

## **Resident Students**

### **Students a Fixed Place of Residence**

Pursuant to ORS 339.1 15(3), the district will not exclude from enrollment in school a student found in the district solely because the student is not under the supervision of a parent, guardian or person in a parental relationship or has no fixed place of residence in the district.

### **Residence by Custodial Delegation**

A nonresident student through the parent(s)/legal guardian(s) may petition the district, as set forth by administrative procedure, to establish resident status within the district by custodial delegation as provided in ORS 109.056. Students seeking resident and tuition exempt status through custodial delegation of parental authority, are required to seek the superintendent's approval before enrollment in district schools, or, in the case of an enrolled resident student, at least 30 days before any change in such resident status. Summary reports will be provided to the Board quarterly. The custodial delegation status must be reviewed by the superintendent every six months. Failure to provide accurate information or any misrepresentation of information will lead to nonresident tuition student status.

### **Admission of Resident Students**

School-age students who live within the district attendance area between the ages of 5-19 shall attend school without paying tuition.

1. Residents over age 19 who have a diploma may be admitted with the approval of the superintendent and upon payment of tuition at the rate established by the Board. Students who turn 19 years of age during the school year shall continue to be eligible for a free and appropriate public education for the remainder of the school year.
2. The superintendent or designee may admit otherwise eligible students who have not yet attained 21 years of age prior to the beginning of the current school year if they are shown to be in need of additional education in order to receive a diploma; or age 21 if receiving special education services and have not yet received a regular high school diploma. These students may attend school without paying tuition for the remainder of the school year.
3. Students with disabilities voluntarily placed outside the home by their parent may continue to attend the school the student was attending prior to the placement as a district resident when the student's parent and school staff can demonstrate it is in the student's best interest.

4. The superintendent or designee may, deny regular school admission to students who have become residents and who are under expulsion from another school district for reasons other than a weapons policy violation.
5. The superintendent or designee shall deny for at least one calendar year from the date of the expulsion regular school admission to students who have become residents and who are under expulsion from another school district for a weapons policy violation.
6. The superintendent or designee may, provide alternative programs of instruction to students expelled for a weapons policy violation.

### **Inter-District Student Agreements**

Pursuant to ORS 339.125(1), students (resident or nonresident) shall submit the necessary information and completed forms to the office of the superintendent for approval or denial. Initial admission and annual renewal must be approved by the superintendent in consultation with the Board chair or designee. This written consent shall form a contract, which shall be in writing on forms provided by the Department of Education as required by ORS 339.125(1). For nonresident students, the district shall recover the cost of educating such student by counting his/her membership in the resident section of the Pupil Personnel Accounting Report for the purpose of the receipt of State School Fund revenue. Nonresident students eligible for special education services shall be considered for admission under the criteria set forth in ORS 343.221(3) and ORS 339.133(6). If written consent is not successfully obtained from the resident district for nonresident students, nonresident tuition must be paid. A summary report will be provided to the Board quarterly.

### **New Residence**

If the parent(s)/legal guardian(s) establishes by filing with the district the required documentation that they intend to become legal residents of the district by buying, building, renting, etc., but are unable to occupy the residence by the commencement of school classes at the beginning of any school year, the policy of the district shall be as follows: Students of these families will be permitted to enroll and attend school as resident students until November 1. If legal residence in the district is not established by November 1, the student will become a tuition-paying nonresident with tuition assessed beginning the day of enrollment, unless an Inter-District Nonresident Pupil Agreement is successfully obtained. This tuition is payable immediately for at least the first half of the school year.

### **Removal of In-District Residence**

Students whose parent(s)/legal guardian(s) remove their legal residence from within the district prior to the close of the school year may continue as resident tuition-exempt students of the district if this removal of district residence is during or after spring break. If such residency removal occurs prior to spring break, in order to continue as enrolled students of the district, the student must pay tuition or obtain approval of an Inter-District Nonresident Student Agreement. Tuition is payable immediately for the remainder of the school year.

END OF POLICY

**Legal Reference(s):**

[ORS 109.056](#)

[ORS 327.006](#)

[ORS 339.115](#)

[ORS 339.133](#)

[ORS 339.134](#)

[ORS 433.267](#)

SB 215 (2007)