

## **Request for Transfer of Resident Students and Admission of Non-resident Students**

The Board recognizes that it has a duty to provide appropriate education opportunities to all students residing within the boundaries of the district. There are situations which 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 is in the best interest of a resident student to be allowed to transfer to another district. Other situations which may justify the admission of a non-resident student or the transfer of a district student include, but are not limited to, the following:

1. A student's unique academic needs that can be more thoroughly met in another district;
2. A student's unique abilities that can be more thoroughly developed by participating in another program;
3. A transportation hardship that can be alleviated by allowing a student to cross district lines;
4. 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; and
5. The student's parents may be employed in or by the district;
6. A student whose family resided and still resides within the bounds of the old Umpqua School District (including the portion which was subsequently annexed to Oakland Public Schools) at the time of the merger in 1993.

The following factors should be considered when deciding whether a non-resident student be admitted to the district or a district student be allowed to transfer out of the district:

1. The impact of the admission of the non-resident on class size and teacher time;
2. Whether the admission of the non-resident student creates a risk of disrupting existing class environment;
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 a violation of the resident district’s weapons policy or code of conduct. 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 or his/her designee to consent to the transfer of students out of the district or to approve admission of non-resident students to the district. The superintendent and his/her designees shall be guided by the administrative rules which are adopted together with this policy. The superintendent shall provide the Board with a report of all out-of-district transfers and non-resident admissions to the district.

The admission of non-resident students shall be for a period not to exceed the remaining academic year or the upcoming academic year. The admission must be renewed annually through an application by the non-resident student’s parents or guardians. The non-resident admission may be terminated by the superintendent or his/her designee should the student violate the terms of a behavior contract, fail to demonstrate satisfactory educational progress, engage in disciplinary infractions of a serious or chronic nature or if conditions change at the school with respect to class size or the availability of staff.

The district recognizes that it has a responsibility to provide special education services to its students identified as “disabled” pursuant to the Individuals with Disabilities in Education Act (IDEA). A request by the parents of a disabled student for a transfer to another district will be processed by this district in the same manner as a request for change in placement is processed. The impact or implications of state and federal law concerning students with disabilities will be considered in any request for transfer of a disabled student. The terms and conditions of a transfer of a disabled student will be negotiated with the non-resident district and reduced to writing as required by the administrative rules adopted pursuant to this policy.

END OF POLICY

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Legal Reference(s):

[ORS 109.056](#)  
[ORS 294.100](#)  
[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 Attorney General (March, April, June 1988)  
Oregon Department of Education, Memos #23-1988-89, #42-1994-95.