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## Admission of Resident Students\*\*

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Resident students may be admitted under the following conditions:

1. A student is considered to be a resident student if they reside permanently or continuously with a parent or person in a parental relationship within the district attendance area. School-age students between the ages of 5-19, who live within the district attendance area, shall be allowed to attend school without paying tuition.
2. A student who turns 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.
3. The district may admit an otherwise eligible student who is not receiving special education and who has not yet attained 21 years of age prior to the beginning of the current school year if the student is shown to be in need of additional education in order to receive a diploma or a modified diploma. This student may attend school without paying tuition for the remainder of the school year.
4. The district shall admit an otherwise eligible student who has not yet attained age 21 prior to the beginning of the current school year if the student is receiving special education services and:
  - a. Has not yet received a regular high school diploma; or
  - b. Has received a modified diploma, an extended diploma or ~~an alternative~~ a certificate of attendance.
  - c. These students may attend school without paying tuition for the remainder of the school year.
5. Students whose parent or guardian voluntarily placed the child outside the child's home with a public or private agency and who is living in a licensed, certified or approved substitute care program, and whose residency is established pursuant to Oregon Revised Statute (ORS) 339.134.
6. Students who are military children<sup>1</sup> are considered resident of the district if the district is the district of military residence<sup>2</sup> for the military child. Parents of military students must provide proof of residency within 10 days after the date of military transfer or pending transfer indicated on the official military order.
7. The district may, based on district criteria, deny 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. ~~The~~

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<sup>1</sup> "Military child" means a child who is in a military family covered by the Interstate Compact on Educational Opportunity for Military Children, as determined under rules adopted by the State Board of Education.

<sup>2</sup> "School district of military residence" means the school district in which 1) the family of a military child intends to reside as the result of a military transfer; or 2) if the school district in which the family intends to reside is unknown, the school district in which the military installation identified in the official military order is located.

~~district will place students appropriately.~~ The district will uphold the conditions of expulsion for the designated time remaining for the expulsion.

8. The district 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 related to firearms in violation of ~~for~~ a weapons policy ~~violation and/or state law~~. The superintendent may modify the time period as warranted by circumstances.

9. ~~The district will not provide alternative programs of instruction to student who are currently under expulsion for a weapons policy violation.~~

~~State law considers a~~ A child is considered to be six years of age and is eligible to enter first grade if their ~~the~~ sixth birthday ~~of the child occurred~~ occurs on or before September 1 of that school year, ~~and is eligible to enter first grade;~~ ~~a~~ A child is considered to be five years of age and is eligible to enter kindergarten if their the fifth birthday ~~of the child occurred~~ occurs on or before September 1 of that school year, ~~and is eligible to enter kindergarten~~.

Students who attend a district school on an interdistrict transfer ~~or interdistrict open enrollment~~ are considered residents of the district.

END OF POLICY

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**Legal Reference(s):**

ORS 109.056

ORS 327.006

ORS 339.115

ORS 339.133

ORS 339.134

ORS 433.267

Illegal Immigration and Immigration Reform Act of 1996, 8 U.S.C. §§ 1101, 1221, 1252, 1324, 1363, 1367 (2012).

McKinney-Vento Homeless Assistance Act, Subtitle VII-B, reauthorized by Title IX-A of Every Student Succeeds Act (ESSA) 42 U.S.C. §§ 11431, 11431a) (2015).