ADMISSION TO SCHOOL AND RESIDENCY

Attendance in Montana is controlled by law. If the student resides inside of the District, the student is entitled to attend a school within the District unless that student has been expelled by the Board or is otherwise ineligible. If the student resides outside of the District, attendance is usually within the discretion of the Board of Trustees. Section 20-5-320, MCA, discusses the criteria for discretionary non-resident attendance, and Section 20-5-321, MCA, discusses the criteria for mandatory non-resident attendance.

Under Montana law, a person can have only one residence, and a minor's residence is the residence of his or her parents. If the parents do not reside in the district, the child does not reside in the district. The only way to change the residence of a minor is for the parent to move, or for the court to terminate the parental rights and place the child with another family or individual.

In determining the place of residence the following rules, based on Section 1-1-215, MCA, will be observed:
1. It is the place where one remains when not called elsewhere or labor or other special or temporary purpose, and to which he or she returns in seasons of repose.
2. There can only be one residence.
3. A residence cannot be lost until another is gained.
4. The residence of the parent with whom an unmarried minor child maintains his/her place of abode is the residence of such unmarried minor child.
5. The residence of an unmarried minor who has a parent living cannot be changed by his/her own act.
6. The residence can be changed only by the union of act or intent.

Prior to admission of any student, the District will require proof of residency or qualification for admission under Section 20-5-321, MCA. A student shall be deemed to have complied with residency requirements if he/she meets any of the following criteria:
1. The student's parents/guardians reside within district boundaries.
2. The student is an emancipated minor residing within district boundaries.