admitting with tuition~~ a nonresident student **with tuition** whereby neither ~~affected~~ districts ~~is~~ **are** eligible for state school fund dollars;
3. **Court Placement:** If a juvenile court determined it is in the 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

The board shall deny 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

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, 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 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 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, resources, ~~personnel and appropriate programs~~. 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.

~~By April 15, 2014, the Board shall establish the number of students who were on an interdistrict transfer for 2013-14 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.~~

Annually, ~~by June 15<sup>th</sup>~~, the Board shall establish the number of first 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.

~~Annually, by September 15<sup>th</sup>, the Board shall establish the number of additional Kindergarten 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.~~

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 given.

The district is not required to provide transportation to students released from 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.

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 but 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.

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

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**Legal Reference(s):**

[ORS 109](#).056  
[ORS 294](#).100  
[ORS 329](#).485  
[ORS 335](#).090  
[ORS 339](#).115 to -339.133  
[ORS 339](#).141  
[ORS 339](#).250  
[ORS 343](#).221  
[ORS 433](#).267

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.