

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/guardian or as otherwise provided by law.

CAPACITY

The Superintendent or Superintendent's Designee will determine enrollment capacity based upon 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.

BOARD APPROVAL

The Board reserves the right to enroll, charge tuition, and assign all nonresident pupils. Once enrolled 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.

Contingent upon the recommendation of the Superintendent and approval of the Board, nonresident pupils may attend District schools upon written request or upon payment of tuition at the rate determined by the Board.

CRITERIA FOR ENROLLMENT OF NONRESIDENT STUDENTS

1. Tuition charges for each quarter must be paid in full prior to the beginning of the quarter.
2. 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

Nonresident Students**CRITERIA FOR ENROLLMENT OF NONRESIDENT STUDENTS (CONTINUED)**

3. Enrollment of nonresident students will not result in affected classes exceeding state class-size requirements or require the employment of additional staff.
4. Applicants with a history of truancy will not be enrolled unless there are extenuating circumstances as determined by the Superintendent.
5. Nonresident students are accepted in the District for one school year. Acceptance for enrollment in subsequent years may be reviewed at the end of each school year.
6. Parents/guardians shall be responsible for providing transportation to and from school on a timely basis.

REFERENCES:

¹[KRS 158.120](#)

[KRS 157.350](#)

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

G.C. v. Owensboro Public Schools- F.3d, 2013 WL 1235592 (C.A.6 (Ky.))

RELATED POLICIES:

09.12; 09.124; 09.313; 09.42811

Adopted/Amended: 7/26/2022

Order #: 2022-23:002