

StudentsStudent Residence, Admission, and Contracting for Educational Services

Students shall be admitted to the ~~School~~ District, upon request and without charge, who are:

1. A resident of the ~~School~~ District for purposes of school enrollment. A student is a resident of the ~~School~~ District if the student resides in the ~~School~~ District or at least one parent/guardian of the student resides in the ~~School~~ District.
2. A homeless student. The following definition shall be used to determine which students fit this category. A homeless individual is one who:
 - a. Lacks a fixed, regular, and adequate nighttime residence; ~~and, or,~~
 - b. Has a primary nighttime residence in a supervised publicly or privately-operated shelter designed to provide for temporary accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill), an institution providing temporary residence for individuals intended to be institutionalized, or a public or private place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings. The term “homeless” or “homeless individual” does not include any individual imprisoned or otherwise detained by an Act of Congress or state law.
3. Approved for option enrollment into the ~~School~~ District.

Students may be admitted to the ~~School~~ District, or continue in enrollment, where:

1. The student is not a resident of the ~~School~~ District and is a resident of Nebraska. Such enrollment shall be pursuant to a contract between the Boards of Education of this ~~School~~ District and the ~~School~~ District in which the student is a resident and upon the collection of tuition pursuant to such contract. ~~The amount of tuition shall be no less than the average cost per pupil as determined by the previous year’s financial report.~~
2. The student is not a resident of the ~~School~~ District and is a resident of another state. Such enrollment shall be subject to collection of tuition in advance at a rate determined by the ~~School~~ Board. Out of state students will only be accepted after all qualified Nebraska student applications have been considered.
3. The student is participating in an approved Foreign Exchange Program.
4. The student is a child of a member of the military on active duty and residing on certain property ceded to the United States and stationed in, near or adjacent to the ~~School~~ District, and children of employees of the federal government residing in Nebraska on national parks or national monuments within the state in, near or adjacent to the ~~School~~ District. Such discretionary admission shall be without charge for tuition.
5. The student’s residency in the ~~School~~ District ceases during the school year. In such a case, the student may be allowed to continue attending the ~~School~~ District for the remainder of that school year.

A child who is a ward of the state or court and:

1. Has been placed in the ~~School~~ District but had resided in a different school district at the time the child became a ward and does not reside in a foster family home; or,
2. Has been placed in an institution which maintains a state-approved special education program, may be enrolled in the ~~School~~ District to the extent required by law.

In such an event, costs of education and transportation are to be paid by the state, but not in advance. The child remains a resident of the **School** District in which the child resided at the time the child became a ward.

A child who is a ward of the state or court who resides in the **School** District in a foster family home licensed or approved by the Department of Health and Human Services (“Department”) or a foster home maintained or used by the Department, remains a resident of the **School** District in which the child resided at the time the child became a foster child. This is subject to a determination being made in accordance with the Foster Care Review Act that the child will not attend such a school district. If such a determination is made, the child is deemed to be a resident of the **School** District and will be admitted as a resident student.

A child who is not a ward of the state or court and who is residing in a residential setting in the **School** District for reasons other than to receive an education is subject to the following:

1. If the residential setting does not maintain an interim-program school, the **School** District will provide the educational services to the child pursuant to a contract with the **School** District in which the child resided immediately prior to such placement, as and to the extent required by law. This is subject to the parent/guardian and such other school district agreeing to have such other school district provide the educational services.
2. If the residential setting does maintain an interim-program school, the child’s educational services will be provided by the interim-program school without the **School** District’s involvement. However, the **School** District may provide educational services to the child pursuant to a contract with the **School** District in which the child resided immediately prior to such placement.

All admissions are subject to the condition that admission requirements other than residency be satisfied to the extent required by law and that the **School** District is legally responsible for or authorized to admit the child or provide educational services to the child.

Legal Reference: [Neb. Rev. Stat. § 79-215](#)
 [Neb. Rev. Stat. §§ 79-232 to 79-246](#)
 [42 U.S.C. § 11431 et. seq.](#)
 [NDE Rule 9](#)

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