

Dallas School District 2

Code: **JECB**
Adopted: 9/9/02
Readopted: 1/22/07

Admittance of Non-Resident Students

The School Board believes students should normally be educated in their resident District. The School Board also realizes that special circumstances may necessitate a Dallas School District resident to request admittance of his/her child to another District for education.

Residence of students is defined in ORS 339.133 as "...Children between the ages of 4 and 18 shall be considered resident for school purposes in the School District in which their parents or guardians, or persons in a parental relationship to them reside." Adult residence is defined as the person's personal residence (i.e., where they sleep) and indicators such as location for receipt of mail, voter registration, and driver's license. Students that do not meet these requirements are considered non-resident.

These policies are intended to provide fair guidelines for the admittance of non-resident students. In addition, they are intended to protect resident students' educational opportunities and the District patrons' interests in the school system.

1. Minors whose parents/legal guardians reside outside the boundaries of the School District may apply for admittance in a District school to the School Board under one (1) of the circumstances listed below. All such applications will be evaluated by the Superintendent.
2. A non-resident minor may apply for admission to Dallas Schools under these conditions:
 - a. On a tuition basis;
 - b. On a Power of Attorney or Guardianship to an adult resident in the District;
 - c. As a senior when the student was a resident in Dallas for grades 9-11;
 - d. Through a Reciprocal Agreement with other School Districts;
 - e. On placement by the court or State Agency;
 - f. On special need or circumstances.
 - g. 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.

Admitting a student to the District will not guarantee which attendance center the student will be assigned.

3. Special conditions applicable to all students considered under this policy:
 - a. A student expelled from a school in another District may be refused enrollment in the Dallas School District for the term of his/her expulsion.

- b. A student admitted under this policy must, in addition, maintain satisfactory attendance, behavior, and achievement records.
 - c. The Superintendent may terminate the attendance of any student admitted to school under this policy for any cause which he/she believes to be sufficient; excepting that students placed under court order, state agency or properly executed Power of Attorney or Guardianship will not be refused attendance as long as they meet all School District Policy and Administrative Rule requirements for continued enrollment.
- 4. Notwithstanding any contrary terms of this policy, the School District shall not exclude from admission a child located in the District solely because the child does not have a fixed place of residence or solely because the child is not under the supervision of a parent/legal guardian or person in a parental relation, in accordance with ORS 339.115(1), and the rules and regulations adopted thereunder.
 - 5. The District may refuse admission of a student who has been expelled from another District and shall refuse admission if the student has been expelled from another District for violation of the Federal Gun Free School Act of 1994 under U.S.C. 2701.
 - 6. The School Board delegates the administration of this policy to the Superintendent or his/her designee.
 - 7. Persons may appeal the Superintendent's decision to the School Board by contacting the Superintendent.
 - 8. The Superintendent is directed to develop procedures for implementation of this policy.

END OF POLICY

Legal Reference(s):

[ORS 109.056](#)
[ORS 294.100](#)
[ORS 327.006](#)
[ORS 329.485](#)

[ORS 335.090](#)
[ORS 339.115 - 339.133](#)
[ORS 339.141](#)
[ORS 339.250](#)

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

Letter Opinions, Office of the Attorney General (March 15, April 18, June 30, 1988).
Oregon Department of Education, Memos #23-1988-89, #42-1994-95.