

Admission of Resident Students

Qualified school-age students may attend school without paying tuition.

1. All persons between the ages of 5 and 19 who live within the district attendance area or who are incarcerated in a county correctional facility located in the district shall be admitted free of charge to the regular school program of the district. A person whose 19th birthday occurs during the school year shall continue to be eligible for a free and appropriate public education for the remainder of the school year;
2. An otherwise eligible person who has attained the age of 19, but not yet attained 21 years of age prior to the beginning of the current school year, and who is:
 - a. Receiving special education services and has not yet received a regular high school diploma; or
 - b. Shown to be in need of additional education in order to receive a diploma, may apply to the Board for admission to an appropriate public education program. An otherwise eligible person whose 21st birthday occurs during the school year shall continue to be eligible for a free appropriate public education for the remainder of the school year.

The following rules for admission shall apply:

- (1). Persons who were not enrolled in regular high school during the semester immediately preceding the school year for which application is made may attend Klamath Institute for the purpose of attaining a diploma;
 - (2). Students who have previously received credits entitling them to be in the 12th grade (18 credits), who have turned 19 during the previous school year and who completed the previous school year in attendance at a high school within the district will be allowed to continue to attend the same high school for a maximum of one school year immediately following the school year during which they turned 19;
 - (3). Students who have qualified under subsection b., but who fail to make reasonable progress toward achievement of a diploma will be transferred in the discretion of the superintendent to Klamath Institute;
 - (4). All other successful applicants for admission shall be assigned to attend Klamath Institute.
3. A student located in the district shall not be excluded for admission solely because the student does not have a fixed place of residence or solely because the student is not under the supervision of a parent, guardian or person in a parental relationship.
 4. A person who has become a resident of the district while under expulsion from another district shall not be admitted to the schools of the district during the period of expulsion.

5. A person who has become a resident of the district while under expulsion from another district for an offense that constitutes a violation of a school policy adopted pursuant to ORS 339.250(6) or the federal Gun Free Schools Act of 1994 (20 U.S.C. Sec. 2710) shall not be admitted to the schools of this district for at least one calendar year from the date of the expulsion from another district, and if the expulsion is for more than one year, the district may for the remaining period of time deny admission.
6. No alternative programs of instruction will be provided to students expelled for a weapons policy violation.

Guidelines for Admission of Qualified Students

Homeless Students

It is the intent of the district to treat homeless youth in an equal manner with all students. Specifically:

1. Students of homeless families and homeless youth will have access to a free, appropriate public education which would be provided to the students of any resident of the district;
2. Homeless students will be allowed to enroll in any school which non-homeless students are allowed to attend;
3. Homeless students will be provided special services, including compensatory education, special education, Limited English Proficiency Programs, vocational education, Talented and Gifted Programs and school meals on the same basis as these services are provided to non-homeless students;
4. Transportation will be provided to homeless students on the same basis as it is provided to non-homeless students;
5. Any records ordinarily kept by the school, including immunization records, academic records, birth certificates, guardianship records and evaluations for special services will be maintained on homeless students, and will be available in a timely fashion if the student enters a new district.

Adult Students

Applications for an appropriate public education program filed by persons who have attained the age of 19, but not yet attained 21 years of age prior to the beginning of the current school year, shall be reviewed by the principal of the school at which the application is presented. The principal shall determine whether the applicant qualifies and to which program he or she shall be assigned.

If the applicant is dissatisfied with the determination of the principal, he or she may request a hearing. Hearings shall be before a hearings officer appointed by this Board. The hearings officer is authorized by this Board to admit or deny admittance to students in accordance with the policy of this Board as set forth in its policy for Admission of Resident Students, JECA.

The hearings officer shall conduct the hearing in the following manner:

1. The hearing shall be conducted privately by the hearings officer unless the student requests a public hearing;
2. Where the applicant cannot understand the spoken English language, an interpreter shall be provided by the district;
3. The applicant may be represented by counsel or other persons;
4. The applicant shall be permitted to introduce evidence by testimony, writings or other exhibits;
5. The applicant shall be permitted to be present and hear the evidence presented by the district;
6. Strict rules of evidence shall not apply to the proceedings. However, this provision shall not limit control of the hearing by the hearings officer;
7. The hearings officer or the applicant may make a record of the hearing;
8. The hearings officer shall notify the applicant of his decision in writing.

The applicant shall have the right, upon appeal, to a Board review of the decision. To request a review, the applicant must deliver a written Notice of Appeal to the office of the superintendent not later than 10 days from the date of the written decision of the hearings officer after the hearing. If the decision is appealed, the hearings officer shall provide to the Board the findings as to the facts and the decision of the hearings officer. This material shall be made available to the applicant at the same time. At its next regularly scheduled meeting which occurs after the notice of appeal is received, the Board will affirm, modify, or rescind the decision of the hearings officer. It will make its decision based upon the written record only, unless the applicant makes a written request to address the Board in person. If such a request is received, only the applicant will be allowed to meet with the Board. No other person will be permitted to address the Board, as all testimony is considered to have been received at the admission hearing before the hearings officer. The written record will consist of the hearings officer's findings as to the facts and decision, together with the written notice of appeal and arguments of the applicant in opposition to the decision. The Board will not affirm, modify, or rescind the hearings officer's findings as to the facts, but shall review the decision of the hearings officer.

The Board will notify the applicant in writing whether it has affirmed modified, or rescinded the decision of the hearings officer.

END OF POLICY

Legal Reference(s):

[ORS 109.056](#)
[ORS 327.006](#)
[ORS 339.115](#)

[ORS 339.133](#)
[ORS 339.134](#)
[ORS 433.267](#)