

Discretionary Nonresident Student Attendance Policy

Except as otherwise provided by law, admission to the District as a nonresident student is a privilege. The Board, recognizing that an educational requirement of its resident students includes the need for an orderly educational process and environment, free from disruption, overcrowding, and any kind of violence or disruptive influences, hereby establishes criteria on the discretionary admission of nonresident students:

1. Except as provided by law, admission to the District as a nonresident student is a privilege, unless required by § 20-5-321, MCA. As such, the District will screen all discretionary nonresident students and only consider those who meet the criteria set forth in this policy.
2. The Superintendent is hereby given the authority to recommend to the Board any student's admission in accordance with this policy. The Board shall make the final decision on admission.
3. All students whose legal residence is outside of the District and who do not qualify for mandatory attendance will be denied enrollment, with the following exceptions:
  1. Foreign exchange students, per existing District policy;
  2. Children in the immediate family of nonresident District employees;
  3. Students residing outside the District provided they:
    - be in good standing with the most recently attended school in terms of academics, conduct, and attendance;
    - be able to demonstrate a record free of truancy;
    - be able to demonstrate a clean behavior record in the school last attended for a period of at least one (1) year;
    - have passing grades in the school previously attended;
    - have correctly completed the nonresident student application process; and
    - present no other educationally related detriment to the students of the District.
4. The Board will not admit any student prior to viewing that student's records from the student's previous school districts.
5. The District has the option of accepting a nonresident student who does not meet the criteria set forth herein, if the student agrees to special conditions of admission, as set forth by the District.
6. Every student who attends the District as a nonresident student must re-apply for admission by the first (1<sup>st</sup>) Monday of May prior to the school year of desired attendance. Admission in one school year does not imply or guarantee admission in subsequent years.
7. If enrollment is granted for children of district employees, tuition charges will be waived.

8. The District, at the Boards discretion, may not admit nonresident students, when to do so would require the hiring of additional staff, the provision of educational services not currently provided in the school, or the crowding of existing classes. Nonresident students may be admitted to any class whose population drops below the following class size:

K	17
1	17
2	17
3	24
4	24
5	26
6	26
7	26
8	26

9. All resident students who become nonresidents due to a move from the District by their parents/guardians may continue attendance for the semester, barring registration in another District. At the completion of the semester, the student must apply as a non-resident student.

10. The Board reserves the right to charge tuition for nonresident students. The Board may, in its discretion, charge or waive tuition for all students whose tuition is required to be paid by one type of entity. An “entity” is defined as either: (1) the parent/guardian; or (2) a school district. Any waiver of tuition must be applied equally to all students whose tuition is paid by the same type of entity (i.e., if the District charges students tuition in those circumstances where the resident district pays, but waives tuition in those circumstances where the parent/guardian is responsible for tuition, the tuition waiver shall be applicable to all students whose parents/guardians bear the responsibility for payment).

11. All nonresident students will be considered ineligible transportees for school transportation services (20-10-101, MCA).

12. The Board may declare an emergency which, in its opinion, necessitates the removal of all nonresident students from the schools.

13. The Board will not admit any student who is expelled from another school district.

Legal Reference:	§ 20-5-314, MCA	Reciprocal attendance agreement with adjoining state
	§ 20-5-316, MCA	Out-of-state tuition
	§ 20-5-320, MCA	Attendance with discretionary approval
	§ 20-5-321, MCA	Attendance with mandatory approval - tuition and
	§ 20-5-322, MCA	Residency determination - notification - appeal for attendance agreement
	§ 20-5-323, MCA	Tuition and Transportation rates
	10.10.301, ARM	Out-of-district attendance agreements

Policy History:

Adopted on: August 14, 2000

Revised on: May 21, 2001, April 8, 2004, May 9, 2007, October 15, 2007