

Explanation: 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.  
Financial implications: nonresident pupils will be counted in ada for state funding

STUDENTS

09.12 AP.22

## **Nonresident Student Admissions**

### **ENROLLMENT:**

Nonresident pupils may be admitted to the District upon approval of the Superintendent or the Superintendent's designee. Upon approval, the nonresident students will be eligible to enroll in public schools located within the district that has capacity. Nonresident pupils will only be admitted when they can be assigned to classes where the enrollment is below the allowable maximum.

Enrollment of nonresident students shall not create a situation that exceeds the capacity of a school or requires the hiring of additional teachers and/or support staff in the classroom or unit. The Superintendent or Superintendent's Designee will determine enrollment capacity based upon the school and program staffing allocations, applicable class size regulations, building capacity as determined by the Kentucky Department of Education, and other state, age, and class size restrictions. School staffing allocations are determined by the Board in the Spring of the prior school year.

Nonresident students who have been expelled or suspended from another school district or whose suspension or expulsion is pending shall not be permitted to enroll in the District's schools unless there are extenuating circumstances as determined by the Superintendent.

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

### **Tuition**

No tuition shall be charged to nonresidential students.

### **ATHLETIC PARTICIPATION**

The 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 for one school year term with automatic renewal each year as long as the student remains in good standing. During the school year, the student is expected to abide by all school rules, the Mercer County Code of Acceptable Behavior, Mercer County Board policies, and is subject to the disciplinary procedures as set forth therein. During each school year, the Board may remove or dismiss a nonresident student for misconduct pursuant to KRS 158.150 following applicable due process procedures.

At the end of the school year, a nonresident student may be dismissed due to factors such as:

- Poor attendance (6 or more unexcused absences or tardies)
- Behavior Issues (Referrals, In-School or Out-of-School Suspension)
- Poor academic performance (failure to demonstrate a desire to learn and/or failure to follow academic directions)
- Chronic disruption of the school environment by the student

**TRANSPORTATION:**

Transportation for non-resident students is not guaranteed.

**PROCESS OF ENROLLMENT:**

When the number of nonresident students must be limited **due to enrollment capacity**, the following priorities will be observed:

- Those nonresident students attending school in this District last year will have priority over new applicants.
- Siblings of nonresident students already attending school in the District shall have priority over new applicants who do not have siblings currently enrolled.
- Students of District employees will have priority over new applicants.

When priorities are equal, the timestamp/date on the Online Registration application (OLR) will be the determining factor for admittance.

- Nonresident students interested in enrolling in the Mercer County School District should complete the OLR application as soon as possible. (Application is located on the Mercer County Schools website). The application will remain open year-round.
- Parents must identify that the student is a nonresident on the OLR application and the OLR application must be signed electronically by the parent/guardian(s).
- The OLR applications will be processed in the order they are received based upon the timestamp from the application.

If there is available enrollment capacity at the school and/or grade level, the parent/guardian(s) and the pupil will meet with the Principal or their designee for a review of the OLR application and the pupil's school records. The pupil shall bring the following documents from the last school attended to this meeting:

- Report card and other academic information including the entire cumulative folder from the student's former school, if the student has the folder in his/her possession.
- Statement of student's attendance.
- Student's discipline report
- Student's physical examination and immunization records.

Nonresident pupils may be admitted to the District's schools in accordance with Board **policies 09.1222, and 09.124.**

The decision of the Principal in granting admission of nonresident pupils will be submitted to the Superintendent or Superintendent's Designee for final approval.

**RELATED POLICIES:**

- 09.12 (all procedures)**
- 09.1222; 09.124 (all procedures)**