

## **Nonresident Students**

The District shall allow nonresident students to enroll in the District pursuant to existing Admissions and Attendance Policy 09.12, Tuition Policy 09.124, and related procedures.

Upon allowing nonresident pupil enrollment, the policy shall allow nonresident children to be eligible to enroll in any public school located within the District. The policy shall not discriminate between nonresident pupils, but may recognize enrollment capacity, as determined by the District. The nonresident pupil policy and any subsequent changes adopted by the Board shall be filed with the Kentucky Department of Education no later than thirty (30) days following their adoption.<sup>1</sup>

### **DEFINITION OF LEGAL RESIDENCE**

Except for emancipated pupils, the legal residence of a pupil is determined by the address of the legal residence of the parent or guardian who has custody of the student as evidenced by legal documents and not by the address at which the pupil is living.

### **BOARD APPROVAL**

Contingent upon the recommendation of the Superintendent and approval of the Board, nonresident pupils may enroll in District schools when the following requirements have been met:

1. written request for admission has been submitted,
2. completion of the admission questionnaire,
3. official notification of acceptance has been received from the Superintendent, and
4. payment of tuition as approved by the Board.

All requests shall be in writing on forms available from the Director of Pupil Personnel.

The Board reserves the right to enroll and assign all nonresident pupils. Nonresident students will be enrolled only when class sizes are below the allowable maximum and when enrollment of the student will not alter the Board-approved grade level organizational pattern. Admission must be requested annually.

### **CRITERIA FOR APPROVAL**

The Board will approve the request for enrollment of nonresident students in the local schools, provided all of the following conditions are met:

When an arrangement for payment, of tuition as established by the Board is made in advance and is acceptable to the Superintendent;

1. When the student has not been expelled from the school in which he was last enrolled;
2. When the student is not under suspension from the school in which he is or was enrolled;
3. When the student does not have an unacceptable history of disciplinary problems;
4. When class sizes and grade level organizational pattern will allow admission of the student;

**Nonresident Students****CRITERIA FOR APPROVAL (CONTINUED)**

5. When no District vehicles will be required to leave the school District to pick up the student;
6. When a student entering grades 4-12 has a minimum cumulative G.P.A. of 2.0 and has received at least a 2.0 G.P.A. for the semester prior to enrollment;
7. When the enrollment is made within ten (10) days of the beginning of the semester;
8. When a student has less than six (6) days of unexcused absence during the previous year and/or less than three (3) days of unexcused absence during the semester prior to enrollment.

Once attending school in the District, non-resident students are subject to disciplinary action under the District Code of Acceptable Behavior and Discipline, up to and including expulsion. Acceptance for enrollment in subsequent years may be reviewed at the end of each school year.

**PRIORITY OF STUDENTS TO BE REASSIGNED**

Up to the last school day on or before the tenth day of school enrollment, students may be subject to reassignment on the basis of last in, first out using the priorities listed below. Unless pupils volunteer for reassignment, the following priorities shall be used for making adjustments:

- 1 Out-of-district pupils not attending that school the previous year.
- 2 Out-of-district pupils attending that school the previous year.
- 3 Pupils from outside the attendance area not attending that school the previous year.
- 4 Pupils from outside the attendance area attending that school the previous year.
- 5 Nonresident children of employees working in that specific school, provided ADA is transferred and/or tuition is paid and employees provide the transportation to and from school.
- 6 Employees' children attending outside of the attendance area.
- 7 Resident pupils.
  - a Resident pupil(s) whose parents volunteer to transfer.
  - b Resident pupil(s) who are new to the school District and did not attend the resident school last year and are in the closest transportation service to the nearest school with available classroom space.
  - c Resident pupils who live in closest transportation proximity to the school with available classroom space.

**Nonresident Students****PRIORITY OF STUDENTS TO BE REASSIGNED (CONTINUED)**

After the tenth day of school enrollment, any adjustments or reassignment of pupils shall be completed on the basis of last in, first out, regardless of residence.

**MEDICAL EXEMPTIONS**

A student may not be subject to reassignment if such reassignment would aggravate or exacerbate an existing medical or psychological condition to the extent that the student's educational and emotional well-being would be substantially impaired. The decision to grant any such exemption shall be made solely by the Board. The Board may require, at its discretion, in connection with any request for such an exemption, substantiated medical/psychological reports, opinions, diagnoses, or further examinations in order to assist in its determination.

**OTHER EXEMPTIONS TO REASSIGNMENT**

The Board shall provide any other exemption to the reassignment provisions of this policy, based on documented factors that directly influence the student. Written requests for exemption and appropriate documentation shall be submitted to the Superintendent.

**REFERENCES:**

[<sup>1</sup>KRS 158.120](#)  
[KRS 157.350](#)  
[OAG 66-550](#); [OAG 79-327](#); [OAG 80-47](#)

**RELATED POLICIES:**

08.12; 09.12; 09.124; 09.125; 09.313; 09.42811

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