

SB 1521-2
(LC 90)
2/12/18 (HRL/ps)

Requested by Representative DOHERTY

**PROPOSED AMENDMENTS TO
SENATE BILL 1521**

1 In line 1 of the printed bill, after “amending” delete the rest of the line
2 and lines 3 and 4 and insert “ORS 339.125, 339.127, 339.128 and 339.133 and
3 section 9, chapter 718, Oregon Laws 2011; and repealing sections 21 and 22,
4 chapter 718, Oregon Laws 2011, section 24, chapter 60, Oregon Laws 2016, and
5 section 7, chapter 690, Oregon Laws 2017.”.

6 Delete lines 6 through 27 and insert:

7 **“SECTION 1. Sections 21 and 22, chapter 718, Oregon Laws 2011,**
8 **section 24, chapter 60, Oregon Laws 2016, and section 7, chapter 690,**
9 **Oregon Laws 2017, are repealed.**

10 **“SECTION 2.** Section 9, chapter 718, Oregon Laws 2011, as amended by
11 section 5, chapter 434, Oregon Laws 2013, and section 10, chapter 7, Oregon
12 Laws 2016, is amended to read:

13 **“Sec. 9. (1)(a)** For purposes of ORS 339.133 (5)(a)(B) **and except as pro-**
14 **vided in paragraph (b) of this subsection,** a person whose legal residence
15 is not within a school district but who attends school in the district is con-
16 sidered a resident of the district in which the person attends school if the
17 person receives written consent to attend school from the district school
18 board where the school is located, as provided by this section. **A person**
19 **does not need the approval of the person’s resident school district to**
20 **receive consent from another school district, and the resident school**
21 **district does not need to take any action for the person to be consid-**

1 **ered a resident of the consenting school district.**

2 **“(b) A person who receives consent as provided by this section is**
3 **not considered a resident of the consenting school district if the dis-**
4 **trict school board of the person’s resident school district has deter-**
5 **mined that:**

6 **“(A) The district school board will not give consent to any persons,**
7 **as allowed by subsection (2) of this section; and**

8 **“(B) The school district:**

9 **“(i) Is experiencing declining enrollment, as determined by com-**
10 **paring the current ADMw with the ADMw of the prior year as calcu-**
11 **lated under ORS 327.013;**

12 **“(ii) Is experiencing median core class sizes that exceed the state**
13 **median core class sizes in the current or immediately preceding school**
14 **year, as determined by the Department of Education based on rules**
15 **adopted by the State Board of Education;**

16 **“(iii) Offers student and family supports that are provided directly**
17 **through the schools and that are not academic-based supports;**

18 **“(iv) Has a poverty rate that exceeds the state average for the**
19 **current or immediately preceding school year; or**

20 **“(v) Has received a waiver from the Department of Education based**
21 **on rules adopted by the State Board of Education because compliance**
22 **with the requirements of this section would adversely impact the fi-**
23 **nances of the school district.**

24 **“(2)(a) By March 1 of each year, a district school board shall determine**
25 **whether the board will give consent to persons whose legal residence is not**
26 **within the school district.**

27 **“(b) A district school board may determine that the board will not**
28 **give consent to any persons under this section. The district school**
29 **board may choose to specify and document that the reason for not**
30 **giving consent is because of one or more reasons described in sub-**

1 **section (1)(c)(B) of this section for the purpose of subsection (1)(c) of**
2 **this section.**

3 “[*b*] (c) If the district school board will give consent, the board shall
4 establish standards by which consent will be given. The standards must:

5 “(A) Identify the number of persons to whom consent will be given for the
6 school year. The district school board may limit the number of persons to
7 whom consent will be given based on school, grade or a combination of
8 school and grade.

9 “(B) Allow persons who live within the boundaries of the school district
10 the first opportunity to change to a different school in the district if the
11 district school board will be giving consent to attend that school to persons
12 who do not reside within the district.

13 “(3) A person seeking consent as provided by this section must request
14 consent no later than April 1 prior to the beginning of the school year for
15 which consent is being requested. Requests may be submitted before the
16 district school board makes the determination and establishes the standards
17 described in subsection (2)(c) of this section, but may not be considered by
18 the board when the board makes the determination and establishes the
19 standards.

20 “(4)(a) A district school board must give consent to a person who requests
21 consent unless:

22 “(A) The board decides to not give consent to any person as allowed by
23 subsection (2) of this section;

24 “(B) The board decides to limit the number of persons to whom consent
25 will be given and the person was not selected to be given consent based on
26 the selection process described in subsection (5) of this section; [*or*]

27 “(C) The board is not required to admit the person, as provided by ORS
28 339.115 (8)[.]; **or**

29 **“(D) The district school board has knowledge that the person seek-**
30 **ing consent is from a school district that has made a determination**

1 **described in subsection (1)(b)(B) of this section.**

2 “(b) A district school board may not deny consent or give priority based
3 on race, religion, sex, sexual orientation, ethnicity, national origin, disabil-
4 ity, terms of an individualized education program **or a behavior inter-**
5 **vention plan**, income level, proficiency in the English language, [*athletic*]
6 **ability in athletics, music or any other interscholastic activity** or resi-
7 dence.

8 “(5) If the number of persons seeking consent exceeds the number of per-
9 sons to whom the district school board has determined will be given consent,
10 the board shall give consent based on an equitable lottery selection process.
11 The process may give priority to persons who have siblings currently en-
12 rolled in a school of the school district, but in no event may a sibling be
13 given priority to any open spot in the schools of the school district over any
14 persons who reside within the school district.

15 “(6)(a) If a person is considered a resident of the school district as pro-
16 vided by this section and the person has expressed an interest in attending
17 the schools of another school district before the end of the school year, the
18 school district shall meet with the person and encourage the person to con-
19 tinue to attend the schools of the school district for the remainder of the
20 school year.

21 “(b) If a person is considered a resident of the school district as provided
22 by this section, the school district may not encourage or require the person
23 to attend the schools of another school district as a condition of avoiding a
24 disciplinary measure, including but not limited to suspension or expulsion.

25 “(7)(a) Except as provided by paragraphs (b) and (c) of this subsection, a
26 person who receives consent and who is considered a resident of a district
27 as provided by this section shall be considered a resident of the district for
28 all educational purposes. A person who is considered a resident of the dis-
29 trict as provided by this section shall continue to be considered a resident
30 of the district until the person:

1 “(A) Graduates from high school;

2 “(B) Is no longer required to be admitted to the schools of the school
3 district under ORS 339.115; or

4 “(C) Enrolls in a school in a different school district.

5 “(b) A school district is not required to provide transportation outside the
6 boundaries of the district to a person who is considered a resident of the
7 district as provided by this section, except that a district:

8 “(A) Must allow persons who are considered a resident of the district as
9 provided by this section to use existing bus routes and transportation ser-
10 vices of the district. Costs incurred for transportation provided under this
11 subparagraph are considered approved transportation costs for purposes of
12 ORS 327.013, except for costs incurred for providing transportation solely to
13 persons who are considered residents of the district as provided by this sec-
14 tion if the transportation is provided:

15 “(i) Outside the boundaries of the district; and

16 “(ii) For the purpose of transporting the persons between home and
17 school.

18 “(B) May provide a stipend for a person who is a member of a low-income
19 family, as defined in ORS 339.147, in an amount that does not exceed the
20 district’s average cost per student for transportation.

21 “(C) Must provide transportation if required by federal law. Costs in-
22 curred for transportation provided under this subparagraph are considered
23 approved transportation costs for purposes of ORS 327.013.

24 “(c) After the first year that a person is considered a resident of a district
25 as provided by this section, the district school board may transfer the person
26 to a different school in the district. Any transfers must be made consistent
27 with district policy and do not affect the status of the person as a resident
28 of the district.

29 “(8) A district school board shall provide written notification of the at-
30 tendance of a person who receives consent as provided by this section to the

1 district school board where the legal residence of the person is located. The
2 written notification required by this subsection must be provided no later
3 than May 1 prior to the beginning of the school year for which consent was
4 given.

5 “(9) Nothing in this section:

6 “(a) Requires a district school board to give consent to siblings if the
7 board determines that consent will not be given to any students for a school
8 year.

9 “(b) Prevents a school district from entering into interagency agreements
10 to provide services to persons who do not reside in the school district or are
11 not considered residents of the school district.

12 “(c) Prevents or otherwise limits a district school board from providing
13 consent to a person who has received consent from the district school board
14 for the school district in which the person resides, as provided by ORS
15 339.133 (5)(a)(A).

16 **“SECTION 3.** ORS 339.125 is amended to read:

17 “339.125. (1)(a) [*The*] **A** district school board may contract with the dis-
18 trict school board of any other district for the admission of pupils in schools
19 of the other district. The contract shall be in writing upon forms furnished
20 by the Department of Education.

21 **“(2)(a) A district school board shall use criteria established by the**
22 **board when determining whether to enter into a contract under this**
23 **section. In the criteria the district school board may not consider race,**
24 **religion, sex, sexual orientation, ethnicity, national origin, disability,**
25 **health, whether a pupil has an individualized education program or a**
26 **behavior intervention plan, the terms of an individualized education**
27 **program or a behavior intervention plan, income level, residence,**
28 **proficiency in the English language, academic records or ability in**
29 **athletics, music or any other interscholastic activity.**

30 **“(b) Criteria established as provided by this subsection must be**

1 **made available on the website of the district and at the district’s main**
2 **office.**

3 **“(3) If a district school board decides not to enter into a contract**
4 **as provided by this section, the district must provide to pupils in the**
5 **district an explanation for the decision and allow pupils to submit an**
6 **appeal to the district school board.**

7 **“(4) Expense incurred by the district receiving pupils** shall be paid out
8 of the school funds of the district sending [*such*] **the** pupils. If the district
9 sending the pupils fails to pay the expense [*so*] incurred according to the
10 terms of the contract, the administrative office for the county containing
11 [*such*] **the** school district, after satisfactory proof of [*such*] **the** failure, shall
12 deduct the amount of the unpaid expense from the amount due the school
13 district at the next regular apportionment. The county treasurer shall pay
14 the amount of the reduced apportionment out of the county school fund.

15 **“[(2)] (5) [In case] If** the school district sending the pupils is a joint dis-
16 trict, jurisdiction shall be exercised by the administrative office for the
17 county in which the most populous part of [*such*] **the** district is situated,
18 according to the latest school census. The office’s action in the matter is
19 final.

20 **“(6) Nothing in this section obligates a school district to take any**
21 **action under section 9, chapter 718, Oregon Laws 2011.**

22 **“SECTION 4.** ORS 339.127, as amended by section 23, chapter 60, Oregon
23 Laws 2016, is amended to read:

24 **“339.127. (1) A district school board that admits nonresident students by**
25 **giving consent as described in ORS 339.133 (5)(a)(A) may not consider race,**
26 **religion, sex, sexual orientation, ethnicity, national origin, disability, health,**
27 **whether a student has an individualized education program or a behavior**
28 **intervention plan, the terms of an individualized education program or a**
29 **behavior intervention plan, income level, residence, proficiency in the**
30 **English language, [*athletic ability or*] academic records or ability in ath-**

1 **letics, music or any other interscholastic activity** when:

2 “(a) Determining whether to give consent; or

3 “(b) Establishing any terms of consent.

4 “(2) A district school board that is considering whether to admit a non-
5 resident student by giving consent may require only the following informa-
6 tion prior to deciding whether to give consent:

7 “(a) The name, contact information, date of birth and grade level of the
8 student;

9 “(b) Information about whether the school district may be prevented or
10 otherwise limited from providing consent as provided by ORS 339.115 (8);

11 “(c) Information about whether the student may be given priority as pro-
12 vided by subsection (4) of this section; and

13 “(d) Information about which schools the student prefers to attend.

14 “(3)(a) A district school board that is considering whether to admit a
15 nonresident student by giving consent may not:

16 “(A) Request or require any person to provide or have provided any of the
17 following information related to a student prior to the district school board
18 deciding whether to give consent to the student:

19 “(i) Information about the student’s race, religion, sex, sexual orientation,
20 ethnicity, national origin, disability, health, whether a student has an indi-
21 vidualized education program, the terms of an individualized education pro-
22 gram, income level, residence, proficiency in the English language or athletic
23 ability; or

24 “(ii) Academic records, including eligibility for or participation in a tal-
25 ented and gifted program or special education and related services.

26 “(B) Request or require the student to participate in an interview, to tour
27 any of the schools or facilities of the school district or to otherwise meet
28 with any representatives of a school or a school district prior to the district
29 school board deciding whether to give consent to the student.

30 “(C) Request any information used to supplement the information de-

1 scribed in subsection (2) of this section prior to deciding whether to give
2 consent to the student.

3 “(b) Nothing in this subsection prevents a student from voluntarily tour-
4 ing any of the schools or facilities of a school district or from requesting or
5 receiving any information from a school or the school district.

6 “(4)(a) A district school board that gives consent as described in ORS
7 339.133 (5)(a)(A) may limit the number of students to whom consent is given.
8 The district school board must make the determination whether to limit the
9 number of students to whom consent is given by an annual date established
10 by the board.

11 “(b) If the number of students seeking consent exceeds any limitations
12 imposed by the district school board, the board must give consent to students
13 based on an equitable lottery selection process. The process may give priority
14 to students who:

15 “(A) Have siblings currently enrolled in a school of the same school dis-
16 trict for which the student seeks admission;

17 “(B) Previously had received consent as provided by subsection (10) of this
18 section because of a change in legal residence; or

19 “(C) Attended a public charter school located in the same district for
20 which the student seeks admission for at least three consecutive years,
21 completed the highest grade offered by the public charter school and did not
22 enroll in and attend school in another district following completion of the
23 highest grade offered by the public charter school.

24 “(c) A district school board may revise the maximum number of students
25 to whom consent will be given at a time other than the annual date estab-
26 lished by the board if there are no pending applications for consent.

27 “(5) A district school board that is requested to give consent to allow a
28 resident student to be admitted by another school district as described in
29 ORS 339.133 (5)(a)(A) may not consider race, religion, sex, sexual orientation,
30 ethnicity, national origin, disability, health, whether a student has an indi-

1 individualized education program **or a behavior intervention plan**, the terms
2 of an individualized education program **or a behavior intervention plan**,
3 income level, residence, proficiency in the English language, [*athletic ability*
4 *or*] academic records **or ability in athletics, music or any other inter-**
5 **scholastic activity** when determining whether to give consent.

6 “(6) If a district school board decides to not give consent to a student, the
7 board must provide a written explanation to the student.

8 “(7)(a) For a nonresident student who receives consent to be admitted to
9 a school district as described in ORS 339.133 (5)(a)(A), a district school
10 board may:

11 “(A) Determine the length of time for which consent is given; and

12 “(B) Revoke consent for failure to comply with minimum standards for
13 behavior or attendance, but may not revoke consent for failure to meet
14 standards for academics.

15 “(b) Any limitations in length of time for consent, as allowed under par-
16 agraph (a) of this subsection, must be applied consistently among all students
17 to whom consent is given. The length of time for which consent is given shall
18 not be affected by any changes in the legal residence of the student if the
19 student wishes to continue to attend the schools of the school district.

20 “(c) If consent is revoked as provided by paragraph (a) of this subsection,
21 a student may not request consent from the same school district that revoked
22 the consent for the school year following the school year in which the con-
23 sent was revoked.

24 “(8) For a resident student who receives consent to be admitted to another
25 school district as described in ORS 339.133 (5)(a)(A), a district school board
26 may not impose any limitations on the length of time for which consent is
27 given to the student. The board may not require the student to receive
28 consent more than one time to be admitted to the same school district, re-
29 gardless of any time limitations imposed by the district school board under
30 paragraph (a) of this subsection.

1 “(9)(a) A school district that provides consent to nonresident students to
2 attend the schools of the school district may not expend moneys received
3 from the State School Fund or as Local Revenues, as described in ORS
4 327.011, to advertise openings for nonresident students if the advertisements
5 are:

6 “(A) Located outside the boundaries of the school district, including ad-
7 vertisements that are made by signage or billboards; or

8 “(B) Directed to nonresident students, including:

9 “(i) Advertisements that are targeted to nonresident students through di-
10 rect mail or online marketing;

11 “(ii) Television or radio advertisements; or

12 “(iii) Newspaper advertisements, unless the advertisement is in a news-
13 paper that primarily serves the residents of the school district.

14 “(b) Notwithstanding paragraph (a)(A) of this subsection, if a school is
15 located outside the boundaries of the school district, the school district may
16 advertise openings for nonresident students on the property of the school.

17 “(c) Nothing in this subsection:

18 “(A) Prohibits a school district from providing information or advertise-
19 ments to nonresident students if the parents of the students request the in-
20 formation or advertisements.

21 “(B) Prohibits a public charter school from advertising openings.

22 “(10) Notwithstanding any other provision of this section, a district
23 school board that is requested to give consent as described in ORS 339.133
24 (5)(a)(A) must give consent to a student whose legal residence changes to a
25 different school district:

26 “(a) During the school year, to enable the student to complete the school
27 year in the school district; or

28 “(b) During the summer prior to the school year, to enable the student
29 to complete the school year following the summer in the school district.

30 “(11) Nothing in this section:

1 “(a) Requires a district school board to admit students for whom priority
2 may be given under subsection (4)(b) of this section if the board imposes
3 limitations on the number of students admitted by consent.

4 “(b) Prevents a district school board from denying admission to a non-
5 resident student as provided by ORS 339.115 (8).

6 “(c) Prevents a district school board from requesting information or giv-
7 ing consent to a student in the event of:

8 “(A) An emergency to protect the health, safety or welfare of the student;
9 or

10 “(B) A hardship of the student, as determined based on rules adopted by
11 the State Board of Education.

12 “(d) Prevents a district school board from establishing minimum standards
13 for behavior and attendance that a student must maintain to remain enrolled
14 in the schools of the school district.

15 **“SECTION 5.** ORS 339.128 is amended to read:

16 “339.128. (1) A district school board that admits nonresident students and
17 charges nonresident students tuition may not consider race, religion, sex,
18 sexual orientation, ethnicity, national origin, disability, health, whether a
19 student has an individualized education program **or a behavior inter-**
20 **vention plan**, the terms of an individualized education program **or a be-**
21 **havior intervention plan**, income level, residence, proficiency in the
22 English language, [*athletic ability or*] academic records **or ability in ath-**
23 **letics, music or any other interscholastic activity** when:

24 “(a) Determining whether to accept a nonresident student; or

25 “(b) Establishing the amount of tuition.

26 “(2) A district school board that admits nonresident students and charges
27 nonresident students tuition may require a student seeking to attend the
28 schools of the school district to provide the following information:

29 “(a) The name, contact information, date of birth and grade level of the
30 student; and

1 “(b) Information about whether the school district may be prevented or
2 otherwise limited from admitting the student as provided by ORS 339.115 (8).

3 “(3)(a) A district school board that admits nonresident students and
4 charges nonresident students tuition may not:

5 “(A) Request or require any person to provide or have provided any of the
6 following information related to a student prior to the district school board
7 deciding whether to admit the student:

8 “(i) Information about the student’s race, religion, sex, sexual orientation,
9 ethnicity, national origin, disability, health, whether a student has an indi-
10 vidualized education program **or a behavior intervention plan**, the terms
11 of an individualized education program **or a behavior intervention plan**,
12 income level, residence, proficiency in the English language or [*athletic*]
13 ability **in athletics, music or any other interscholastic activity**; or

14 “(ii) Academic records, including eligibility for or participation in a tal-
15 ented and gifted program or special education and related services.

16 “(B) Request or require the student to participate in an interview, to tour
17 any of the schools or facilities of the school district or to otherwise meet
18 with any representatives of a school or a school district prior to the district
19 school board deciding whether to admit the student.

20 “(C) Request any information used to supplement the information de-
21 scribed in subsection (2) of this section prior to deciding whether to admit
22 the student.

23 “(b) Nothing in this subsection prevents a student from voluntarily tour-
24 ing any of the schools or facilities of a school district or from requesting or
25 receiving any information from a school or the school district.

26 “(4) If a district school board decides to deny admission to a nonresident
27 student and to charge the nonresident student tuition, the board must pro-
28 vide a written explanation to the student.

29 “(5) Nothing in this section:

30 “(a) Prevents a district school board from denying admission to a non-

1 resident student as provided by ORS 339.115 (8).

2 “(b) Prevents a district school board from requesting information or ad-
3 mitting a student in the event of an emergency to protect the health, safety
4 or welfare of the student.

5 “(c) Prevents a district school board from establishing minimum standards
6 for behavior and attendance that a student must maintain to remain enrolled
7 in the schools of the school district.

8 **“SECTION 6.** ORS 339.133, as amended by section 6, chapter 690, Oregon
9 Laws 2017, is amended to read:

10 “339.133. (1) As used in this section:

11 “(a) ‘Foster care’ means substitute care for children placed by the De-
12 partment of Human Services or a tribal child welfare agency away from their
13 parents and for whom the department or agency has placement and care re-
14 sponsibility, including placements in foster family homes, foster homes of
15 relatives, group homes, emergency shelters, residential facilities, child care
16 institutions and preadoptive homes.

17 “(b)(A) ‘Person in parental relationship’ means an adult who has physical
18 custody of an individual or resides in the same household as the individual,
19 interacts with the individual daily, provides the individual with food, cloth-
20 ing, shelter and incidental necessities and provides the individual with nec-
21 essary care, education and discipline.

22 “(B) ‘Person in parental relationship’ does not mean a person with a
23 power of attorney or other written delegation of parental responsibilities if
24 the person does not have other evidence of a parental relationship.

25 “(c) ‘School district of origin’ means the school district where an indi-
26 vidual was a resident before:

27 “(A) The individual was placed into foster care; or

28 “(B) The foster care placement of the individual changed.

29 “(d) ‘School of origin’ means the school that an individual attended be-
30 fore:

1 “(A) The individual was placed into foster care; or

2 “(B) The foster care placement of the individual changed.

3 “(2)(a) Except as provided in subsections (3) to (5) of this section, indi-
4 viduals between the ages of 4 and 18 shall be considered resident for school
5 purposes in the school district in which their parents, their guardians or
6 persons in parental relationship to them reside.

7 “(b) Nonemancipated individuals between the ages of 4 and 18 living
8 outside the geographic area of the school district for such reasons as at-
9 tending college, military service, hospital confinement or employment away
10 from home shall be considered resident in the district in which their parents,
11 their guardians or persons in parental relationship to them reside.

12 “(c) Individuals living temporarily in a school district for the primary
13 purpose of attending a district school may not be considered resident in the
14 district in which they are living temporarily, but shall be considered resident
15 in the district in which they, their parents, their guardians or persons in
16 parental relationship to them reside.

17 “(3) Individuals considered legally emancipated from their parents shall
18 be considered resident in the district in which they actually reside, irre-
19 spective of the residence of their parents, their guardians or persons in par-
20 ental relationship.

21 “(4)(a) An individual who is between the ages of 4 and 21 and who is
22 placed in foster care shall be considered a resident of:

23 “(A) The school district of origin; or

24 “(B) The school district where the individual resides due to placement by
25 the Department of Human Services or a tribal child welfare agency if a ju-
26 venile court determines it is not in the best interest of the individual to
27 continue attending the school of origin or any other school in the school
28 district of origin, based on consideration of all factors relating to the
29 individual’s best interests.

30 “(b) If a juvenile court makes a determination that it is not in the best

1 interest of the individual to continue attending the school of origin, the in-
2 dividual shall be immediately enrolled in a new school, even if the individual
3 is unable to produce records normally required for enrollment.

4 “(c) Individuals who are residents of their school district of origin pur-
5 suant to paragraph (a)(A) of this subsection shall:

6 “(A) Remain in the individual’s school district of origin and, if applicable,
7 the individual’s school of origin for the duration of the individual’s time in
8 foster care; and

9 “(B) Be provided, free of charge, transportation between the individual’s
10 home and the individual’s school district of origin or, if applicable, the
11 individual’s school of origin.

12 “(d) The Department of Education, the Department of Human Services,
13 tribal child welfare agencies and school districts shall collaborate to ensure
14 that the provisions of this subsection are implemented.

15 “(5)(a) Except as provided in ORS 327.006 (7) and 335.090, an individual
16 whose legal residence is not within the district but who attends school in
17 the district is considered a resident in the district in which the individual
18 attends school if the individual receives:

19 “(A) Written consent from both of the affected district school boards as
20 provided by policies adopted by the boards[.]; **or**

21 “(B) **Written consent from the district school board for the district**
22 **in which the school is located as provided by section 9, chapter 718,**
23 **Oregon Laws 2011.**

24 “(b) An individual whose legal residence is not within the district but
25 who attends school in the district is considered a resident in the district in
26 which the individual attends school if:

27 “(A) The legal residence of the individual had been in the district in
28 which the individual attends school before a boundary change was made to
29 the district;

30 “(B) The legal residence of the individual is no longer in the district in

1 which the individual attends school because of the boundary change; and
2 “(C) The individual has had the same legal residence and has contin-
3 uously been enrolled in a school in the district since the boundary
4 change.”.

5
