

Nyssa School District 26

Code: **JECB**
Adopted: 6/11/01
Readopted: 10/13/08
Orig. Code(s): 6-0140

Admission of Nonresident Students

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

The Board may consider situations such as: (1) students with unusual academic needs or abilities that can be met more readily by school services available in a nonresident school district; (2) students living in remote areas whose school transportation can be met more conveniently and efficiently by the nonresident school district; (3) students with unusual disciplinary or emotional problems who would have a greater ability to succeed in the environment of the nonresident school district; (4) students whose parents move from the district during a school year; and (5) students whose parents are employed within the nonresident district.

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 unilaterally admitting with tuition a nonresident student whereby neither district is eligible for State School Fund moneys.
3. 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.

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

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.