

Interdistrict Transfer of Resident Students**

Resident Students

All students living within the Black Butte School District boundaries ('resident students') may attend Black Butte School. Students in grades 7-12 may enroll at Sisters Middle or High Schools under a Black Butte School District and Sisters School District tuition agreement contract. For students attending Sisters Middle School or Sisters High School, Black Butte School District will remain the student's residing district with Sisters School District serving as the attending district.

Interdistrict Transfer

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.

When the district approves the release of a resident student to another school district, the student or his/her parent(s) will be solely responsible for transportation unless federal or state law requires transportation to be provided by the district. When a resident student, who is on an individualized education plan (IEP), is accepted to another district by an interdistrict transfer, the attending district becomes responsible for a free appropriate public education (FAPE).

Additionally, an interdistrict transfer of a resident students will be permitted, as appropriate, to meet the requirements of the No Child Left Behind Act of 2001 (NCLBA).

The resident district may not impose any limitations on length of time for which consent is given to the student requesting release to another district.

The resident district shall not require a student to receive consent more than one time when the student requests admission to the same receiving district, regardless of any time limitations imposed by the receiving district.

The district shall allow the student whose legal residence changes to a different district during the school year, to complete the school year in the district if the student chooses to do so.

Open Enrollment

A student who resides within district boundaries may make a request to attend school in

another district during its open enrollment period if that district agrees to accept the student. The agreement will be by written consent of the attending district only whereby the student becomes a 'resident student' of the attending district and is no longer a resident student of the Black Butte School District, allowing the attending district to receive State School Funding. When the attending district approves the admission of the student, the attending district shall notify the district in which the student resides no later than May 1. The student or his/her parent(s) will be solely responsible for transportation to the attending/receiving district. Students under the Individuals with Disabilities Act (IDEA) will become the primary responsibility of the attending district.

Safe Public School Choice Transfer Requests

An interdistrict transfer¹ may 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.

Homeless Student

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 origin², 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 an interdistrict agreement.

The Head Teacher may establish procedures for the review of student requests to attend school in another district.

¹ Districts are encouraged, but not required, to explore other appropriate options such as an agreement with a neighboring district to accept transfer students, if there is not another school in the district in which the student legally resides for the transferring student.

² 'School of origin' means the school that the student attended when permanently housed or the school in which the student was last enrolled.

END OF POLICY

Legal Reference(s):

ORS 109.056	ORS 339.115 - 339.133	OAR 581-021-0019
ORS 327.006	ORS 339.141	OAR 581-022-0705
ORS 329.485	ORS 339.250	
ORS 332.107	ORS 343.221	
ORS 335.090	ORS 433.267	

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.