

**Tumwater School District
Procedures**

NON-RESIDENT STUDENTS

Parents/legal guardians of students who reside outside the district may apply to attend a school in the Tumwater School District (District), consistent with RCW 28A.225. All applications for non-resident attendance will be considered on an equal basis.

Requests for non-resident transfer will be subject to the following procedures and criteria:

Procedure: Parents & Legal Guardians

Non-resident transfer requests will only be accepted during the current year transfer period, posted on the district website. ***Transfers are only granted for one calendar school year. A new request must be submitted annually.***

1. The District utilizes the online ***Washington State Choice Transfer Request Portal*** (Portal). In the event the Portal is unavailable or cannot be accessed, requests may be submitted in writing on the *Non-Resident Student Transfer Request* form. The form will be made available on the district website and at all Tumwater Schools and the District Office. Forms shall be returned to Student Learning at the District Office.
2. Upon submitting the request in the Portal, you must get a release from the district in which you reside before a transfer will be considered.
3. Parents/legal guardians are encouraged to submit transfer requests as soon as possible, consistent with the dates posted on the district website.

Note: School offices are not open continuously through the summer. Transfer requests submitted in writing after the last day of school must be delivered directly to the District Office located at 621 Linwood Avenue SW, Tumwater WA 98512.

Procedure: School District

1. Requests submitted through the Portal will use the creation date as the date received. All completed written forms will be date-stamped upon arrival at the District Office to document the date received.
2. Requests will be reviewed by the Transfer Coordinator for accuracy and forwarded to the appropriate school or program in a timely manner.

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 School will notify parents/legal guardians of approval or denial, in writing, within 45 calendar days after receipt of the completed application.

Notification will be completed by the school as an official letter, dated, with a detailed explanation for the denial. The letter shall be emailed to the parent/legal guardian on the date signed by the principal and original sent in the US mail. A copy of all denials shall be provided to the Transfer Coordinator in Student Learning.

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:

- Building physical capacity.
- District 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 and classroom capacity.
- 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. Discipline records and consultation with most recent school placement 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.

E. Transportation

Parents/guardians of approved non-resident transfer students are responsible for all transportation.

F. Duration

Acceptance of a non-resident 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 non-resident transfer student is subject to the rules of the Washington Interscholastic Activities Association (WIAA). A non-resident transfer student may be ineligible to participate in varsity sports for a period of one calendar year from 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, and necessary district staff, and may include special conditions for the student and parents.

I. Prioritization

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. Non-resident students continuing enrollment in the district.
6. New non-resident students whose siblings are enrolled at the same site.
7. Other new non-resident students.
8. Following application of items (1) through (7), transfer requests will be prioritized by lottery.
9. 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/Revocation and Appeal Process

Denial/Revocation

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

1. Behavior/Discipline Issues: The significance, severity, and frequency of misconduct will be considered, including behavior impacting academic progress.
2. Attendance Issues: Attendance records (inclusive of tardies and absences of any type) and any adverse educational impact of poor attendance will be considered.
3. 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.

A school principal/designee may choose to create and offer a probationary contract to any student/parent facing possible revocation of their transfer, it 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 also 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 condition 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 may also result in denial of the transfer applications and/or revocation of approved transfers.

Appeal Process

To appeal the denial of a non-resident transfer or revocation there are two options available. A district level appeal and an appeal directly to OSPI, per RCW 28A.225.225(4).

- A. **District Appeal Process:** If a transfer is denied or revoked, the parent/guardian may appeal to the Assistant Superintendent.
1. The appeal must be in writing and state the reasons for requesting that the revocation or denial decision be overturned.
 2. The appeal must be received within five (5) business days from the date the denial/revocation notice was issued.
 3. The appeal can be e-mailed, mailed, or delivered to the District Office (621 Linwood Avenue SW Tumwater, WA 98512).

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.

4. The Assistant Superintendent will review the appeal request and consult with the principal(s) or special program director prior to making a determination. A final decision will be communicated to the parent/guardian in writing within ten (10) business days after receipt of the written appeal request.

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

- B. **OSPI Appeal Process:** For revocation or denial of non-resident transfers, the notice will include information regarding the right to appeal to the Office of Superintendent of Public Instruction pursuant to RCW 28A.225.225(4).

Note: These appeals are assigned directly to the Office of Administrative Hearings where a judge can only consider if the district adhered to their own policies/procedures in processing a non-resident transfer request.

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.225.225 Applications from non-resident students or students receiving home-based instruction to attend district school – School employees’ children – Acceptance and rejection standards - Notification
WAC 392-137 Finance-Non-resident Attendance

Cross References: Policy 3115 – Homeless Students: Enrollment Rights and Services

IMPLEMENTED: February 13, 2020

REVISED: January 17, 2024