

**Lake Oswego
School District 7J**

Code: **JECB**
Adopted: 10/27/03
Readopted: 6/08/09; 2/27/12
Orig. Code(s): 5520

Admission 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;
2. By written consent from the school board for the district in which the school is located as provided by Board policy. The student becomes a “resident pupil” of the attending district thereby allowing the attending district to receive State School Fund moneys;
3. Nonresident students may be admitted on a tuition basis upon district approval of their individual applications. Tuition rates shall be established annually by the Board.

The district shall refuse admission of a nonresident student expelled from another district. The superintendent has authority to admit the student on a case by case basis.

The district shall refuse admission of a nonresident student expelled from another district for bringing a weapon to school in violation of state weapons law.

Consent by Affected Boards - Interdistrict Transfer

Nonresident students may be admitted without payment of tuition in the following situations if the applicable criteria are met:

1. Students attending district schools whose legal residence changes (during the school year) by moving outside the district may continue to attend until the end of the current semester if the resident and nonresident districts approved the inter-district transfer.
2. Nonresident students who have completed their junior year as district residents shall be permitted to complete their senior year if the resident and nonresident districts approved the inter-district transfer.
3. A nonresident student who anticipates establishing residence in the district may be admitted if satisfactory evidence is submitted that such residence will be established within the semester in which admission is requested and if an inter-district transfer is approved by the resident and nonresident district.
4. A nonresident student who, because of necessity, establishes temporary residence within the district with a relative or other responsible person over 21 may be admitted so long as the temporary residence is maintained, the appropriate guardianship papers are filed, and the local relative or other individual exercises responsibility for student’s attendance and behavior.

5. Other nonresident students may be admitted to serve the educational interests of the student as judged by school officials or to serve their physical or emotional conditions.

Nonresident students shall be admitted only under the following conditions:

1. The resident district has given its written consent for the student to attend school in Lake Oswego.
2. Existing facilities and staff are adequate to accommodate additional students so that resident students are not negatively impacted by the admission.
3. The parent/guardian has signed and filed an affidavit of residency agreeing to pay tuition retroactive to the date of enrollment if their residency is found to be outside of the district boundaries.
4. The district assumes no responsibility for transportation of the nonresident student to and from school, but the student may be granted permission to ride school buses on established bus routes.
5. Permission for continuation of attendance shall be contingent upon satisfactory behavior, regular attendance, and acceptable achievement. Application must be renewed annually.

Consent of Board for the District in which the School is Located - HB 3681 Open Enrollment

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, geographical boundary, status of currently enrolled students, or a combination of these. The Board may decide not to give consent to any person under this process.

The Board may not deny consent or give priority based on race, religion, sex, sexual orientation, ethnicity, national origin, disability, terms of individual education program, income level, proficiency in the English language or athletic ability.

Applications for consent shall be submitted no later than April 1, prior to the year of requested consent.

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.

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.

By May 1, the district shall provide written notification of attendance to the district of the student's legal residence.

Admission by Payment of Tuition

Nonresident tuition students shall be admitted only under the following conditions:

1. Existing facilities and staff are adequate to accommodate additional students so that resident students are not negatively impacted by the admission.

2. The parent/guardian has signed and filed an affidavit of residency agreeing to pay tuition retroactive to the date of enrollment if their residency is found to be outside of the district boundaries.
3. The district assumes no responsibility for transportation of the nonresident student to and from school, but the student may be granted permission to ride school buses on established bus routes.
4. Permission for continuation of attendance shall be contingent upon satisfactory behavior, regular attendance, and acceptable achievement. Application must be renewed annually.

END OF POLICY

Legal Reference(s):

[ORS 109.056](#)
[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](#)

HB 3681 (2011)

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.