

Tumwater School District Procedures

NONRESIDENT STUDENTS

Parents/legal guardians of students who live outside the district and wish to attend school in Tumwater School District must first get a release from the district in which they reside and submit the approved release to the Tumwater School District Student Learning Office at the District Office for consideration. Requests for nonresident transfer will be subject to the following procedures and criteria:

1. The request will be initiated in writing on the district Nonresident Transfer form. The district will post the form to the district website as well as making it available at all Tumwater Schools and the District Office.
2. Completed Nonresident Transfer forms must be submitted to the District Office or the resident school within the timelines posted on the district website and at the District Office. All completed forms will be date-stamped upon arrival at the District Office. The address is: 621 Linwood Avenue SW Tumwater, WA 98512. Because the district routinely receives more requests than we are able to accommodate, all parents are encouraged to submit transfer forms as soon as possible, consistent with the dates posted on the district website. Please note: School offices are not open continuously through the summer; all transfer requests submitted after the last day of school must be submitted directly to the district office.
3. Principals will conduct a review of transfer requests in consultation with the Assistant Superintendent and applicable special programs utilizing the criteria outlined in this policy and procedure.
4. The district will notify families of approval or denial, in writing, within 45 calendar days after receipt of the completed application in the District Office.

CRITERIA AND CONSIDERATIONS

In addition to the criteria outlined in policy 3141, all transfer requests will be subject to the following criteria and considerations:

- A. **Capacity:** The Superintendent or his/her designee will annually review enrollment capacity for each school/grade level and will designate the schools with available enrollment capacity as soon as practical. This information will be posted on the district website and updated periodically to ensure ample space for resident students. The primary consideration in reviewing a transfer request is space. Space must be available in the school, grade level, class, and/or program requested. Factors considered in assessing available enrollment capacity may include, but are not limited to, the building's physical capacity; the District's Capital Facilities Plan; present and projected enrollment; flexibility for growth; the District's commitment to provide comparable education environments between schools for each grade level; each school's ability to operate an effective and efficient educational program;

teacher capacity; classroom capacity and the impact to shared facilities such as locker rooms, cafeterias and libraries.

- B. **Available Programs/Services:** Appropriate educational programs/services are available to support any special needs and adequate capacity is available in the program/service needed for the requesting student.
- C. **Disruptive/Unsafe Conduct:** The student's transfer is not likely to disrupt the educational process or create a risk to the safety of other students or staff at the school to which the transfer is requested. (Discipline records and consultation with school staff and administration from the most recent school placements for the requesting student are part of the consideration process for this criterion.)
- D. **Attendance:** The student has no history of school attendance issues/concerns that would adversely affect his/her ability to fully benefit from the transfer being requested.
- E. **Transportation:** Parents and/or guardians of approved nonresident transfer students are responsible for all transportation.
- F. **Duration:** Acceptance of a nonresident transfer student will be for one school year (defined as the school year calendar published by the district) and subject to revocation at any time during the school year if the student no longer qualifies under any criteria for acceptance included in this procedure.
- G. **Extracurricular Activities:** The eligibility of a nonresident transfer student is subject to the rules of the Washington Interscholastic Activities Association (WIAA). A nonresident transfer student may be ineligible to participate in varsity sports for a period of one calendar year beginning the date of enrollment at the requested school.
- H. **Administrative Transfers:** The district may administratively transfer a student at any time during the school year where special circumstances indicate this is necessary. These transfer decisions will be made after consultation with parents, school staff and necessary district staff, and may include special conditions for the student and parents involved.

If available space in a school, grade level, classes, or programs/services is insufficient to accept all transfer requests, requests for these limited placements will be prioritized in the following order:

1. Students who are children of a full-time certificated or classified employee and are requesting enrollment in the employee's assigned school or a feeder pattern school (RCW 28A.225.225)
2. Intra-district students continuing enrollment at a site or in a program
 - a. Students displaced from their current school by a boundary revision
 - b. Intra-district transfer renewals
3. New intra-district students whose siblings are enrolled at the same site
4. Other new intra-district students

5. Nonresident students continuing enrollment in the district
6. New nonresident students whose siblings are enrolled at the same site
7. Other new nonresident students
8. Following application of items (1) through (7), transfer requests will be prioritized by lottery.

Late requests (received after the timeline posted on the district website) will be prioritized following (1) through (8) at the time of review. Requests received from students/parents after placement decisions have already been made do not result in revocation of any previously approved transfer.

DENIAL/REVOCAION AND APPEAL PROCESS

Nonresident transfer students may have their transfer approval revoked, at any time, based upon the following considerations:

- A. **Behavior/Discipline Issues:** The significance, severity and frequency of misconduct will be considered, including behavior impacting academic progress.
- B. **Attendance Issues:** Attendance records (inclusive of tardies and absences of any type) and any adverse educational impact of poor attendance will be considered.
- C. **Health/Safety Issues:** Behaviors which pose a risk to the health and/or safety of the student, other students and/or staff will be considered.

While the school principal/designee may choose to create and offer a probationary contract to any student/parent facing possible revocation of their transfer, this is not required unless imposed as part of an appeal process.

If a principal determines that a transfer will be revoked, a written notice will be provided to the parent/guardian stating the reason(s) for the revocation decision as well as their appeal rights and instructions.

Transfer requests may be denied based upon any and all considerations and criteria outlined in this procedure as well as any standard outlined in RCW 28A.225.225. Transfer requests for children of full-time certificated or classified employees are subject to the criteria and conditions set forth in this policy/procedure.

FALSIFICATION/FAILURE TO DISCLOSE REQUESTED INFORMATION

Falsification of student or parent/guardian information on the transfer request form, including but not limited to address, residence, or conditions of living arrangements may result in denial of the transfer applications and/or revocation of approved transfers. Failure to disclose requested special program experience, attendance issues, and/or disciplinary history on the transfer request form may also result in denial of the transfer applications and/or revocation of approved transfers.

APPEAL PROCESS

Out of district students/parents have two appeal options available to them. A district level appeal process is available but not required. In accordance with RCW 28A.225.225(4), students/parents may appeal denial of a nonresident transfer request directly to OSPI.

District Appeal Process: If a transfer is revoked or a transfer request denied, the parent/guardian may appeal the revocation or denial to the Assistant Superintendent. Such an appeal must be in writing and state the reasons for requesting that the revocation or denial decision be overturned. The appeal request must be received at the District Office (621 Linwood Avenue SW Tumwater, WA 98512) within five (5) business days from the day on which the revocation notification was received by the parent/guardian. For revocation appeals, the student will be allowed to remain in school until a final determination is made unless a disciplinary action is in effect or pending against the student. For denial appeals, the denial decision remains in effect unless an appeal decision overturns the denial.

The Assistant Superintendent will review the written appeal request and consult with the parent/guardian and the principal/designee prior to making a determination. Consultation with the student and other parties involved in the matter may also occur but are not required. A final decision will be communicated to the parent/guardian in writing within ten (10) business days after receipt of the written appeal request by the district.

The Assistant Superintendent may determine that modification of the timelines noted in this appeal process is necessary due to special circumstances. In this event, the parent/guardian shall be notified in writing of the modified timelines as soon as reasonably possible.

OSPI Appeal Notification: For revocation or denial of nonresident transfers, the notice of revocation/denial will include information regarding the right to appeal to the Office of Superintendent of Public Instruction pursuant to RCW 28A.225.225(4).

STUDENTS REQUESTING ENROLLMENT IN SPECIAL PROGRAMS

Students receiving special education, or enrolled in the alternative high school, gifted education, and/or bilingual program services, may be assigned to schools and programs according to the placement procedures of those respective programs, if that placement is required to meet their needs. Applications and transfer requests will be referred to the appropriate department and their acceptance will be determined in accordance with federal, state and district guidelines. For instances of a specific placement being required by the District, no transfer request will be needed. For all other instances, students must request a transfer and will be considered using the same criteria and procedures as other students. Like other students, students enrolled in Special Education programs must annually apply for a transfer.

HOMELESS STUDENTS

Students qualifying as homeless under the federal definition outlined in Policy 3115 “Homeless Students: Enrollment Rights and Services” will be enrolled in school pursuant to the guidelines outlined in said policy as well as any applicable state or federal guidelines not referenced in the policy.

Legal References:

RCW 28A.225.220 Adults, children from other Districts, agreements for attending school tuition.

RCW 28A.175.010 Dropout retention and retrieval program

RCW 28A.175.090 Attendance at nonresident high schools

RCW 28A.225.225

RCW 28A.225.230

WAC 392-137 Finance-Nonresident Attendance

WAC 392-137-020 Non-resident students under the age of 21--mutual agreement between resident and nonresident Districts required

WAC 392-137-040 District policies--procedures and criteria for release of resident students and admission of nonresident students

WAC 392-137-055 Appeal notice

IMPLEMENTED: February 13, 2020