

**Greater Albany SD 8J**  
**Administrative Regulation**

Code: **JECB-AR(3)**  
Adopted: 9/83  
Revised/Readopted: 3/12/01, 8/13/07  
Orig. Code(s): AR 5110

**Admission of Nonresident Tuition Students**

The conditions of this procedure are expected to be met by all nonresident students. Nonemancipated persons living temporarily in the district for the primary purpose of attending a district school shall not be considered legally residents of this district, but shall be considered legally residents of the district in which they or their parents or guardians<sup>1</sup> maintain permanent residency.

1. Acceptance

Nonresident students are accepted for enrollment in the district at the discretion of the superintendent or his/her designee. Acceptance is based on the criteria specified as follows:

- a. Sufficient classroom space, staff and funding are available;
- b. The presence of the student is not anticipated to be disruptive to other students;
- c. The age of the student complies with Oregon law for compulsory attendance and/or district student entry policies;
- d. Delegated power of attorney is established to a qualified adult resident if the student is temporarily not living at the parents or guardians residence;
- e. Tuition charges are paid monthly in advance prorated by days enrolled. However, annual tuition costs may be reduced the amount of current year property taxes for the place of temporary residence paid to the district by the temporary guardians upon presentation of the current valid tax receipts;
- f. After enrollment, the student abides by all district and school regulations.

2. Procedures

- a. The student will apply for nonresident enrollment at the school district administrative office.
- b. The determination of availability of space, staff, and funding will be made by the involved principal and the district administration. Placement in a particular school is at the discretion of the district.
- c. Other criteria specified above will be evaluated by the district.
- d. Approval will be made by the superintendent or his/her designee.

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<sup>1</sup>As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005 (4) and 125.300 - 125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, and adult student to whom rights have transferred and foster parent as defined in OAR 581-015-0005 (18).

- e. If the student is to temporarily reside with other than the parents or guardians, the district-approved power of attorney form will be completed. Copies will be filed at the district office and in the student's cumulative record folder.
- f. Arrangements for payment of tuition will be made with the business department.

3. Exceptions

Exceptions to the above procedure will be restricted to the following circumstances:

- a. When a student is placed as a resident in the district by an official child care agency. In such cases, the foster parent or a representative from the agency shall accompany the student at registration to verify placement and to aid in the enrollment process;
- b. Students 16 and over who have completed the legal emancipation requirements or students over 18 years of age who are allowed by law to establish their own legal residence;
- c. Foreign students attending on Board-approved exchange programs;
- d. Students who have established residence through regular court-appointed guardianship procedures;
- e. If an enrolled resident student's parents or guardians move from the district, the student's right to continue in the school is legally terminated. However, if the move is within one month of the end of a semester or the school year or in the second semester of the senior year, the district will allow the student to finish that semester without tuition if an interdistrict agreement is completed.

4. Transition provisions

However, if a nonresident student is already attending a school in the district and the approval for admission was based on full and complete disclosure of the student's status as a nonresident, the student will be allowed to finish the current semester, providing an interdistrict agreement is completed. Enrollment for subsequent attendance will be according to the requirements of this rule. Students who gained approval of enrollment with fraudulent statements are subject to immediate enforcement of the requirements of this rule.