

# Eugene School District 4J

Code: **JECB**

Adopted: 6/16/75; 9/01/93

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01/18/12; 3/14/12; 1/23/13;  
6/18/14; 9/06/17

Orig. Code(s): 5040.1-5040.5; 5060; 5040.6;  
5025

## **Admission of Nonresident Students**

The district may enroll students whose legal residence is outside of District 4J boundaries under the following conditions:

1. By written consent from District 4J for admission through the Interdistrict Open Enrollment process whereby the student becomes a “resident pupil,” allowing the district to receive State School Fund moneys;
2. By written consent from the student’s resident district and from District 4J through the Interdistrict Consent process whereby the student becomes a “resident pupil,” allowing the district to receive State School Fund moneys;
3. By unilaterally admitting with tuition a nonresident student whereby the district is not eligible for State School Fund moneys.

### **Admission to the District**

The Board reserves the right for the district to accept or reject nonresident students based upon the availability of space, resources, personnel and appropriate programs.

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

The district 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 individual education program (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. The district 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 district may ask for the student’s name, contact information, date of birth, grade level and whether the student is currently expelled.

### **Interdistrict Open Enrollment**

By March 1 each year, the Board will determine whether to offer admission to nonresident students for the coming school year without the consent of the students’ resident districts and the maximum number of nonresident students that may be admitted. The Board may limit the number of students admitted through open enrollment by school and/or grade level.

Applications for open enrollment must be submitted to the district by April 1. If there are more applicants than the number of openings determined by the Board, students will be admitted to the district through an equitable lottery selection process. The process will give priority to students who are currently enrolled and students who have siblings currently enrolled in the district.

Once a nonresident student is enrolled under these provisions, the student will continue to be enrolled in the district until the student graduates from high school, is no longer required to be admitted to schools of the school district under ORS 339.115, or enrolls in a different school district.

### **Interdistrict Consent**

By June 30 each year, the Board shall establish the maximum number of student transfer requests into the district and out of the district to which consent will be given for the coming school year. The Board may later revise the maximum number of students to whom consent will be given if there are no pending student transfer applications.

If the number of students seeking consent to transfer into or out of the district exceeds the limits determined by the Board, the district will use an equitable lottery selection process. The process will give priority to students who are currently enrolled and students who have siblings currently enrolled in the district.

If the district does not consent to a student transfer request, the district must provide a written explanation to the student.

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.

### **School Placement**

Students who reside within the district's boundaries will be given the first opportunity to change to a different school. The superintendent or designee will then determine the enrollment capacity for nonresident students at each school in the coming school year. Factors such as projected student enrollment, physical facilities, class sizes, school enrollment caps, special education needs and services are among other factors that will be considered, in addition to family preference. Certain schools, grades and programs may be determined to have no enrollment capacity for nonresident students.

Families will be asked to indicate which schools they would like their students to attend, but the district shall not be bound by this notification. If the number of nonresident families expressing preference for a particular school exceeds enrollment capacity, placement at the school will be based on the following priorities:

1. First priority will be given to nonresident students who are currently enrolled in the school;
2. Second priority will be given to nonresident students who are currently enrolled in another school in the district;
3. Third priority will be given to nonresident students who are immediate household members of a student who is currently enrolled and has permission to attend the same school in the coming school year;

4. Fourth priority will be given to all other nonresident students.

### **Transportation**

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.

### **Tuition Agreements and Rates**

Unless otherwise stipulated by law, tuition rates shall be determined by the Board and shall be reviewed annually and adjusted, if necessary, and shall be uniformly applied. Rates shall be established for elementary, middle, senior high, summer school, and special education.

### **Homeless Students**

Students who become homeless during the school year, but continue to be district residents, may continue attending the school of origin as long as they remain homeless and meet other district requirements.

### **Student in Foster Care**

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. Substitute care programs include family foster care, family group home, parole foster care, family shelter care, adolescent shelter care and professional group care.

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.