



## ADMINISTRATIVE DIRECTIVE

**4.10.047-AD**

# **Residency & Neighborhood School Assignment**

### **I. Introduction**

- A. Students shall attend the neighborhood school in the attendance area where they reside with their parent, guardian or other supervising adult, unless they:
  - 1. Have an approved transfer,
  - 2. Are assigned to another school (see Section VI),
  - 3. Are an emancipated minor, or
  - 4. Are otherwise exempt from compulsory enrollment laws (see 4.10.010-P).
- B. Students who qualify as homeless under the Federal McKinney-Vento Act are not required to provide proof of supervision or residency in order to enroll in school.

### **II. Definitions**

- A. "Guardian" means a person entrusted by law with the care of a child.
- B. "Supervising adult" means an adult in a parental relationship who has physical custody of a child or resides in the same household as a child, interacts with the child daily, provides the child with food, clothing, shelter and incidental necessities and provides the child with necessary care, education and discipline, pursuant to ORS 339.133(8)(a). It does not mean a person with a power of attorney or other written delegation of parental responsibilities if the person does not have other evidence of a parental relationship.
- C. "Transfer" means a formal request by a District family for a student to attend a school or program other than his/her neighborhood school or to return to his/her neighborhood school from a transfer school (see 4.10.051-P and 4.10.054-AD).
- D. "Emancipated minor" means a person who has been so declared by the courts pursuant to ORS Chapter 419B or similar out-of-state statute.
- E. "Supervision agreement" means an agreement in which an adult who is not the parent or legal guardian of a student assumes responsibility for that student for the purposes of educational and residency decisions.
- F. "Neighborhood school" means a school serving a designated attendance area within a school district and as defined in 6.10.022-P.

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- G. "Attendance area" means a geographic area served by an individual school.
- H. "Student's residence" means the place where a student eats, sleeps and otherwise lives with some degree of permanency with the student's parent, guardian or other supervising adult. Owned, leased or rented secondary domiciles or other property, or places of business apart from primary residences, and addresses designed only for receipt of U.S. mail, do not constitute a place of residence.

### III. Residency

- A. Students are considered residents of the attendance area where they live with:
  - 1. A parent,
  - 2. A guardian,
  - 3. A substitute care provider, including a foster care and court-appointed provider, as provided in ORS Chapter 339, or
  - 4. A supervising adult who has obtained a Supervision Agreement from the Enrollment and Transfer Center (ETC) due to a hardship circumstance.
- B. Students whose parents are separated or divorced are considered residents of the attendance area in which their custodial parent resides.
- C. Students who are considered to have reached the age of majority through becoming 18 years of age or older, marriage or being legally emancipated minors are considered residents of the attendance areas in which they reside.

### IV. Proof of Residency

- A. Proof of residency is necessary to determine the correct school district, as required by ORS Chapter 339, and neighborhood school assignment for each student.
- B. Two current documents reflecting the student's residence shall be provided to the school or ETC staff prior to student enrollment. Proof of residency documents include:
  - 1. Utility bills, such as phone, electricity, natural gas or water,
  - 2. Real estate documents, such as a rent receipt or lease agreement with the name of the tenant and landlord and contact information, mortgage statement or real estate closing statement,
  - 3. Insurance statement, such as automobile, home, rental or health,



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- a) A change to the new neighborhood school does not require approval if made during natural school breaks, such as between semesters or school years.
  - b) Students who wish to begin attending their new neighborhood school at other times of the school year must use the petition transfer process (4.10.054-AD).
- B. When students move to another school district, their parent or supervising adult shall inform their current principal. The principal shall submit a Nonresident Report Form to the ETC for any student who moves out of the District.
- 1. Students may remain in their currently enrolled school if:
    - a) The new school district is in Oregon and has granted the student an inter-district transfer (see 4.10.040-P), or
    - b) The parent, guardian, supervising adult or another entity has agreed to pay tuition (see 4.10.041-AD).

### VI. School Assignment Other Than Neighborhood School

- A. Students may be assigned to a school other than their neighborhood school with:
- 1. An approved transfer
  - 2. A plan and placement for special program services which include, but are not limited to:
    - a) Special education,
    - b) English as a second language,
    - c) Alternative education (Education Options), or
    - d) Post-disciplinary action.

Policy Implemented: 4.10.045-P

Legal References: ORS 339.133-.134; ORS Chapter 419B

History: Replaces 4.10-045-AD (Minors Not Living With Parents Or Guardians), 4.10.056-AD (Families Who Move); Adpt. 8/09