

Morrow County School District

Code: **JECB**
Adopted: 9/8/97
Readopted: 5/12/03; 9/13/10
Orig. Code(s): 5177

Nonresident Students - Admission/Tuition/Attendance Variance

A nonresident student is defined as one whose parent or legal guardian does not reside within the boundaries of the Morrow County School District, unless as otherwise provided by law.

The Board reserves the right to accept/reject non-resident students based upon the availability of space, resources, personnel, appropriate programs and a positive review of education records.

The district may enroll non-resident 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 monies;
2. By unilaterally admitting with tuition a non-resident student whereby neither district is eligible for State School Fund monies.

The Board shall deny regular school admission to non-resident students who are under expulsion from another school district for a weapons policy violation. The Board will deny regular school and alternative education program admission to non-resident students who are under expulsion from another district for reasons other than a weapons policy violation.

Any request for an attendance variance for admittance of a non-resident student must be made in writing at least one week before a regularly scheduled Board meeting. The application shall state the reasons for requesting admittance. The resident district must agree to release the student.

If the student’s residence will be within the boundaries of the school district, but in a residence not occupied by the parents or legal guardian, then the Board may approve or disapprove the request and establish the amount of tuition, if any, unless as otherwise provided by law.

In no event will Morrow County School District provide special transportation for any out-of-district resident, and continuation in Morrow County schools, in all cases, will depend on acceptable conduct and academic achievement.

The Morrow County School District does not favor requests for attendance variances from resident students to attend a non-resident district. The board authorizes the superintendent to approve such requests only in the following situations:

1. Students with unusual academic needs which can be met by specific vocational-oriented programs in the non-resident district;

2. Students with disabilities whose needs can be met more readily by school services in the non-resident district;
3. Students living in remote areas whose school transportation (considering time and expense) can be met more conveniently and efficiently by the non-resident district;
4. Students with unusual disciplinary or emotional problems who would have a greater ability to succeed in the environment of the non-resident district;
5. Students whose parents move from the district during a school year;
6. Students whose parents are employed within the non-resident district, and where “before and after school” care and supervision would create a hardship.

The superintendent will report to the board monthly:

1. Non-resident students accepted or denied attendance in the district.
2. Resident students granted or denied an attendance variance to a non-resident district.

The superintendent’s decision or attendance variance request for other reasons may be appealed to the Board. Appeals should be directed to the superintendent’s office and will be acted upon at the next regular school board meeting after their receipt.

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](#)

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.