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**BEFORE THE:** Senate Education Committee  
**REGARDING:** SB 709 - Student Transfers  
**BY:** Morgan Allen, Legislative Specialist  
**DATE:** 3-31-15

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Chair Roblan and members of the Senate Education Committee, for the record, my name is Morgan Allen and I am offering testimony on behalf of the Oregon School Boards Association supporting the proposal in Senate Bill 709 to create one seamless system for student transfers in Oregon's K-12 school system.

### **Introduction and History**

Since the 2011 Legislative Session, there have been significant changes to the systems and rules governing the pathways that allow Oregon's K-12 students to attend schools in districts that they do not reside in. While there are at least six pathways that can be utilized, for the purposes of today's discussion I will be focusing on Open Enrollment and Interdistrict Transfers. While the topic of student transfers may seem mundane, it is an issue that is critically important to the impacted students, families and school districts.

In order to better understand why Senate Bill 709 is before you today, it is important to briefly recap what has happened over the past four years, beginning with the 2011 Legislative Session:

- 2011 Legislature passed House Bill 3681 and creates "Open Enrollment" in Oregon. The bill was part of a 10+ bill package that was negotiated at the end of the Session and included legislation that created the Oregon Education Investment Board, codified the state's "40-40-20" goals in statute, added Full-Day kindergarten and allowed Community Colleges to authorize charter schools. "Open Enrollment" sunsets in July of 2017 unless the Legislature takes further action.
- 2013 Legislature passed House Bill 2747 and makes changes to Oregon's long-standing "Interdistrict Transfer" statute. Most importantly, the bill includes language to ensure that all students in Oregon are treated equally in the transfer process and ensures that special education students may not be denied transfers.
- 2013 Legislature passed House Bill 3075 which includes provisions to eliminate certain practices that districts were allowed to do under the "Open Enrollment" law passed in 2011. Specifically, districts were prohibited from using State School Fund monies to advertise or recruit students, barred from only accepting students from certain school districts or neighborhoods and were restricted from claiming State School Fund transportation grant funds for transporting open enrollment students outside their district borders in some instances.
- 2014 Legislature passes House Bill 4007 to ensure that students who have been granted transfers in previous years could move to the front of the line when requesting new transfers and allows students who move during the school year to finish out the academic year without a transfer agreement.

Together, those four pieces of legislation have significantly altered the landscape for student transfers in Oregon.

## **The Need for One, Seamless Student Transfer System**

With the impending “sunset” of the Open Enrollment statute, a group of COSA members convened a workgroup and began meeting in 2014 to attempt to craft a new, seamless transfer process to take the place of the current Open Enrollment and Interdistrict Transfer statutes; it is meant to be a successor system.

Currently, there is significant confusion for students, parents and districts about the two processes and their differing rules, procedures and time lines. Depending on where you live in the state you may be amongst districts that utilize open enrollment only. Or you could be amongst districts that only use interdistrict transfers. Some may use both, or neither.

Senate Bill 709 is an attempt at highlighting the policy questions that need to be answered when crafting a new system for student transfers that treats all children equitably, is easy for families to understand, more practical for districts to implement and gives due consideration to the education of all students in Oregon. And most importantly, Senate Bill 709 starts from the premise that each student who is interested in transferring shall be treated equally and without discrimination.

While the bill needs some work, here are the proposed major components of the new transfer system. It also describes whether that policy currently exists in one or both of the systems, or if it is a new proposal. You will see that the majority of the proposals take the elements of Open Enrollment and Interdistrict Transfers that are working well and incorporate them:

<b><i>Proposed Element of New Transfer System</i></b>	<b><i>Is Policy currently in existence?</i></b>
1. Standardized Timeline for Transfer Process	Open Enrollment
2. Elected School Board determines how many transfer slots for incoming students and where (grade, school, district)	Open Enrollment and Interdistrict Transfers
3. Resident district may limit transfers out, but must release at least 3% of total student population of the district and cannot enroll more students than they are willing to release	New policy proposal based in large part on current Virtual Charter School statute.
4. Use of equitable lottery if more applications than opening	Open Enrollment and Interdistrict Transfers
5. Limits on marketing efforts; no State School Fund may be expended.	Open Enrollment

6. Districts must accept student regardless of which district they reside in.	Open Enrollment and Interdistrict Transfers
7. All students who have transfers under old systems are “grandfathered”	New policy proposal: Students who have already changed districts would not need to reapply under new system unless their transfer expires or is revoked.
8. Transportation must be provided within receiving district borders with the option of out of district transportation at expense of district (unless required by federal law)	Open Enrollment and Interdistrict Transfers
9. Standardized transfer forms across the state created by Oregon Department of Education	New policy proposal: Currently, districts devise their own application forms and they can vary significantly.
10. FAPE (Free Appropriate Public Education) responsibility of receiving district	Open Enrollment and Interdistrict Transfers
11. Students who move during the year may stay and finish out the school year	Interdistrict Transfer
12. Students who move over the summer may attend the next school year	New policy proposal: Students who move over the summer and miss the transfer windows would be allowed to stay for the next school year. This is a big issue for 11 <sup>th</sup> graders whose families move over the summer.
13. Districts may revoke transfers for not meeting behavior requirements or attendance standards	Interdistrict Transfer
14. If you have had a transfer revoked, you may not apply for a transfer to another district for the next academic year	New policy proposal: Open Enrollment does not allow revocation for any reason; Interdistrict Transfer does but students may reapply the next year and district must accept them if there is an opening.
15. Student does not need to get a new transfer to keep attending the same district if their family makes subsequent moves	Open Enrollment

### **Conclusion**

OSBA supports efforts to find common ground on the challenging issue of student transfers. Senate Bill 709 represents a well-intended effort to balance the needs of students and families who are seeking to transfer to another school district with the needs of the students who choose to stay in their neighborhood school.