



**BOARD MEETING DATE**  
**November 14, 2011**

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## **FIRST READING OF SCHOOL BOARD POLICY**

### **POLICY ISSUE/SITUATION:**

Attached are OSBA and BSD staff suggested changes presented for a first reading. The policy is:

- **JECB** – Admission of Non-Resident Students

### **BACKGROUND INFORMATION:**

Departments are continuing to work to reach compliance of the policies pertinent to their areas. During this school year we will continue to present various sets of new policy changes for review.

### **RECOMMENDATION:**

It is recommended that the School Board review this first reading.

*The Beaverton School District recognizes the diversity and worth of all individuals and groups. It is the policy of the Beaverton School District that there will be no discrimination or harassment of individuals or groups based on race, color, religion, gender, sexual orientation, gender identity, gender expression, national origin, marital status, age, veterans' status, genetic information or disability in any educational programs, activities or employment.*



# BOARD POLICY and AR TRACKING SHEET

Board Policy Code: JECB	Board Policy Name: <b>Admission of Nonresident Students</b>
Policy Contact: Carl	Associated Policies/AR: <b>JECB-AR</b>

Existing Policy \_\_\_\_\_      New Policy  \_\_\_\_\_      Internal Review \_\_\_\_\_      OSBA Update 9/11 UD      Retire \_\_\_\_\_

**POLICY**

- Legal Counsel \_\_\_\_\_
- Date to Supt. Council 11/1/11
- Board Breakfast/Lunch 11/2/11
- Date of First Board Reading 11/14/11
- Date of Second Board Reading \_\_\_\_\_

**ADMINISTRATIVE REGULATION (AR)**

- Legal Counsel \_\_\_\_\_
- Date to Supt. Council \_\_\_\_\_

**Comments**

10/27/11 Policy updated per OSBA recommendations  
 11/1/11 Made changes per SC recommendations  
 11/2/11 Made changes recommended at Pre-Board meeting

School Board Goal for 2010 – 2015:  
 All students will show continuous progress toward their personal learning goals, developed in collaboration with teachers and parents, and will be prepared for post-secondary education and career success.

## ADMISSION OF NON-RESIDENT STUDENTS\*\*

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 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. By unilaterally admitting with tuition a non-resident student whereby neither district is eligible for State School Fund moneys;
4. 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 non-resident students who are under expulsion from another district for a weapons policy violation. The Board (will) (will not) (may, based on district criteria,) deny (regular school) (alternative education program) admission to nonresident students who are under expulsion from another district for reasons other than a weapons policy violation.

### **Consent by Affected Boards District**

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 educational records.

The District may consider situations such as:

- Students with unusual academic needs or abilities that can be met more readily by school services available in a non-resident ~~school~~ district;
- Students living in remote areas whose school transportation can be met more conveniently and efficiently by the non-resident ~~school~~ district;
- Students with unusual disciplinary or emotional problems who would have a greater ability to succeed in the environment of the non-resident ~~school~~ district;
- Students whose parents move from the district during a school year; and
- Students who parents are employed within the non-resident district.

~~The District shall deny regular school admission to non-resident students who are under expulsion from another school district for a weapons policy violation. The District may deny regular school admission to non-resident students who are under expulsion from another district for reasons other than a weapons policy violation. The Superintendent may have discretion over student placement in this situation.~~

~~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.~~
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.~~

**Consent of Board for the District in which the School is Located**

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 or the combination of both. 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, color, religion, gender sex, sexual orientation, gender identity, gender expression, ethnicity, national origin, disability, terms of individual education program, income level, proficiency in the English language or athletic ability marital status, age, veterans' status, genetic information or disability in any educational programs, activities or employment.

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.

The Superintendent, or designee, shall develop administrative rules to implement this policy.

END OF POLICY

Legal References:

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|------------------------|-----------------------|
| ORS 109.056            | ORS 339.141           |
| <del>ORS 294.100</del> | ORS 339.250           |
| ORS 327.006            | ORS 343.221           |
| ORS 329.485            | ORS 433.267           |
| ORS 335.090            | <u>HB 3681 (2011)</u> |
| ORS 339.115 – 339.133  |                       |

Letter Opinions, Office of the Attorney General (March 15, April 18 and June 30, 1988)  
~~Oregon Department of Education, Memo #42-1994-95, #23-1988-89.~~  
 OR. DEP'T OF EDUC., ODE EXECUTIVE MEMORANDA 23-1988-89, 42-1994-95.