

NONRESIDENT STUDENTS

Any student who resides outside the district may apply to attend a school in the district or file the parental declaration of the intent to provide home-based instruction and enroll for ancillary services, if any. All applications for nonresident attendance or home-based instruction will be considered on an equal basis. The district shall provide information on inter-district enrollment policies to nonresidents on request and have copies of the Superintendent of Public Instruction's annual information booklet on enrollment options in the state available for public inspection at each school building, the central office and local public libraries.

A parent or guardian shall apply for admission on behalf of his or her child by completing the appropriate district application. The superintendent shall develop an application form which contains information including, but not limited to, the current legal residence of the child and the school district in which he or she is currently enrolled, the basis for requesting release from the resident district and the specific building and grade level (elementary) or course offerings (secondary) or other educational programs(s) in which the student desires to be enrolled if accepted by the district. All applications for nonresident admission shall be submitted upon the form designated herein and no other application form shall be accepted.

The superintendent will accept or reject an application for nonresident admission based upon any one or more of the following standards:

- A. Whether sufficient and appropriate space is available in the grade level, classes, or program(s) at the building in which the student desires to be enrolled;
- B. Whether sufficient and appropriate staff and resources and educational services are available to serve the educational needs of the student;
- C. Whether the student's attendance in the district is likely to create a risk to the health or safety of other students or staff or disrupt the education of other students;
- D. Whether acceptance would result in a financial hardship for the district;
- E. Whether the student's disciplinary records or other records indicate a history of violent or disruptive behavior or gang membership, or convictions for offenses or crimes (a gang means a group of three or more persons with identifiable leadership that on an ongoing basis regularly conspires and acts in concert mainly for criminal purposes); or

- F. Whether the student has been expelled or suspended from a public school for more than ten consecutive days, in which case the student may apply for admission under the district's policy for readmission of expelled or suspended students.

If the non-resident student is the child of a full-time certificated or classified school employee the superintendent shall accept the transfer request unless the nonresident student:

- A. Has a history of convictions, violent or disruptive behavior, or gang membership;
- B. Has been expelled or suspended from school for more than ten consecutive days; or
- C. Enrollment of a child would displace a child who is a resident of the district (the child must be permitted to remain enrolled until he or she completes his or her schooling).

A student who resides in a district that does not operate a secondary program shall be permitted to enroll in secondary schools in this district in accordance with state law and regulation relating to the financial responsibility of the resident district.

The superintendent shall provide all applicants with written notification of the approval or denial of the application in a timely manner. If not acted upon within 45 calendar days of receipt of the application by the district, the application will be deemed denied.

Each application shall state the length of the acceptance, which shall not be longer than one school year and must also state the circumstances in which such acceptance may be terminated.

Any acceptance or nonresident admission may be terminated by the superintendent at any time before the end of the current school year if, in the professional judgment of the superintendent, the factors and/or reasons justifying the student's release from his or her resident district and admission to the nonresident district no longer apply or no longer justify the nonresident student's attendance in the district. Instances in which termination is proper include, but are not limited to, the following:

- A. Where the student's attendance or behavior disrupt the educational program or process;
- B. Where, upon input from the student's study team or other team of qualified staff members, the superintendent determines that the district is no longer able to provide appropriate educational programs or services to the student within the district;
- C. Where the superintendent determines that the student's continued attendance in the district is likely to create a risk to the health or safety of other students or staff or interferes with the education of other students;
- D. Where the superintendent determines that the student's application for admission contained a material omission or misrepresentation of fact;

- E. Where the District’s financial circumstances deteriorate during the course of the acceptance such that continuation of the acceptance cause a financial hardship to the district: or
- F. Where actual costs of serving the student are significantly higher than anticipated at the time of acceptance so as to cause a financial hardship to the District.

If the application is denied, or admission terminated, the superintendent will notify the parent or guardian in writing of the denial or termination and the reasons therefore and of the right to petition the board, upon five school business days prior notice, for review of the decision and to have a hearing before the board at its next regular meeting. Such notice shall also include a statement that the parent has a right to appeal the decision pursuant to RCW 28A.225.230(3). The superintendent’s notice of denial of application shall be rendered early enough to allow issuance of a board decision (if board hearing is requested) within 45 calendar days of application.

Following the hearing by the board (if requested), a final decision shall be promptly communicated to the parent or guardian in writing. A decision denying or terminating admission shall include written notice of the right to appeal the decision pursuant to RCW 28A.225.230(3), and shall, in the case of denial of application, be rendered within 45 calendar days of application.

Termination shall be effective seven calendar days following notice of the board’s final decision or if no petition is made to the board, seven calendar days following the notice of the superintendent’s decision to revoke admission.

The district reserves the right to decide prior to the beginning of a given school year to limit the scope of this policy and to decide not to accept applications for a specific program(s), service(s) or grade level(s), within a building(s) or within the district, due to a planned and/or an anticipated lack of capacity for non-resident students.

The final decision of the district to deny the admission of a non-resident student may be appealed to the superintendent of public instruction or his or her designee.

Cross References: Board Policy 3121 Enrollment and Attendance Records

Legal References: RCW 28A.225.220 Adults, children from other districts, agreements for attending school-- Tuition
28A.225.225 Applications from nonresident students or students receiving home-based instruction to attend

28A.225.240	district school—Acceptance and rejection standards--Notification Appeal from certain decisions to deny student's request to attend nonresident district - Apportionment of credit
28A.225.290	Enrollment options information booklet
28A.225.300	Enrollment options information to parents
C 36 L 03	Enrolling children of certificated and classified school employees
WAC 392-137	Finance--Nonresident attendance
392-137-040	District policies--Procedures and criteria for release of resident students and admission of nonresident students
392-137-055	Appeal notice

Adoption Date: 10/02/95
Revised 05/07/96
11/18/97
09/07/99
08/19/03