

Audit Committee Meeting  
Thursday, April 6, 2023 4:00 PM

Dr. Matthew Prophet Education Center -  
Windows Cafeteria / Conference Room (Floor  
2)  
501 N. Dixon St.  
Portland, OR 97227

## **Agenda**

1. Introduction
2. Hardship Petition Transfer (HPT) Report
3. Discussion of Performance Evaluation for Senior Internal Performance Auditor
4. Public Comment

*To sign-up to give public comment please email [PublicComment@pps.net](mailto:PublicComment@pps.net) or call the Board Office at 503-916-3741.*



## **The Office of Internal Performance Audit**

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### **Internal Audit Report**

### **Hardship Petition Transfers (HPT) Audit**

**Issue Date: April 2023**

**Senior Internal Performance Auditor**  
Janise Hansen, CIA

**Internal Performance Auditor**  
Mary Catherine Moore

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## Letter of Transmittal

April 6, 2023

Portland Public Schools - Audit Committee  
501 North Dixon Street  
Portland, OR 97227

The Office of Internal Performance Audit (OIPA) has completed the Hardship Petition Transfers (HPT) Audit of selected petitions that occurred during the 2018-2019, 2019-2020, and 2020-2021 school years. The audit was included in the Audit Plan approved by the Portland Public Schools (PPS) Board of Education on January 12, 2021, resolution number 6227.

The results of the audit are detailed in the attached HPT Audit report.

We extend our appreciation to the Enrollment and Transfer Center (ETC) staff for their assistance and cooperation during the course of the audit.

We look forward to discussing the audit results and recommendations at the next Audit Committee meeting. Thank you for your ongoing support of the Office of Internal Performance Audit.

Janise Hansen  
Janise Hansen, CIA  
Senior Internal Performance Auditor

Mary Catherine Moore  
Mary Catherine Moore  
Internal Performance Auditor

## **About the Office of Internal Performance Audit (OIPA)**

### **Purpose and Mission**

State and local governments can enhance credibility with the taxpayers by implementing performance audits to support accountability and ensure that tax dollars are spent as effectively as possible.

PPS performance auditing, conducted by the OIPA, is an objective and systematic examination of evidence to provide an independent assessment of a government organization, program, activity, or function. The goal of these audits is to improve program effectiveness; improve the equity of service delivery; provide useful, objective, and timely information; strengthen administrative and management systems and controls; facilitate decision-making by parties with responsibility for overseeing or initiating corrective action; and improve student achievement District-wide. The objectives of performance audits vary, but generally address whether PPS is operating economically and efficiently, and/or whether it is achieving desired results.

The purpose of the internal performance audit function is to help improve the accountability and performance of PPS through independent auditing and reporting.

### **Independence and Objectivity**

The OIPA Senior Internal Performance Auditor is hired, evaluated, and may only be removed by the PPS Board of Education. Reporting directly to the PPS Board of Education is meant to ensure the work of the OIPA is independent, impartial, and objective so stakeholders can trust the audit results and recommendations.

### **Standards**

The OIPA adheres to very rigorous and demanding professional auditing requirements described in the Generally Accepted Government Auditing Standards, or more commonly referred to as GAGAS or the Yellow Book.

### **Authority and Responsibilities**

The authority and responsibilities of the OIPA are defined in its charter and PPS Board Policy 1.60.040-P, both approved by the PPS Board of Education.

## **Executive Summary**

Generally, Portland Public School (PPS) resident students are expected to enroll at their neighborhood schools, and opportunities to attend a focus option school is available through an annual computerized lottery process. PPS resident families may use the petition process, commonly referred to as the hardship petition transfer (HPT) process, to request transfer out of a child's current/assigned school to a different neighborhood school, a focus option grade level not available during the lottery cycle, and all focus option grade levels after the lottery cycle has closed.

The Enrollment and Transfer's (ETC) website states the HPT process is an opportunity for problem solving. Families can utilize the HPT process to explain why their child's needs are not met at the neighborhood or current PPS school, and how transferring to a different school would improve the situation. The ETC website lists common transfer reasons as childcare, physical risk to a child at a school, sibling considerations, and states PPS staff will consider any reason for a transfer.

HPT requests are available year-round and approximately 2,700 HPT requests were processed by the ETC annually during the 2018-2019 and 2019-2020 school years. In the 2020-2021 school year, approximately 1,700 HPT requests were processed. The decrease in the number of HPT requests during the 2020-2021 school year is likely due to the effects of the Coronavirus Pandemic.

The HPT Audit was requested by members of the PPS Board of Education who indicated a concern that HPT were not granted or denied consistently on a standard set of criteria, and there was an overall lack of visibility related to the process.

The HPT Audit was included in the Audit Plan approved by the PPS Board of Education on January 12, 2021, resolution number 6227.

The objectives of the audit were to:

1. Assess the adequacy of internal controls related to decisions to grant or deny HPT requests. Specifically, determine whether there is adequate documentation to support the decision and decisions are consistent.
2. Determine whether the school district is compliant with policies and procedures applicable to the HPT process.
3. Determine whether the HPT requests have a disproportionate or inequitable impact on a student/school community.

To meet the audit objectives, we tested 225 HPT requests and related supporting documentation that occurred during the 2018-2019, 2019-2020, and 2020-2021 school years.

Based on the results of the audit, we found strengthening internal controls over the HPT process is necessary to maintain the overall integrity of the program. While instances of noncompliance were identified, the audit did not identify any evidence of intentional bias or lack of care.

The audit identified the following five recommendations.

## Internal Performance Audit Report Hardship Petition Transfers (HPT) Audit

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1. We recommend the ETC strengthen its internal control structure to ensure HPT requests are approved or denied in alignment with the school district's policy and administrative directive.
2. We recommend the ETC strengthen its internal control structure to ensure adequate documentation to support HPT requests is retained in alignment with state and federal record retention requirements for educational records.
3. We recommend the ETC establish and implement internal controls that will ensure determination of available space is on a standard set of criteria.
4. We recommend the ETC strengthen its internal control structure to ensure compliance with policies and procedures applicable to the HPT requests.
5. We recommend the ETC strengthen HPT data collection processes and procedures to ensure data is accurate, complete, to ensure equitable processes and decision-making and to identify areas of improvement in neighborhood schools.

The ETC agreed with each of the five recommendations. The corresponding audit results, recommendations, and management's response to the recommendations are included in the attached audit report.

## **Background Information**

Generally, Portland Public School (PPS) resident students are expected to enroll at their neighborhood schools, and opportunities to attend a focus option school is available through an annual computerized lottery process. PPS resident families may use the petition process, commonly referred to as the hardship petition transfer (HPT) process, to request transfer out of a child's current/assigned school to a different neighborhood school, a focus option grade level not available during the lottery cycle, and all focus option grade levels after the lottery cycle has closed.

The Enrollment and Transfer's (ETC) website states the HPT process is an opportunity for problem solving. Families can utilize the HPT process to explain why their child's needs are not met at the neighborhood or current PPS school, and how transferring to a different school would improve the situation. The ETC website lists common transfer reasons as childcare, physical risk to a child at a school, sibling considerations, and states PPS staff will consider any reason for a transfer.

HPT requests are available year-round and approximately 2,700 HPT requests were processed by the ETC annually during the 2018-2019 and 2019-2020 school years. In the 2020-2021 school year, approximately 1,700 HPT requests were processed. The decrease in the number of HPT requests during the 2020-2021 school year is likely due to the Coronavirus Pandemic.

The school district's policy, related to the HPT process, is included in the Student Enrollment and Transfers policy (4.10.051-P), which was approved in 2003 and last amended in 2015. Administrative directive, Student Transfers (4.10.054-AD) supports the policy and describes the relevant protocols and standards for the HPT process.

The Student Enrollment and Transfers policy (4.10.051-P) and the Student Transfers (4.10.054-AD) Administrative Directive are included in Appendix A and Appendix B respectively.

The HPT Audit was requested by members of the PPS Board of Education who indicated a concern that the HPT are not granted or denied consistently on a standard set of criteria and there was an overall lack of visibility related to the HPT process.

The audit was included in the Audit Plan approved by the PPS Board of Education on January 12, 2021, resolution number 6227.

## **Prior Audit History**

The HPT process has not been audited by internal or external auditors in more than 10 years.

## **Roles and Responsibilities**

PPS Management has the primary responsibility to establish, implement, and monitor internal controls. Internal Audit's function is to assess and test those controls in order to provide reasonable assurance that the controls are adequate and operating effectively.

We conducted this performance audit in accordance with Generally Accepted Government Auditing Standards (GAGAS). Those standards require that we plan and perform the audit to obtain sufficient and appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

## **Audit Objective**

The objectives of the audit were to:

1. Assess the adequacy of internal controls related to decisions to grant or deny HPT requests. Specifically, determine whether there is adequate documentation to support the decision and decisions are consistent.
2. Determine whether the school district is compliant with policies and procedures applicable to the HPT process.
3. Determine whether the HPT process has a disproportionate or inequitable impact on a student/school community.

## **Scope of the Audit**

The scope of the audit included HPT requests, available to PPS resident families, as described in the Student Enrollment and Transfers policy (4.10.051-P), that occurred during the 2018-19, 2019-20, and 2020-21 school years.

Transfers into and out of the PPS school district are also available, these transfers are not included in the scope of this audit.

## **Audit Approach and Methodology**

To achieve the audit objectives, we performed the following procedures:

- Planned the audit with input and cooperation of the ETC to ensure we had an adequate understanding of the HPT process.
- Reviewed policies and procedures applicable to the HPT process.
- Reviewed resources and information posted on the ETC webpages.
- Reviewed supporting documentation for selected HPT requests.
- Interviewed ETC staff.
- When appropriate, judgmental sampling was used to improve the overall efficiency of the audit.
- Analyzed available data to corroborate information obtained during interviews with PPS staff.

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## Conclusion

Based on the results of the audit, we found strengthening internal controls over the HPT process is necessary to maintain the overall integrity of the program. While instances of noncompliance were identified, the audit did not identify any evidence of intentional bias or lack of care.

The audit identified five recommendations and the ETC agreed with all five. The corresponding audit results and recommendations are included in this audit report.

1. We recommend the ETC strengthen its internal control structure to ensure HPT requests are approved or denied in alignment with the school district's policy and administrative directive.
2. We recommend the ETC strengthen its internal control structure to ensure adequate documentation to support HPT requests is retained in alignment with state and federal record retention requirements for educational records.
3. We recommend the ETC establish and implement internal controls that will ensure determination of available space is on a standard set of criteria.
4. We recommend the ETC strengthen its internal control structure to ensure compliance with policies and procedures applicable to the HPT requests.
5. We recommend the ETC strengthen HPT data collection processes and procedures to ensure data is accurate, complete, to ensure equitable processes and decision-making and to identify areas of improvement in neighborhood schools.

The above-mentioned recommendations are intended to assist the ETC in strengthening internal controls. Management's full response to each recommendation is included in this report.

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**Objective 1: Assess the adequacy of internal controls related to decisions to grant or deny hardship petition transfer (HPT) requests. Specifically, determine whether there is adequate documentation to support the decision, and decisions are consistent.**

## Background Information:

The documentation, decision, and the available space sections below provide key elements considered to assess the adequacy of internal controls related to a decision to grant or deny HPT requests.

### Documentation

We noted the following record retention compliance requirements:

- State and federal laws require school districts to retain educational records that are directly related to a student.
- PPS School Records Retention Administrative Directive 2.50.022-AD states in part:

*Each school should adhere to the requirements of the School Records Retention Schedule provided by the district. The minimum retention requirements listed in the School Records Retention Schedule must be followed to ensure compliance with state and federal statutes and established district needs. - Section (1)*

- PPS record retention schedule states records related to transfers should be retained for four years.

### Decision

When assessing decisions to grant or deny HPT requests, we considered the following:

- Policy 4.10.51-P: Student Enrollment and Transfers
- Administrative Directive 4.10.054-AD: Student Transfers
- Information publicly available on the Enrollment and Transfer Center's (ETC) webpages

We noted the term "hardship" is not used or defined in the policy or administrative directive. The ETC's website uses the term "hardship," but does not define the term.

The Merriam-Webster dictionary defines hardship as something that causes or entails suffering or privation; and privation is defined as the state of being deprived especially: lack of what is needed for existence.

The policy and administrative directive use the term "extraordinary circumstances." The administrative directive states in part:

*A petition transfer is a request to transfer to a school other than a student's neighborhood or currently enrolled school based on extraordinary circumstances. - Section VII.*

The administrative directive defines the extraordinary circumstances as:

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*Extraordinary circumstances. The basis for granting or denying petition transfers. They include urgent family situations or situations that pose imminent health, safety or serious educational concerns for the student. A list of typical reasons for petition transfer requests is available on the ETC website. - Section II(3)(e).*

The administrative directive also states in part:

*Petition transfers are considered for students and families only if there are extraordinary circumstances. - Section II(3)(d).*

The ETC website lists common reasons for a HPT as childcare, physical risk to a child at a school, and sibling considerations and states PPS staff will consider any reason for a transfer.

**When applying the above noted guidance to assess ETC's decision to grant or deny a HPT request, we found it was necessary to use our judgment to conclude.**

### Available Space

Policy 4.10.51-P: Student Enrollment and Transfers states in part:

*Petitions will be considered on an individual basis based on a standard set of criteria, taking into consideration available space at the requested school. - Section V(2)(a).*

We interpreted this to mean; even if a valid reason for the transfer is verified, a HPT request may be denied, or the student may be placed on a waiting list, if there is no available space in one of the requested schools. (Families may list up to three schools they would like to transfer to.)

In testing the selected HPT requests, we noted two situations where we did not apply our interpretation of the consideration of available space.

Situation 1: We noted written communication from PPS leadership that identified a school as being overcrowded and instructed ETC to approve transfer requests out of the overcrowded school.

For example, a student attending Grant High School, which has been identified as an overcrowded school, submits a hardship petition transfer request to attend Leodis V. McDaniel High School. In this situation, even if the HPT does not describe a valid hardship reason for the transfer, as long as there is available space at Leodis V. McDaniel High School, ETC approves the HPT request.

In situations where the student's current school had been identified as overcrowded, and there was space available at the requested school, we agreed with ETC's decision to approve the transfer even though a valid hardship reason for the transfer was not described in the HPT request.

Situation 2: We noted a written communication from PPS leadership that identified a need to increase enrollment at a specific school for the reason described in the communication.

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For example, a student attending Leodis V. McDaniel High School submits a HPT request to attend Benson Polytechnic High School. The written communication to ETC identified a need to increase enrollment at Benson Polytechnic High School. In this situation, even if the petition did not describe a valid hardship reason for the transfer, as long as there was available space at Benson Polytechnic High School, ETC approved the transfer.

In situations where written communication to ETC identified a need to increase enrollment at a specific school, we agreed with ETC's decision to approve the transfer even though a valid hardship reason for the transfer was not described in the HPT request.

To determine whether there is space available at the requested school, ETC staff rely on direct communication with the requested school. Currently, ETC staff email the requested school administrator, typically the Principal or the Vice/Assistant Principal, to inquire if the school has available space to accept a transfer student into the identified grade. ETC does not currently have a way to independently determine whether a requested school has available space in an identified grade without direct communication with the school.

Per the 2019-2020 Adopted Budget, elementary school max class sizes are defined as:

Grade	Title I / CSI Schools		Other Schools	
	Maximum Class Size	Class Size Ranges	Maximum Class Size	Class Size Ranges
KG	28	15-28	29	15-29
1	30	16-30	31	16-31
2	30	16-30	32	17-32
3	30	16-30	33	17-33
4	34	18-34	35	18-35
5	34	18-34	35	18-35
6	34	18-34	35	18-35
7	34	18-34	35	18-35
8	34	18-34	35	18-35

### Objective 1: Results

In testing 225 HPT requests, we noted the following instances where we disagreed with the **decision** made to approve the HPT request:

- In two instances, students were accidentally enrolled into a school that was not their neighborhood schools. A HPT request was submitted and approved after the accidental enrollment.
- In nine instances, hardship petition transfer requests were approved to the requested school due to space being available to the requested school, not because the HPT request demonstrated a valid hardship.

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- In one instance, a HPT request was approved after initially being denied due to no space being available at the requested school; and the student was not placed on the waiting list. The HPT was subsequently granted. At the time the HPT request was granted, the waiting list with three students listed had expired. However, per the Student Transfers administrative directive (4.10.054-AD), Section VI(3)(a)(iii), if space is to be filled, families will be contacted in the order last provided by the expired wait list.

In testing 225 HPT requests, we noted the following instances where **supporting documentation** was not maintained:

- In 17 instances, there was no evidence the decision letters were provided to the family.
- In three instances, handwritten HPT requests had not been entered into the system, had not been processed, no decision was made, and there was no evidence of communications with the family related to the HPT request.
- In one instance, documentation related to the appeal of the HPT request was not retained.
- In six instances, documentation necessary to support the decision made was not retained.

In testing 225 HPT requests, we identified 11 HPT requests for elementary students requesting a transfer within the student's current grade that were denied due to no **available space**.

- For each of the 11 HPT requests we compared the current class size (at the time the HPT was submitted) to the approved max class size for the applicable school year, school and grade. Based on approved max class sizes for the school and grade, it appears space was available for each of the 11 requests.

One of these 11 HPT requests was appealed. The decision to deny the HPT due to no available space was overturned by the appeals process and the HPT was granted.

In testing 225 HPT requests, we noted **consistency** in decisions:

- Overall, we found decisions made to approve or deny HPT requests were consistent; even when we disagreed with the decision, we found the ETC was consistent with its decision.

### Objective 1 - Recommendations:

1. We recommend the ETC strengthen its internal control structure to ensure HPT requests are approved or denied in alignment with the school district's policy and administrative directive.
2. We recommend the ETC strengthen its internal control structure to ensure adequate documentation to support HPT requests is retained in alignment with state and federal record retention requirements for educational records.
3. We recommend the ETC establish and implement internal controls that will ensure determination of available space is on a standard set of criteria.

To assist the ETC in implementation of this recommendation, we included recommendations for consideration in Appendix C.

**Objective 1 - Management's Response:**

GENERAL RESPONSE: We appreciate receiving a thorough review of the petition process, which has provided an opportunity to reflect upon and strengthen petition transfers. More than 2,247 petition requests have been submitted for the 2022-23 school year so far, and we are committed to implementing improvements that foster culturally responsive problem-solving and clear and timely outcomes.

**1. We recommend the ETC strengthen its internal control structure to ensure HPT requests are approved or denied in alignment with the school district's policy and administrative directive.**

RESPONSE: At least two ETC staff review each petition to determine whether there is evidence of extenuating circumstances, defined in Policy 4.10.051-P as "urgent family situations or situations that pose imminent health, safety or serious educational concerns for the student." This list of frequent reasons is available online. After we have received input from the Board's Audit Committee we will propose updates to Administrative Directive 4.10.054-AD to include the term "hardship"

Regarding specific instances of disagreement with petition outcomes:

- We believe that eleven petition decisions that received disagreement from the auditor were, indeed, extenuating circumstances that posed serious educational concerns.
  - Auditors identified two very rare situations where schools unfortunately erred in enrolling students who lived outside their neighborhoods and notified us after school started. We stand by our decision that forcing the student to change schools due to staff error would pose a serious educational concern.
  - Unlike neighborhood schools, lottery-based programs do not have a steady source of new students to offset routine attrition. Denying access to Benson Polytechnic, Jefferson Middle College and Dual Language Immersion programs poses serious educational concerns both for the students who would miss out on those opportunities if denied transfer as well as those already attending the programs, as lower enrollment rates can jeopardize program integrity. We routinely seek guidance from Office of School Performance and Dual Language leaders to confirm schools and programs that would benefit from enrolling additional students through the petition process.
  - Occasionally families will request that their students exit dual language programs mid-year if they are struggling or have other extenuating circumstances outside of school. If school principals concur, we approve transfer into general classrooms, to avoid further educational hardship for the students.
  - Two requests were for students new to PPS to transfer to locations that offered continuity with their former settings: one to remain in a small K-8 instead of attending a large middle school and one to access 12th grade continuing curriculum that was not offered at the neighborhood school. Without the transfers the students could have experienced serious educational concerns.

- Finally, one transfer was granted solely because the assigned school was very overcrowded and we were guided to help reduce enrollment in any way possible. The serious educational concerns in question were for the full student population, not the individual student.
- We agree that the decision to approve one student outside of the waitlist order was not fully aligned with Administrative Directive 4.10.054-AD. We will propose updates to clarify that waitlist order can change if new information becomes available.
  - In this circumstance, we received advocacy from the principal to move a student from an English-only classroom into a DLI classroom in the same school. Principals are our primary source for confirming extenuating circumstances, and we do our best to respond to their advocacy. Unfortunately, even after the principal's efforts to support the classroom change and our approval of the transfer, the family chose to unenroll the student from PPS.

**2. We recommend the ETC strengthen its internal control structure to ensure adequate documentation to support HPT requests is retained in alignment with state and federal record retention requirements for educational records.**

-RESPONSE: Records retention procedures state that transfer records are maintained by schools. The information that is to be retained by the schools are found in Synergy and Docuware. To assist schools in meeting this requirement we provide electronic copies of petition result letters to prior/forecast schools as well as the new school if the transfer is approved. We implemented a new system for producing petition result letters in Fall 2020 which is more reliable than prior methods. The Records Management department has confirmed that Enrollment and Transfer is not required to retain any additional student transfer records.

We agree that three petitions reviewed by the auditors did not meet standards for data entry and documentation. The staff person who managed those requests left the district in 2021.

**3. We recommend the ETC establish and implement internal controls that will ensure determination of available space is on a standard set of criteria.**

RESPONSE: The Enrollment and Transfer Center relies exclusively on the input of school leaders to determine if space is available for a transfer. In addition to current class sizes, principals take into consideration multiple factors, including:

- Overall school crowding (lack of space in common areas, lunch periods, etc)
- Actual classroom configuration
- Capacity in Special Education learning centers
- General education classroom capacity for mainstreaming students primarily attending Special Education Focus Classrooms
- For Dual Language classrooms, the proportion of students who are native speakers of the target language
- Teacher vacancies and/or classrooms staffed with long-term substitute teachers

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Class size targets for staffing purposes could be added to the list of factors but would not be a meaningful substitute for the holistic and nuanced expertise provided by school principals.

A new transfer review process is underway this year to increase cross-departmental collaboration and improve transparency. Improving space availability decisions is a priority topic for the group, which includes representatives from the Office of School Performance, Student Services, Special Education, Dual Language and Research, Accountability and Assessment. More information about the review process is described later in this response.

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**Objective 2: Determine whether the school district is compliant with applicable policies and procedures.**

**Background Information:**

We identified the following key elements of the Student Enrollment and Transfers policy (4.10.51-P) for compliance testing:

*Transfers to a different neighborhood school: requests to transfer to a different neighborhood school will be considered through the petition process. Petitions will be considered on an individual basis based on a standard set of criteria, taking into consideration available space at the requested school. - Section V(2)(a).*

*The superintendent shall establish protocols and procedures, including deadlines and an appeals process, for lottery and petition transfers and for inter district transfers. - Section VIII(2).*

*For transfers to a different neighborhood school, or for transfers to a focus option after the lottery has closed, the petition transfer process will provide review of applications on an individualized basis. The superintendent shall establish clear, flexible, culturally relevant protocols and standards to the petition transfer process. In addition, the superintendent shall establish a process to collect and monitor data from petition transfer requests to ensure equitable processes and decision-making and to identify areas of improvement in neighborhood schools. - Section VIII(5).*

We identified the following key elements of the Student Transfers administrative directive (4.10.054-AD) for compliance testing:

*All procedural handbooks and guidelines for this administrative directive are available at the district's Enrollment and Transfer Center (ETC) and schools. - Section I.*

*Length of transfer. Transfer students may remain in a school or program to the highest grade of the school or program. - Section III(3).*

*Students who petition may be placed on wait lists if the ETC has verified that they have a valid reason for transfer, but there is currently no grade-appropriate space available at the requested school. - Section VI(1).*

*The ETC manages and maintains all wait lists for schools and programs. - Section VI(3).*

*Before a Petition Transfer Form is filed by the family, the family and school staff should discuss ways to resolve the concerns and help the student and the family recommit to the enrolled school. - Section VII(1)(a).*

*The ETC will make available information to assist families in completing petition transfer requests, including a list of frequent reasons for transfer and a scale used to evaluate petition reasons. - Section VII(1)(e).*

*The appeals process shall be completed within ten working days from the time the appeal is received at the ETC. - Section VIII(3)(a).*

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## Objective 2 - Results:

We tested 225 HPT requests for compliance with each of the key policy and administrative directive elements identified in the background information above. Overall, we found the school district to be compliant, however we did note some instances of noncompliance. Details related to instances of noncompliance are detailed below as exceptions.

### Student Transfers administrative directive (4.10.054-AD)

- *All procedural handbooks and guidelines for this administrative directive are available at the district's Enrollment and Transfer Center (ETC) and schools. - Section I.*

**Exception:** All procedures and guidelines are available on the website and printed copies can be produced in the ETC or at schools. There is no stand-alone handbook and guidelines for this administrative directive.

- *Students who petition may be placed on wait lists if the ETC has verified that they have a valid reason for transfer, but there is currently no grade-appropriate space available at the requested school. - Section VI(1).*
- *The ETC manages and maintains all wait lists for schools and programs. - Section VI(3).*

**Exception:** The above two sections of the administrative directive (Section VI(1) and Section VI(3) ) lack clarity. Section VI(1) states students **may** be placed on a wait list and Section VI(3) states the ETC manages and **maintains** all wait lists for schools and programs. Based on these two sections of the administrative directive it is unclear if the ETC is required to maintain a wait list for all schools and programs.

In our testing, we found inconsistent use of a wait list. Of the 225 HPT requests tested, 21 were denied due to no space being available at one of the requested schools; 14 of the 21 were not placed on a wait list.

In discussing the use of a wait list with the ETC, it was stated the ETC felt in some instances placing students on a wait list could provide the student a false sense of hope.

- *Before a Petition Transfer Form is filed by the family, the family and school staff should discuss ways to resolve the concerns and help the student and the family recommit to the enrolled school. - Section VII(1)(a).*

The HPT request form includes the following section:

Have you worked with the administrator of your student's current school, or the school your student is expected to attend next, in order to resolve your concerns?  Yes  No If yes, what was the outcome?

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The ETC website states, in part:

You will need to provide evidence that you have worked with the administrator at your current/neighborhood school to address your enrollment concerns before your transfer request will be considered.

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**Exception:** In our testing we found the ETC does not require the family and school staff to discuss ways to resolve the concern before a HPT is filed. When the above section of the HPT request is marked “No” or left blank, ETC still processes the HPT request.

In discussing this practice with the ETC, it was stated that requiring this section of the HPT request to be completed could present an undue burden or unneeded barrier for families. The ETC explained that for each HPT request, they communicate directly with the school the student is attending or assigned to attend. This communication includes whether there have been attempts to resolve the families concerns.

- *The ETC will make available information to assist families in completing petition transfer requests, including a list of frequent reasons for transfer and a scale used to evaluate petition reasons. - Section VII(1)(e).*

**Exception:** The ETC’s website states common transfer reasons include childcare, physical risk to a child at a school, sibling considerations, and that PPS staff will consider any reason for transfer. However, there is no scale used to evaluate petition reasons.

- *The appeals process shall be completed within ten working days from the time the appeal is received at the ETC. - Section VIII(3)(a).*

**Exception:** In our testing of 225 HPT requests, we found 13 decisions were appealed. Of the 13 appeals, four were not completed within ten working days. The four appeal decisions exceeded the ten working days by 11, 21, 26, and 28 working days.

### Student Enrollment and Transfers policy (4.10.51-P)

- *The superintendent shall establish a process to collect and monitor data from petition transfer requests to ensure equitable processes and decision-making and to identify areas of improvement in neighborhood schools. - Section VIII(5).*

**Exception:** The ETC has an established process to collect and monitor data from HPT requests. The 2018-19 school year data was compiled and reported to the Policy Committee in its meeting on November 25, 2019; however the ETC has not compiled and reported on HPT related data for the 2019-20 or 2020-21 school years.

We noted neither the policy or related administrative directive specifically state how often reporting of the HPT data is required. As a result, we interpreted the policy to require annual reporting of the HPT data.

- *The superintendent shall establish clear, flexible, culturally relevant protocols and standards to the petition transfer process. - Section VIII(5).*

**Exception:** Based on the results of our testing (detailed in the Objective 1 - Results section, as well as the exceptions noted above in the Objective 2 - Results section) we found the established protocols and standards were not as clear as necessary to ensure decisions to grant or deny a HPT request is based on a standard set of criteria.

**Objective 2 - Recommendation:**

4. We recommend the ETC strengthen its internal control structure to ensure compliance with policies and procedures applicable to the HPT requests.

To assist the ETC in implementation of this recommendation, we included recommendations for consideration in Appendix C.

**Objective 2 - Management's Response:**

GENERAL RESPONSE: We appreciate receiving a thorough review of the petition process, which has provided an opportunity to reflect upon and strengthen petition transfers. More than 2,247 petition requests have been submitted for the 2022-23 school year so far, and we are committed to implementing improvements that foster culturally responsive problem-solving and clear and timely outcomes.

- 4. We recommend the ETC strengthen its internal control structure to ensure compliance with policies and procedures applicable to HPT requests.**

RESPONSE: After we have received input from the Board's Audit Committee we will propose updates to Administrative Directive 4.10.054-AD, which we agree is due for updating.

**Objective 3: Determine whether the hardship petition transfer (HPT) process has a disproportionate or inequitable impact on a student/school community.**

**Background Information:**

The SchoolMint, Reporting on HPT Request Data, and the Reporting on the “Why” sections below provide key elements considered to determine whether the HPT process has a disproportionate or inequitable impact on a student/school community.

SchoolMint

The Enrollment and Transfers Center (ETC) utilizes a software program called SchoolMint to help manage the HPT process. When PPS families fill out a HPT request online through the ETC webpages, the request is input directly into SchoolMint. If a HPT request is handwritten, ETC staff manually input the application into SchoolMint.

The primary purpose of SchoolMint is to help manage the school district’s lottery system used to establish enrollment in PPS’s focus option schools. As a result, the school district’s contract with SchoolMint provides access to minimal fields that can be customized to support reporting on the impact of HPT requests. Additional customized fields could be added but would have costs above and beyond the current contract.

SchoolMint does not directly interface with the school district’s student information system. However, the ETC utilizes a write back<sup>1</sup> process to import key data elements from the student information system into SchoolMint.

ETC identifies data fields for the write back process. For example:

- Student Identification Number
- Current PPS School and/or Program
- Current Neighborhood School

In SchoolMint, the fields that are included in the write back process are identified in a bold blue font color and each data field is preceded by “SIS” (student information system). For example, the field identifying the student identification number that was imported to SchoolMint, via the write back process, appears as: **SIS Student ID.**

The ETC utilizes data from SchoolMint to report data related to HPT request data. When preparing the data for reporting, the ETC will utilize the data fields with the “SIS”. This helps to ensure that data input errors, like leaving the student identification number blank in the application, or transposing a number, do not impact the accuracy of the data used for reporting.

We noted student demographic information is not collected in the HPT application and is not imported into SchoolMint from the student information system via the write back process. While this process helps to ensure this information is not considered in the HPT process, it also required ETC to use a reconciliation process outside SchoolMint to add in this content for the purposes of reporting.

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<sup>1</sup> Write back is a storage method in which data is written into the cache every time a change occurs, but is written into the corresponding location in main memory only at specified intervals or under certain conditions.

## Internal Performance Audit Report Hardship Petition Transfers (HPT) Audit

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During the course of the audit, we requested a meeting with the ETC staff member who prepared the reconciliation of the 2018-2019 school year data for reporting to the Policy Committee in November 2019. We found the staff member no longer employed with the school district, and written process and procedures to perform the reconciliation had not been retained. Without this information, we were not able to test the accuracy of the reconciliation process to ensure the accuracy of the data presented. As a result, we did not rely on any data reconciliation reports provided by ETC for testing in this audit.

All data included in the 225 HPT requests tested as part of this audit, we exported directly from SchoolMint and manually confirmed each data point

### Reporting on HPT Request Data

HPT related data was last presented to the PPS Board of Education, via the Policy Committee, in November 2019. The HPT related data presented a comparison of the 2014-2015 school year HPT requests data to the 2018-2019 school year data and identified net changes for each school as well as HPT decisions and demographic comparison.

The Student Enrollment and Transfers policy (4.10.51-P) states in part:

*The superintendent shall establish a process to collect and monitor data from petition transfer requests to ensure equitable processes and decision-making and to identify areas of improvement in neighborhood schools. - Section VIII(5).*

In our review of the data provided to the Policy Committee in November 2019, we found no analysis of the HPT data that indicates whether the HPT process has equitable processes and decision-making nor was there an identification of areas of improvement in neighborhood schools.

During the course of the audit, we requested a meeting with the ETC staff member who prepared the reconciliation of the 2018-2019 school year data for reporting to the Policy Committee in November 2019. We found the staff member no longer employed with the school district, and written process and procedures to perform the reconciliation had not been retained. Without this information, we were not able to test the accuracy of the reconciliation process to ensure the accuracy of the data presented. As a result, we did not rely on any data reconciliation reports provided by ETC for testing in this audit.

### Reporting on the “Why”

In our review of the Policy Committee meeting minutes, we noted discussion about tracking and reporting on the “why” for a HPT request. For example, tracking and reporting on the number of HPT requests that are related to bullying versus those that are related to before/after school child care needs. While there was discussion on reporting on the “why” for a HPT, there was no formal request from the Policy Committee to include reporting on the “why” in future reporting on HPT related data.

We discussed reporting on the “why” with the ETC who stated it is not the current practice to identify, categorize, and report on the “why” a HPT request is submitted. Further, reporting on the “why” would require additional resource allocation as customized fields would be required in SchoolMint.

## Internal Performance Audit Report Hardship Petition Transfers (HPT) Audit

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To help identify whether reporting on the “why” a HPT request is submitted would add value to the HPT request data reporting, we broadly categorized the “why” for the 225 HPT requests we tested below:

School Preference	5
Remain with Cohort	9
Physical Risk	11
Bullying	13
Transportation	15
Child Care	16
Siblings	19
Return to Neighborhood School	21
DLI	30
Academic	33
Other	53
<b>Total</b>	<b>225</b>

### Objective 3: Results

**We were unable to determine whether the HPT process has a disproportionate or inequitable impact on a student/school community.**

In our testing we found data currently collected in SchoolMint is not adequate to determine actual impacts because the final outcomes of the HPT request are not collected or reconciled. For example, per SchoolMint 92 of the 225 HPT requests we tested were approved. However, 10 of the 92 approved HPT requests did not result in the transfer.

**Objective 3 Recommendation**

5. We recommend the ETC strengthen HPT data collection processes and procedures to ensure data is accurate, complete, to ensure equitable processes and decision-making and to identify areas of improvement in neighborhood schools.

To assist the ETC in implementation of this recommendation, we included recommendations for consideration in Appendix C.

**Objective 3 - Management's Response:**

GENERAL RESPONSE: We appreciate receiving a thorough review of the petition process, which has provided an opportunity to reflect upon and strengthen petition transfers. More than 2,247 petition requests have been submitted for the 2022-23 school year so far, and we are committed to implementing improvements that foster culturally responsive problem-solving and clear and timely outcomes.

**5. We recommend the ETC strengthen HPT data collection processes and procedures to ensure data is accurate, complete, to ensure equitable processes and decision-making and to identify areas of improvement in neighborhood schools.**

RESPONSE: Routine reporting of petition transfer outcomes was postponed during the pandemic years. A cross-departmental group was formed early in the 2022-23 school year to help ensure equitable processes and decision making and to identify areas of improvement in neighborhood schools. The group consists of Area Senior Directors and Assistant Superintendents from the Office of School Performance, as well as representatives from Student Services, Special Education, Dual Language and Research, Accountability and Assessment. Areas of priority focus this year include consistency and transparency in space availability decisions, particularly at middle schools, appeals processing and Dual Language late entry procedures.

To support data collection and analysis we have updated our internal coding of primary and secondary petition reasons so it will be easier to share results and identify patterns with the review team and school leaders.

Appendix A

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4.10.051-P

4.10.051-P Student Enrollment and Transfers

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I. Policy Purpose

The purpose of this policy is to provide equal access to educational options for all resident students through an open, fair and accessible process and to promote equity and diversity in student transfers and admissions through alignment with the Educational Options Policy (6.10.022-P). The policy furthers the Student Achievement Policy (6.10.010-P), the district's Racial Educational Equity Policy (2.10.010-P), and other district policies and state and federal requirements.

II. General Policy Statement

All Portland Public School students have the right to attend their neighborhood school, except in extraordinary circumstances as described in Section IV. All Portland Public School students have the right to request a transfer to attend any grade- appropriate school or program in the district. The Board is committed to families and students having equitable access to a broad portfolio of educational options. The district has the responsibility, through its centralized coordination of information, outreach, and support services, to provide families and students with information and advice that will enable families and students to make informed decisions about their choice of educational options.

III. Definitions

(1) School and student terms

- (a) Neighborhood school. A school serving a designated attendance area and as defined in 6.10.022-P .
- (b) Focus option. A separate school or program structured around a unique curriculum or particular theme and as defined in 6.10.022-P.
- (c) Transfer school. The school to which a student has transferred.
- (d) Transfer student. A district student attending a school other than his/her neighborhood school.
- (e) Resident student. A student who is a resident of the Portland Public School district.
- (f) Nonresident. A student from another district attending a PPS district school on inter-district transfer.

4.10.051-P Student Enrollment and Transfers

- (g) Sibling. Children with the same parent or supervising adult living together at the same address.
- (2) Admission and transfer terms
  - (a) Transfer: A formal request by a district family for a student to attend a school other than their neighborhood school or to return to their neighborhood school. There are two types of transfers:
    - (A) Lottery transfers: a request to transfer to a focus option. Lottery transfers are based on space availability and preferences.
    - (B) Petition transfers: a request to transfer to a different neighborhood school, or to a focus option after the lottery transfer process has closed.
  - (b) Enrollment: The process for accounting for students in schools.
  - (c) Feeder pattern: A designated path for students to advance from one school grade grouping to another.

IV. Policy Scope

This policy does not apply to nonresident students, alternative education placements, pre-kindergarten admissions, or charter school admissions. In order to meet the educational needs of students with disabilities, those students may be assigned to specialized program services outside of their neighborhood school. The district also shall be in compliance with all federal and state laws and regulations regarding student enrollment and transfers.

V. Admission

- (1) By area of residence. Students have a right to attend the neighborhood school where they reside with their parent or supervising adult, except as provided in Section IV. This right extends to students returning to their neighborhood school with a petition transfer request and to families with students new to the district.
- (2) By transfer. All students have the right to request a transfer to a school or program other than their own assigned neighborhood school.

4.10.051-P Student Enrollment and Transfers

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- (a) Transfers to a different neighborhood school: requests to transfer to a different neighborhood school will be considered through the petition process. Petitions will be considered on an individual basis based on a standard set of criteria, taking into consideration available space at the requested school.
- (b) Transfers to a focus option: requests to transfer to a focus option shall be considered through a lottery process and a petition process after the lottery transfer process has closed. A transfer request to a focus option is granted based on an on-time transfer request, space availability, admission criteria if any and preferences.
- (3) Admission criteria for focus option schools or programs
  - (a) Admission criteria to any District school or program shall be the same for neighborhood and transfer students.
  - (b) Admission criteria shall be clear, objective and directly related to the educational goals of the focus option and the district. A school or program may require the family and student to indicate an understanding of program expectations prior to enrollment.
  - (c) Middle and high school focus options may have admission criteria as specified in the operations plan required in 6.10.022-P.
  - (d) Elementary focus options shall have no admission criteria except for language criteria for dual language immersion and late entry for language immersion options.

VI. Enrollment

- (1) Students are expected and encouraged to remain in the same program or school in which they are enrolled for the school year, except in cases of extraordinary circumstances. Schools shall collaborate with families, students and staff to meet the needs of students for that school year.
- (2) Students enrolled in a transfer school do not have to reapply until completion of all grades in that school.
- (3) Upon completion of a school grade grouping, students are enrolled in their neighborhood feeder pattern school, except as

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provided in (4) and (5) below. Students who want to attend a school other than their neighborhood school shall follow the admission procedures in Section V.

(4) Students admitted to a focus option that continues from one school grade grouping to another do not need to reapply for admission during these transitions except as provided in the focus option plan of operations.

(5) Students enrolled in a curriculum that includes different school grade groupings may enroll in the school with the higher grade grouping after completion of the previous grade grouping.

VII. Preferences

(1) For focus option schools and programs, if lottery transfer requests exceed available spaces and the student meets admission criteria, if any, the following preferences determine priority placement in the following order:

(a) Students continuing from their previous school grade grouping if required by the focus option plan of operations.

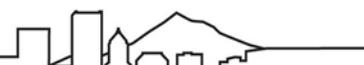
(b) Students required by state or federal law or other district policy to receive priority.

(c) A student whose sibling is enrolled at the same time in the student's first choice elementary, middle school or high school or program that includes other school grade groupings.

(d) Students who qualify to receive free and reduced-price meals, or qualify for enrollment in a Head Start Program, in a proportion corresponding to a district-wide average. The preference will occur at schools where the rate of enrolled students who qualify for free and reduced-price meals is lower than the district-wide average.

(e) Resident students who have submitted an on-time lottery transfer request.

(2) If, after the lottery, staff identifies that there were applicants eligible for free and reduced meals, up to the district average, not approved due to the number of sibling applicants, the Board will review the order of preferences.



4.10.051-P Student Enrollment and Transfers

(3) A focus option may make special provision in its Board-approved plan of operations for admitting students from particular attendance areas.

VIII. Student Transfer Process

- (1) Student transfer decisions shall be facilitated by the administrator assigned to coordinate student transfers.
- (2) The superintendent shall establish protocols and procedures, including deadlines and an appeals process, for lottery and petition transfers and for inter district transfers.
- (3) The superintendent shall establish a process for determining if space is available in a particular school or program.
- (4) For focus options, the superintendent shall establish a process for admitting students by a centrally administered lottery for students who submit an on-time lottery transfer request and meet admission criteria, if any, and there are more applicants than available space.
- (5) For transfers to a different neighborhood school, or for transfers to a focus option after the lottery has closed, the petition transfer process will provide review of applications on an individualized basis. The superintendent shall establish clear, flexible, culturally relevant protocols and standards to the petition transfer process. In addition, the superintendent shall establish a process to collect and monitor data from petition transfer requests to ensure equitable processes and decision-making and to identify areas of improvement in neighborhood schools.
- (6) To support overall district goals and equal educational opportunities for all students, the transfer process also shall include factors as needed to promote equity and diversity in student admissions. The factors shall be based on the district's Racial Educational Equity Policy (2.10.010-P) and the Student Achievement Policy (6.10.010-P). The factors and process for how they shall be weighted in the lottery process shall be approved by the Board.
- (7) The wait list established for a focus option school or program shall be randomly determined by the lottery, incorporating preferences and weighting as provided in this policy.

4.10.051-P Student Enrollment and Transfers

IX. Non-Discrimination

(1) All schools and programs offered by the district shall be open to all students without discrimination based on any factors provided for by state and federal laws and regulations and as provided in 1.80.020-P.

X. Policy Implementation and Effective Dates

(1)The superintendent shall develop administrative directives to implement this policy and a plan to transition to the new policy.

(2) This policy shall be implemented for the school year 2015-16.

Legal References:

History: Approved 5/12/03; Amended 1/24/2005; 1/2015

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Appendix B



**ADMINISTRATIVE DIRECTIVE**

**4.10.054-AD**

**Student Transfers**

**I) Introduction**

Student transfers are accessible to all resident students in district schools and programs through a fair, equitable and consistent process. The district is committed to furthering student achievement, culturally relevant practices, and diversity in admissions that support the Racial Educational Equity Policy (2.10.010-P). The process includes a lottery cycle for transferring into some grades of focus option schools and programs, and a year-round petition request for all other schools and grade levels. This directive also includes transfers initiated by the district when necessary for students to access appropriate services.

The District will provide families and students with information that will enable them to make informed decisions about their choice of educational options. This directive does not apply to nonresident students, alternative education placements, pre-kindergarten admissions, or charter school admissions. All procedural handbooks and guidelines for this administrative directive are available at the district's Enrollment and Transfer Center (ETC) and schools.

**II) Definitions**

**(1) School and program terms**

- (a) Neighborhood school. A school serving a designated attendance area and as defined in 6.10.022-P.
- (b) Transfer school. The school to which a student has transferred.
- (c) Enrolled school. The school a student is currently attending.
- (d) Focus option. A school or program of a school structured around a unique curriculum or particular theme and as defined in 6.10.022-P.
- (e) Continuing program. A program that continues from one school grade grouping to the next, often in different school buildings. For example a K-12 language immersion program begins in an elementary school for the K-5 grades, and then continues to a middle school in a different building for the 6-8 grades. Students in continuing programs are pre-approved to continue to the next grade grouping.
- (f) Open Enrollment program. A new or growing focus option school or program that remains open to transfer after the lottery transfer cycle closes. The Superintendent or designee will approve all open enrollment programs, application processes and deadlines annually.



**ADMINISTRATIVE DIRECTIVE**

**4.10.054-AD**

**Student Transfers**

- (g) School grade grouping. Refers to different school levels: elementary, middle and high school. Elementary schools may begin at PK or K and end at 5<sup>th</sup> grade or 8<sup>th</sup> grade. Middle schools contain grades 6-8, and high schools are grades 9-12.
  - (h) Direct Certification. A process conducted by states and by local educational agencies to certify eligible children for free meals without the need for household applications.
  - (i) Non-binary. A term that refers to people who identify outside of or beyond the gender binary of man and woman.
- (2) Student and family terms.
- (a) Siblings. Children with the same parent or supervising adult living together at the same address.
  - (b) Co-enrolled siblings. Siblings who will be enrolled in the same school at the same time. For students applying to focus option programs at schools with multiple programs, co-enrolled sibling status will be assigned at the program, not school, level.
  - (c) Linked siblings. Siblings applying for transfer to the same school and same grade for the same school year. Such siblings may be linked under one student/family number in the lottery so that families have the same outcome for their children who are requesting a transfer.
  - (d) Supervising adult. An adult in a parental relationship as defined in 4.10.047-AD. Supervisory adult status is confirmed by the ETC.
  - (e) Articulating students. Students transitioning from one school grade grouping to the next. For example, fifth graders in elementary school preparing for sixth grade in middle school; eighth graders in middle school preparing for ninth grade in high school.
  - (f) Transfer student. A district student attending a school other than his/her neighborhood school.
  - (g) Resident student. A student who is a resident of the Portland Public School District.
- (3) Admission and transfer terms.
- (a) Transfer. A formal request by a resident family for a student to attend a school or program other than his/her neighborhood school or to return to his/her neighborhood school from a transfer school. Lottery transfer requests must be submitted by the annual transfer deadline to be considered. Petition transfer requests may be submitted at any time. Transfers are approved to the highest grade of the school where the student transfers.



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**4.10.054-AD**

**Student Transfers**

- (b) Lottery transfer cycle. The period of time in which families may request a student transfer to a focus-option school or program for the following school year by submitting a Focus Option Lottery Application.
- (c) Lottery. A centralized computer software based system that determines student assignment and generates wait lists. The lottery process includes admission preferences and equity and diversity factors aimed at eliminating barriers to educational attainment and improving student achievement, as provided in Policy 4.10.051-P Student Enrollment and Transfers.
- (d) Petition transfer. A request by the student/family to transfer to a neighborhood school. Petitions are also used to request transfer to focus option grade levels not available during the lottery cycle and all focus option grade levels after the lottery transfer cycle has closed. Petition transfers are considered for students and families only if there are extraordinary circumstances.
- (e) Extraordinary circumstances. The basis for granting or denying petition transfers. They include urgent family situations or situations that pose imminent health, safety or serious educational concerns for the student. A list of typical reasons for petition transfer requests is available on the ETC website.
- (f) Weighted factors. Factors included in the lottery to ensure that all schools reflect the diversity of the district. Changes to weighted factors require school board approval.

**III) Student Transfer Admissions**

- (1) All resident families have the right to request a student transfer to a school or program other than their own designated neighborhood school.
  - (a) Students on transfer wishing to return to their neighborhood school must submit a petition transfer request. Requests received during the lottery transfer cycle will be granted for the following school year. Requests received at other times require a verified reason and space availability for approval.
- (2) The deadline for open enrollment at new or growing focus option schools or programs may be later than the standard Focus Option Lottery deadline.
- (3) Length of transfer. Transfer students may remain in a school or program to the highest grade of the school or program. Upon completion of the highest grade of the school or program, students are enrolled in their neighborhood feeder pattern school unless they apply for and are granted a transfer to a different school or program.



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**Student Transfers**

- (a) Exception: Students enrolled in a program that continues from elementary to middle school and/or middle school to high school are pre-approved to continue without submission of a School Choice Application.
- (4) Alternative Education Options. If a transfer student leaves a school to enroll in an alternative school, they may return to the transfer school during the same school year. This applies to an expelled student who was placed in an alternative program for the period of expulsion.
- (5) Break in Attendance. If a student stops attending a school or is dropped for non-attendance after ten consecutive days (OAR 581-023-0006(4)(b)) during the school year without enrolling in another school or program, the student may return to the transfer school during that school year. However, if the student does not return to the transfer school during that school year, the transfer is no longer valid for the subsequent years and the student must return to the neighborhood school or request a new transfer. If the student completes a school year but does not return during the first ten days of the subsequent school year, the transfer is no longer valid and the student must return to the neighborhood school or request a petition transfer.
- (6) District-Initiated Transfers
  - (a) Special education. In order to meet the educational needs of students with disabilities, those students may be assigned to specialized program services outside of their neighborhood school.
    - (i) Students with disabilities who receive services outside of their neighborhood school due to a district-initiated transfer and no longer need those services will be allowed to remain at the transfer school through the highest grade.
  - (b) Students in special education and students eligible under Section 504 of the Rehabilitation Act of 1973 may request a transfer to another school in the District. In order to be approved, the requested transfer must meet both of the following criteria:
    - (i) The requested transfer must meet District guidelines for student transfers including the lottery process, as described in this administrative directive; and
    - (ii) The requested transfer must not deny the student a free appropriate public education (FAPE)
  - (c) Placement by English as a Second Language (ESL) Department. Students who qualify for ESL services may be placed in schools outside of their neighborhood attendance areas.



**ADMINISTRATIVE DIRECTIVE**

**4.10.054-AD**

**Student Transfers**

- (i) Students requiring ESL services may be offered placement in a school other than their neighborhood school by the ESL Department, based on student's needs and service availability at the neighborhood school.
- (ii) Students no longer requiring language services outside of their neighborhood school will be allowed to remain at the transfer school through the highest grade.

**IV) Focus Option Lottery**

- (1) Lottery Application. The ETC shall develop a lottery application for focus option school and program admissions that will be widely available to schools and families during the lottery transfer cycle.
  - (a) The Focus Option Lottery Application shall include space for families to provide the following:
    - (i) Student and family information
    - (ii) Sibling information
    - (iii) Up to three school or program choices
    - (iv) The application will also include a brief explanation of the required school-year commitment and the deadline.
  - (b) All students requesting a transfer to a focus option are required to submit a Focus Option Lottery Application by the deadline to be considered in the lottery. The deadline shall be posted on the district's web site and widely publicized in other district communications.
  - (c) Students enrolled in continuing programs such as language immersion programs who wish to continue to the next school grade grouping (middle or high school) of the program are not required to submit a Focus Option Lottery Application.
- (2) Admission requirements for focus options. Focus option schools and programs may have admission requirements for lottery applications, so long as the requirements are the same for all applicants.
  - (a) Requirements may include attendance at informational meetings, completion of statements of understandings or student essays and/or submission of school registration packets within a set timeframe after lottery results have been announced.
  - (b) Information about admission requirements will be available at schools and on the district website. Any focus option with admission requirements must provide multiple opportunities for families to complete the requirements.
  - (c) Families who do not meet requirements will forfeit approval to their requested focus option.



**V) Lottery Administration for Student Transfer Requests**

- (1) When transfer requests exceed available spaces for focus options, the centralized lottery determines student assignment and generates wait lists. The ETC conducts all lotteries and notifies families of the results.
- (2) Lottery Information. A detailed description of all lottery preferences and weights will be available on the district's website during the transfer cycle.
- (3) Preferences. The lottery allows for preferences in the following order:
  - (a) Students continuing from their previous school grade grouping if required by the focus option plan of operations.
  - (b) Students required by state or federal law or other District policy to receive priority.
  - (c) A student whose sibling is enrolled at the same time in the student's first choice focus option.
  - (d) Students who qualify to receive free and reduced-price meals or attend a Head Start Pre-kindergarten program, in a proportion corresponding to a district-wide average. The preference will occur at focus options where the rate of enrolled students in the school who qualify for free and reduced-price meals through direct certification is lower than the district-wide average.
  - (e) Resident students who have submitted an on-time lottery transfer request.
- (4) Weighted factors. A weighted factor for gender is included in the focus option lottery. Gender balance is measured by a school's current percentage of boys and girls with the District's overall percentage. Students who improve the gender balance at their school and non-binary students are weighted in the lottery.
- (5) Linked siblings. Siblings applying for transfer to the same school and same grade for the same school year may link their names under one student/family number in the lottery.
- (6) Early Entry. Families requesting early entry into Kindergarten or first grade must follow all of the procedures outlined in the application process on the Talented and Gifted webpage. Kindergarten early entry applicants are eligible to apply for lottery transfer if they complete a cognitive evaluation before the close of the lottery application period. If a kindergarten applicant is found non-eligible for early entry, the lottery application will be withdrawn. First grade early entry applicants must apply for kindergarten in the lottery. If the child is approved through the lottery, s/he will enter kindergarten at the requested school and once enrolled, will contact the Talented and Gifted Office to begin the early entry process into first grade.



**ADMINISTRATIVE DIRECTIVE**

**4.10.054-AD**

**Student Transfers**

- (7) Language Immersion Program Openings. A proportion of available spaces may be allocated for native language speakers and/or for students living in the neighborhood of the school in which the program is located or the regional high school serving the program.
- (8) Notification of lottery results. The ETC will send families a letter with the results of the lottery. Families must then contact the approved transfer school for enrollment information.
  - (a) Parents may withdraw their transfer request by contacting the ETC within ten calendar days of receiving their notice. After withdrawing a transfer request, students are assigned to their currently enrolled school or neighborhood school if the student is articulating to the next grade grouping.

**VI) Wait List Management for Student Transfer Requests**

- (1) The centralized lottery also generates the wait list for each focus option school and program that has more applicants than spaces. The wait list is based on the same weighted factors and preferences as the lottery. Outside of the lottery, students who petition may be placed on wait lists if the ETC has verified that they have a valid reason for transfer, but there is currently no grade-appropriate space available at the requested school.
- (2) The wait list generated by the lottery shall be limited to a designated number of transfer students. The number of students allowed on any given wait list is determined by the ETC and school principal using a standard formula. As a result, a student might not be drawn from the wait list for any school he or she requested. In that case, the student is assigned to his or her neighborhood school (if articulating to the next grade grouping) or currently enrolled school.
- (3) The ETC manages and maintains all wait lists for schools and programs.
  - (a) Wait lists remain active until the 20<sup>th</sup> day of school.
    - (i) Students are expected to attend their assigned school while remaining on a wait list.
    - (ii) Students may keep an approved choice and stay on the wait list of a higher choice until the wait list expires.
    - (iii) Should an opening become available beyond the 20<sup>th</sup> school day, school and program administrators will be consulted to determine whether the space should be filled at that time or held for the following transfer cycle. If the space is to be filled at the time, families will be contacted in the order last provided by the expired wait list.



**Student Transfers**

- (4) Immersion programs may prioritize applicants who are English-Language Learners when filling openings that occur during the school year.

**VII) Petition Transfers**

A petition transfer is a request to transfer to a school other than a student's neighborhood or currently enrolled school based on extraordinary circumstances.

**(1) Process for Filing a Petition Transfer**

- (a) Before a Petition Transfer Form is filed by the family, the family and school staff should discuss ways to resolve the concerns and help the student and the family recommit to the enrolled school.
- (b) When a family requests a transfer for health reasons, safety reasons or an urgent family situation the ETC will expedite the process.
- (c) Students and their families initiate a petition transfer.
- (d) Petition Transfer Forms are available on-line, in schools and in the ETC.
- (e) The ETC will make available information to assist families in completing petition transfer requests, including a list of frequent reasons for transfer and a scale used to evaluate petition reasons.
- (f) ETC staff will seek input from the principal and/or other staff at the student's assigned school before deciding whether a family has presented a valid reason for transfer.
- (f) g) Reassignment. Reassignment determines the school to which a student is assigned after being granted a petition transfer. The Petition Transfer Form includes a section which asks for information to enable the ETC to consider schools for reassignment based on the family's transportation needs, desired school characteristics, and if the student wishes to return to his/her neighborhood school. Families may list up to three schools and why they consider them appropriate; however, there is no guarantee that the student will be reassigned to any of the listed schools.

**(2) Petition Transfer Notification**

- (a) Students remain in their enrolled school until a decision is made by the ETC to grant or deny the petition transfer request.
- (b) If the family's petition transfer is granted, the ETC shall first facilitate communication among the principal of the enrolled school and potential receiving principals. The family will receive a letter with reassignment information. The school designated for reassignment by the ETC is final.



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**Student Transfers**

If the family refuses the assigned school, the student is expected to return to the enrolled school.

- (c) If the family's petition transfer is denied, the ETC notifies the family with a letter that explains the reason for the denial. The student remains in the enrolled school unless an appeal is filed and granted.

**VIII) Appeals Process**

- (1) The family may appeal the ETC's decision to deny a petition transfer by submitting a letter explaining the reason for the appeal and any additional information or documentation. An appeal may be granted on two grounds:
  - (a) Failure of the school or ETC to follow the established petition process, or
  - (b) New substantial information related to the petition transfer request.
- (2) The ETC shall forward to the Senior Director (or designee) for the enrolled school all documents related to the petition transfer, including the reason for the denial, and documentation of extraordinary circumstances.
- (3) The Senior Director or designee for the enrolled school shall review the ETC decision. The Senior Director's or designee's decision is final.
  - (a) The appeals process shall be completed within ten working days from the time the appeal is received at the ETC. The Senior Director or designee sends the written decision to the family.

Policy reference: 4.10.051-P

History: This AD number formerly was assigned to Boundary Changes, which is now 4.10.055-AD. Amd 7/2004, Amd 10/2006, Amd 4/2007; Amd 3/2009; Amd 2/2015; Amd 7/2018

**Appendix C:**

**Objective 1 - Recommendations:**

1. We recommend the ETC strengthen its internal control structure to ensure HPT requests are approved or denied in alignment with the school district's policy and administrative directive.
2. We recommend the ETC strengthen its internal control structure to ensure adequate documentation to support HPT requests is retained in alignment with state and federal record retention requirements for educational records.
3. We recommend the ETC establish and implement internal controls that will ensure determination of available space is on a standard set of criteria

To assist the ETC in implementation of this recommendation, we included the following recommendations for consideration:

- Consult with the school district's legal council and/or Records Management to ensure ETC has a clear understanding of what documents transfer related documents have record retention requirements.
- Define the term hardship in the Administrative Directive (4.10.054-AD) and/or on the ETC website.
- Clarify whether a hardship (that meets the new definition) is required when there is space available in the requested school.
- Utilize a waitlist for all students that are denied due to no space.
- Utilize a central email address for communication so they are available if a staff person leaves district employment.
- When enrollment priorities are identified (i.e. increase enrollment at Benson Polytechnic High School), ETC should post that information on the ETC website.
- If a transfer is denied due to no space, when the class size is below the max allowable size, require approval of the denial by the schools Area Director or Regional Superintendent.

**Objective 2 - Recommendation**

4. We recommend the ETC strengthen its internal control structure to ensure compliance with policies and procedures applicable to HPT requests.

To assist the ETC in implementation of this recommendation, we included the following recommendations for consideration:

- Perform an annual review of the Administrative Directive (4.10.054-AD) and the ETC website to ensure they reflect current practices. When appropriate, request edits to the Administrative Directive (4.10.054-AD), and/or add clarification information on the ETC website.

**Objective 3 - Recommendation**

5. We recommend the ETC strengthen HPT data collection processes and procedures to ensure data is accurate, complete, to ensure equitable processes and decision-making and to identify areas of improvement in neighborhood schools.

## Internal Performance Audit Report Hardship Petition Transfers (HPT) Audit

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To assist the ETC in implementation of this recommendation, we included the following recommendations for consideration:

- Document the data reconciliation process and procedures to ensure the data reconciliation is re-creatable.