

# Dallas School District 2

Code: **JECB**  
Adopted: 9/09/02  
Readopted: 1/22/07; 6/23/14; 10/11/16

## **Admittance of Nonresident Students**

The district may enroll nonresident students as follows:

1. By written consent of the affected school boards. The student becomes a "resident pupil" of the attending district thereby allowing the attending district to receive State School Fund moneys (Interdistrict Transfer);
2. By written consent from the school board with which the student has made application for admission. The student becomes a "resident pupil" of the attending district thereby allowing the attending district to receive State School Fund moneys (Open Enrollment);
3. By unilaterally admitting with tuition a nonresident student whereby neither district is eligible for State School Fund moneys (Tuition);
4. If a juvenile court determines it is in the student's best interest, a student placed in a substitute care program outside the district will continue to be considered a resident student and allowed to attend the school the student attended prior to placement. The public agency placing the student in a substitute care program will be responsible for the transportation of the student, if public agency funds are available.

The Board shall deny regular school admission to nonresident students who are under expulsion from another district for a weapons policy violation. The Board shall deny admission to nonresident students who are under expulsion from another district for reasons other than a weapons policy violation.

The district is not required to provide transportation outside the boundaries of the district. The student will be allowed to use existing bus routes and transportation services of the district. Transportation will be provided if required by federal law.

The superintendent will develop procedures for the implementation of this policy.

### **Interdistrict Transfer** (Requires consent of both school boards)

Annually, by March 1,<sup>1</sup> the Board shall establish the number of student transfer requests into the district, and out of the district, to which consent will be given for the upcoming school year. The Board may choose to allow all transfers into and out of the district.

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<sup>1</sup>The district must annually make this determination by a date set by the Board. Insert the date set by the Board.

The Board reserves the right to accept/reject nonresident students based upon the availability of space, resources, personnel and appropriate programs. The Board may not consider nor ask for any information from the student about race, religion, sex, sexual orientation, ethnicity, national origins, disability, health, whether a student has an individual education program (IEP) or the terms of that IEP, identified as talented and gifted, income level, residence, proficiency in English, athletic ability or academic records. The Board may not request or require the student to participate in an interview, tour any of the schools or facilities, or otherwise meet with any representatives of the school or district prior to the district deciding whether to give consent.

The Board may ask for the student's name, contact information, date of birth, grade level, whether the student may be given priority on consent for admission (e.g., sibling in the district; change in legal residence; completion of public charter school in the district), information about which schools the student prefers to attend and whether the student is currently expelled.

If the number of students seeking consent exceeds the number of spaces, the Board will use an equitable lottery selection process. The process may give priority to students who have siblings currently enrolled in the district.

The Board may revise the maximum number of students to whom consent will be given at a time other than the annual date established by the Board if there are no pending applications for consent.

If the Board decides not to give consent to a student the Board must provide a written explanation to the student.

The district may require minimum standards of behavior and/or attendance once the student has been accepted. The minimum standards must be the same for all students that are given consent. The district is not allowed to establish minimum standards for academics as a criteria for the student to remain in the district. Students whose consent is revoked for violation of set attendance and/or behavior standards will not be allowed to apply for consent to return to this district in the same or the following school year.

The Board may determine the length of time the consent is given. Any limitations in length of time must be applied consistently among all students to whom consent is given.

## **Open Enrollment**

1. Annually, by March 1, the Board shall establish the number of students to whom consent will be given for the upcoming school year. The Board may choose to limit consent based on school, grade or the combination of both. The Board may decide not to give consent to any person under this process.
2. Applications for consent shall be submitted to the district no later than April 1, for the following school year.
3. The Board may not deny consent, give priority nor request student information related to race, religion, sex, sexual orientation, ethnicity, national origin, disability, health, whether a student has an IEP or the terms of that IEP, income level, residence, proficiency in the English language, athletic ability, academic records or eligibility or participation in talented and gifted programs.

4. If the number of students seeking consent exceeds the number of students the Board has determined will be given consent, consent will be based on an equitable lottery selection process.
5. The district is not required to provide transportation outside the boundaries of the district. The student will be allowed to use existing bus routes and transportation services of the district. Transportation will be provided if required by federal law.
6. By May 1, the district shall provide written notification of admission of a nonresident student into the district, to the district of the student's legal residence.

### **Tuition**

Annually the business office will establish a tuition rate. Each admitted tuition paying student will be charged the same amount of tuition.

END OF POLICY

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### **Legal Reference(s):**

[ORS 109.056](#)  
[ORS 327.006](#)  
[ORS 329.485](#)

[ORS 335.090](#)  
[ORS 339.115 to -339.133](#)  
[ORS 339.141](#)

[ORS 339.250](#)  
[ORS 343.221](#)  
[ORS 433.267](#)

Letter Opinions, Office of the OR Attorney General (March 15, April 18, June 30 1988).  
OR. DEP'T OF EDUC., ODE EXECUTIVE MEMORANDA 23-1988-89, 42-1994-95.

### **Cross Reference(s):**

JEC - Admissions