

LEGAL: HB 563 (2021) AMENDED KRS 158.120 TO REQUIRE THAT BY JULY 1, 2022, LOCAL BOARDS ADOPT A NONRESIDENT PUPIL POLICY TO GOVERN THE TERMS UNDER WHICH THE DISTRICT SHALL ALLOW ENROLLMENT OF NONRESIDENT PUPILS. WRITTEN AGREEMENTS WILL NO LONGER BE NECESSARY. CHOOSE AN OPTION BELOW.

FINANCIAL IMPLICATIONS: NONRESIDENT PUPILS WILL BE COUNTED IN ADA FOR STATE FUNDING

STUDENTS

09.1222

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.¹

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 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 District schools.

The Board reserves the right to enroll and assign all nonresident pupils. Enrollment must be requested in writing annually.

CRITERIA FOR APPROVAL

The Board may approve the request for enrollment of nonresident students in the local schools under the following conditions:

- A) When the student has not been expelled from the school in which he was last enrolled;
- B) When the student is not under suspension from the school in which he is or was enrolled;
- C) When the student does not have an unacceptable history of disciplinary problems;
- D) When class sizes will allow admission of the student;
- E) When no District vehicles will be required to leave the school District to pick up the student;
- F) When the payment or arrangement for payment of tuition is made in advance and is acceptable; and
- G) When any additional and reasonable requests to the parents/guardian are agreed upon in advance.
- H) Three (3) conditions which must be met by out-of-District students:
 - Academics – pass all classes
 - Discipline – no discipline problems
 - Attendance – 95% or better attendance (excused and unexcused)

Nonresident Students

CRITERIA FOR APPROVAL(CONTINUED)

The Board shall waive the tuition payment for students enrolled under student exchange or other programs adopted by the Board.

REFERENCES:

¹KRS 158.120
KRS 157.350
OAG 79-327; OAG 66-550; OAG 80-47

RELATED POLICIES:

09.11; 09.111; 09.12; 09.124; 09.125; 09.313; 09.42811

