

## Nonresident Students

### **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.

### **SUPERINTENDENT APPROVAL**

Contingent upon the recommendation of the Superintendent or designee, nonresident pupils may attend district schools.

### **ENROLLMENT**

Upon approval, the nonresident students will be eligible to enroll in public schools located within the district that have capacity, and shall be assigned to a school by the school district after consideration of the family's preferences and distance from school.

When the addition of a nonresident student would require the hiring of additional teachers and/or support staff in the classroom or unit where the student would be enrolled, the applicant will be provided the opportunity to enroll in another district school if available. Determination of this capacity will be made by the Superintendent or designee.

The district shall not discriminate on the basis of race, color, national origin, age, religion, martial status, sexual orientation or disability in enrollment set forth in Office of Civil Rights, Title VI, VII, IX, ADA and Section 504.

Priority will be given to applicants in the following order:

- 1.) Current students who have moved from resident to nonresident status;
- 2.) Siblings of current students.

### **CRITERIA FOR APPROVAL**

The Superintendent or designee may approve the request for admission 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/she was last enrolled;
- B) When the student is not under suspension from the school in which he/she 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 or take home the student;
- F) When any additional and reasonable requests to the parents/guardian are agreed upon in advance.

The Superintendent or designee may withdraw approval of the request for admission upon the discovery of any false or misleading information accompanying the request.

### **ATHLETIC PARTICIPATION**

Movement of nonresident student athletes from one district to another shall be addressed by KHSAA regulations.

## **STATUS OF NONRESIDENT STUDENTS**

Nonresident students are accepted in the district annually for the duration of the school year for which they are enrolling. During the school year, the student is expected to abide by all school rules, student policies and procedures including the code of conduct, and is subject to the disciplinary procedures as set forth therein.

During the school year, the Superintendent may remove or dismiss a nonresident student for misconduct pursuant to KRS 158.150 following applicable due process procedures which may require a hearing before the Board of Education.

At the end of the school year, the Superintendent or designee may remove or dismiss a nonresident student upon notice to the student's parent/guardian. Factors that may lead to removal or dismissal shall include, but not limited to:

- A.) Poor attendance (accumulated six (6) unexcused absences and/or fifteen (15) unexcused tardies);
- B.) Behavior issues;
- C.) Poor academic performance (failure to demonstrate desire to learn and/or failure to follow academic direction);
- D.) Chronic disruption of the school environment by the student.

### **REFERENCES:**

[OAG 79-327](#); [OAG 66-550](#); [OAG 80-47](#)  
[KRS 158.120](#); [KRS 158.150](#)

### **RELATED POLICIES:**

09.11; 09.111; 09.12  
09.124; 09.125