

Admissions and Attendance

RESIDENCE DEFINED

Pupils whose parent or guardian resides in the District and has custody of the student, or pupils who are legal residents of the school District, or as otherwise provided by state or federal law, shall be considered residents and entitled to the privileges of the District's schools. All other pupils shall be classified as nonresidents for school purposes.¹

HOMELESS CHILDREN AND UNACCOMPANIED YOUTH

The District shall provide educational and related services to homeless children and youth, including preschool-aged homeless children, and homeless children or youth not in the physical custody of a parent or guardian (unaccompanied youth) in a manner that does not segregate or stigmatize students on the basis of their homeless status.

The District shall provide its schools with guidelines that detail the rights of homeless students and the responsibilities that schools have to meet their needs and eliminate barriers to school attendance. These guidelines shall emphasize the right of homeless students to:

1. Have equal access to all educational programs and services, including transportation, that non-homeless children enjoy;
2. Have access to preschool programs as provided to other children in the District;
3. Continue attending their school of origin, when deemed in the best interest of the child, for the duration of homelessness;
4. Attend regular public school with non-homeless students; and
5. Continue to receive all services for which they are eligible (i.e., special education, gifted and talented, English learner).

The District shall provide transportation to the school of origin for homeless children at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison) if the child continues to live within the area served by the District in which the school of origin is located. If the child locates to a District other than that of his/her school of origin, the districts shall work together to apportion transportation to and from the school of origin and associated costs. If the districts are unable to reach agreement, responsibility and costs for transportation shall be shared equally.

The District shall designate an appropriate staff person to serve as liaison to homeless children and unaccompanied youth. In addition to coordination of McKinney-Vento implementation in the District, the liaison is responsible for:

- “Outreach” to other entities and agencies so that homeless students are identified;
- Providing public notice of the educational rights of homeless children in locations frequented by parents/guardians and unaccompanied youths. This notice is to be in a manner and form that is understandable;²
- Seeing that school personnel who provide McKinney-Vento Services receive professional development and other support; and
- Ensuring that unaccompanied youths are enrolled in school and receive support to accrue credits and access to higher education.

Admissions and Attendance**HOMELESS CHILDREN AND UNACCOMPANIED YOUTH (CONTINUED)**

The District shall inform school personnel, service providers, advocates working with homeless families, parents, guardians and homeless children and unaccompanied youths of the duties of the liaison.

All concerns regarding the education of homeless children and unaccompanied youth shall be referred to the District liaison. If a complaint arises regarding services or placement of homeless children and unaccompanied youth, the dispute resolution procedures as set forth in 704 KAR 007:090 shall apply.

Disputes over eligibility, school selection, or enrollment are to be appealed to the Kentucky Department of Education using the Dispute Resolution for Homeless form located at the link below:

<https://education.ky.gov/federal/progs/txc/Documents/Homeless%20Dispute%20Resolution%20Form.pdf>

The liaison shall provide a copy of the referenced form to the complainant.

The District shall provide services for homeless children and unaccompanied youths with disabilities as required by law.

CHILDREN IN FOSTER CARE

Students in foster care shall have equal access to all educational programs and services, including transportation, which all other students enjoy.

Foster children are to be immediately enrolled in a new school. The District shall collaborate with the Cabinet to ensure immediate and appropriate enrollment of the child and immediately contact the student's previous school for relevant records. The previous school shall provide the new school records within the student information system maintained by the Kentucky Department of Education by the end of the working day on the day of receipt of a request. If a record provided to the new school is incomplete, the previous school shall provide the completed record within three (3) working days of the original request. Remaining records shall be provided within ten (10) working days of the request.

The Superintendent shall appoint a Foster Care Liaison to coordinate activities relating to the District's provision of services to children placed in foster care, including transportation services, when the District is notified by the Cabinet for Health and Family Services in writing that the Cabinet has designated its foster care point of contact for the District. The Superintendent may appoint the District Foster Care Liaison prior to such notice from the Cabinet.

Children in foster care, including preschool aged children if the District offers a preschool program, shall be eligible to attend their "school of origin" unless a determination is made that it is not in the child's best interest. Such determination will be made in collaboration with the child welfare agency. Dispute resolutions shall be handled by all agencies involved in the determination of the foster child's placement.

When possible, a child exiting the foster care program during the school year shall be allowed to complete the school year in the school of origin.

Admissions and Attendance**BEST INTEREST OF THE CHILD**

Determining the best interest of the child takes into consideration the following factors, including but not limited to:

- The benefits to the child of maintaining educational stability;
- The appropriateness of the current educational setting;
- The child's attachment and meaningful relationships with staff and peers at the current educational setting;
- The influence of the school's climate on the child;
- The safety of the child; and
- The proximity of the placement to the school of origin, and how the length of a commute would impact the child.

Upon the determination that changing a child's school of enrollment is in the best interest of the child, the Cabinet, any applicable child-caring facility, child-placing agency, school, districts, and the child's state agency caseworker shall collaborate to ensure the immediate and appropriate enrollment of the child;

1. The child's state agency caseworker shall immediately contact the receiving district to inform the district of the pending enrollment changes.
2. The child's state agency caseworker or child-caring facility or child placing agency case manager shall either accompany the child and the foster parent to the new school to enroll the child or contact applicable staff at the new school via telephone during the day of enrollment, to assist with the enrollment, to share information relating to the child's unique needs and prior experiences that may impact their education, and to identify and prevent disruptions in any instructional or support services that the child may have been receiving prior to that time, including but not limited to medical and behavioral health history and individual service plans.

IMMIGRANTS

No student shall be denied enrollment based on his/her immigration status, and documentation of immigration status shall not be required as a condition of enrollment.

The District may provide an approved high school program to a student who is a refugee or legal alien until the student graduates or until the end of the school year in which the student reaches the age of twenty-one (21), whichever comes first.

NONRESIDENTS

Nonresident pupils may be enrolled in the District's schools in accordance with Board policies 09.1222, 09.124, and upon approval of the Superintendent. Once a nonresident student is enrolled for the academic year, the student may not be dismissed during that academic year without applicable due process.³

Admissions and Attendance**NONRESIDENTS (CONTINUED)**

A student expelled from another school shall not be enrolled without a corresponding move to, or legal residence, within, the District by the student's parents or legal guardian.

Nonresident students designated as homeless or foster children may be required to be enrolled consistent with the "best interest of the child" or "school of origin" requirements under the Every Student Succeeds Act (ESSA) and the McKinney-Vento Act as amended by ESSA.

NON-IMMIGRANT FOREIGN STUDENTS

Non-immigrant foreign students qualifying for F-1 immigration status or who obtain an F-1 student visa may be admitted to the District based on the following guidelines:

1. These students shall not be permitted to attend any publicly funded adult education program.
2. These students may be permitted to attend in grades nine through twelve (9-12), but not at earlier grade levels.
3. As required by law, these students shall pay a tuition fee equal to the full, unsubsidized per capita cost to the District for providing education to the student for the period of attendance.
4. The period of attendance shall not exceed twelve (12) months.

These requirements do not apply to immigrant students residing in the District or foreign students in any other immigration status, including exchange students.

EXPELLED/CONVICTED STUDENTS

The parent, guardian, Principal, or other person or agency responsible for the student shall provide to the school prior to admission, a sworn statement or affirmation concerning any of the following that have occurred in or outside Kentucky:

1. If a student has been expelled from school; or
2. If a student has been adjudicated guilty/convicted of, homicide, assault, or an offense in violation of state law or school regulations relating to weapons, alcohol, or drugs.

Assault shall mean any physical assault, including sexual assault.

The sworn statement or affirmation shall be on a form provided by the appropriate state agency and shall be sent to the receiving school within five (5) working days of official notification that a student has requested enrollment in the new school.⁴

If a student is suspended or expelled for any reason, or faces charges that may lead to suspension or expulsion, but withdraws prior to a hearing from any public or private school in Kentucky or any other state and then moves into the District and seeks to enroll, the District shall review the details of the charges, suspension, or expulsion and determine if the student will be admitted, and if so, what conditions may be imposed upon the admission.

Admissions and Attendance

REFERENCES:

¹KRS 159.010; OAG 78-64

²42 U.S.C. 11431 et seq. (McKinney-Vento Act)

³KRS 158.120; OAG 80-47; OAG 79-327; OAG 75-602; G.C. v. Owensboro Public Schools, 711 F.3d 623 (6th Cir., 2013)

⁴KRS 158.155; KRS 157.330; KRS 158.150

KRS 157.320; KRS 157.350; KRS 157.360; KRS 158.100; KRS 199.802

702 KAR 007:125; 704 KAR 007:090; OAG 91-171

P. L. 104-208

P. L. 114-95 (Every Student Succeeds Act of 2015), 20 U.S.C. § 6301 et seq.

8 U.S.C. Sections 1101 and 1184; 8 C.F.R. Section 214

Plyler v. Doe, 457 U.S. 202 (1982)

Equal Educational Opportunities Act of 1974 (EEOA)

RELATED POLICIES:

06.32; 08.1114; 09.11; 09.121; 09.1222; 09.1223; 09.123; 09.124

09.126 (re requirements/exceptions for students from military families)

09.14; 09.211

Adopted/Amended: 5/26/2022

Order #: 2022-947

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

REFERENCES:

¹KRS 158.120
KRS 157.350

RELATED POLICIES:

09.12; 09.124; 09.313; 09.42811

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Tuition**FEE TO BE CHARGED**

The Board may charge a tuition fee, according to a schedule adopted by the Board, for each student attending its schools whose parent is not a bona fide resident of the District¹. Tuition shall equal the District's per pupil basic SEEK allocation.

Nonresident parents who pay taxes on property they own in the District may enroll their children at one-half (1/2) of the normal tuition rate.

REFERENCES:

¹KRS 158.120
237 S.W. 2D 65 (1951)
OAG 80-47; OAG 91-75
KRS 157.350; KRS 158.135
702 KAR 007:125

RELATED POLICIES:

09.12; 09.1222

09.126 (re requirements/exceptions for students from military families)

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Eligibility (Athletics)

Determination of athletic eligibility shall be made in compliance with applicable policies, administrative procedures, and Kentucky High School Athletic Association requirements. Any student who transfers enrollment from a district of residence to a nonresident district shall be ineligible to participate in interscholastic athletics for one (1) calendar year from the date of transfer.²

District standards for playing up from middle school (grades seven and eight [7 & 8]) to high school in sports other than football and soccer may include, but are not limited to, considerations related to safety, physical readiness, use of school space after the school day, transportation, funding, the student's disciplinary status and record, any substance testing restrictions, equitable opportunities for participation, and harmonizing any conflicting school-based decision making ("SBDM") requirements. SBDM Council policies apply to the selection of sports activities, and student participation based on academic qualifications and attendance requirements, program evaluation, and supervision.¹

To be eligible to try out and participate at the high school level, middle school students must meet all applicable KHSAA, District, and SBDM requirements. The Superintendent/Designee in cooperation with principals, SBDM councils, coaches, and athletic directors, as deemed appropriate, may develop guidelines for Board approval addressing playing up standards.

DRUG-TESTING PROGRAM

The District has established a drug-testing program for student athletes for the following reasons:

1. The District has reason to believe student athletes may be using illegal drugs.
2. Student athletes often serve as role models for other students.
3. Through participation in athletics, students using illegal drugs pose a threat to their own health and safety, as well as to that of other students.

Each student who plans to participate in athletics at the high-school level and his/her parent or guardian shall sign a written consent for drug testing as a prerequisite to the student's participation in an athletic program.

The Superintendent shall develop procedures to reasonably ensure student privacy during the taking of samples, security of samples once obtained, and designation of laboratory services that are accurate and reliable. Appropriate measures shall be taken to protect student confidentiality throughout the testing process and in the handling of test results. Access to drug-testing results shall be restricted on a need-to-know basis to those persons in positions designated by the Superintendent.

The District shall endeavor to locate free and low-cost counseling/assistance program options for the consideration of parents whose child tests positive.

DEFINITIONS

Drug – Any illegal substance or substance controlled by federal or state regulation.

Student Athlete – Any student participating in athletic practices and/or contests under the control and jurisdiction of the District, including cheerleaders and student managers.

Eligibility (Athletics)**TESTING PROCESS**

Student athletes who have been or who are taking prescription medication must provide verification prior to testing. Verification shall be in the form of a copy of the prescription or a physician's signed statement. Students who refuse to provide verification and subsequently test positive shall be subject to the consequences stated in this policy.

Student athletes shall be subject to testing at the beginning of their first athletic season of the school year and random drug testing throughout the season for each sport in which they participate.

CONSEQUENCES/PENALTIES

If a student tests positive, a second test shall be administered as soon as possible to confirm the results. If the second test is negative, no further action shall be taken. If the second test is positive, the parents shall be notified, and the Principal or designee shall provide the parent/guardian with an opportunity to be heard before penalties are imposed.

1. **First Offense:** The athlete is suspended for one (1) game and must complete a drug-counseling program at the expense of the athlete.
2. **Second Offense:** The athlete is suspended from the remainder of that sport season and must complete a drug-counseling program at the expense of the athlete.
3. **Third Offense:** The athlete is suspended for the remainder of the school year. The athlete could be reinstated at the beginning of the next school year.
4. **Fourth Offense:** The athlete would be suspended from all athletic competition for the remainder of his/her athletic career at Trigg County High School.

After completing a period of suspension from an athletic program, students shall be retested before beginning the next season for which s/he is eligible.

Offenses shall be cumulative over a student's entire period of participation in all high school athletics and shall accumulate regardless of the sport season in which they occur.

Positive test results shall not be turned over to law-enforcement authorities or used to suspend or expel students from school.

Failure to submit to the test results in the same penalties as set out above.

SELF-REFERRAL

(Cannot be a self-referral on a random test day)

1. An administrator/parent conference will be required when a student initiates a self-referral.
2. After a self-referral, a student athlete will be ineligible to participate as set out above for a first offense.

CHARTER SCHOOL STUDENTS

A student enrolled in a public charter school that offers any interscholastic athletic activity shall be ineligible to participate in interscholastic activities at any other school. Subject to applicable law, regulations, and bylaws (e.g. KHSAA, Title IX) and the terms of the charter contract, students who are enrolled in a charter school that does not offer any interscholastic athletic activities shall be eligible to participate in such activities at the District school of that student's residence.

Eligibility (Athletics)

REFERENCES:

¹KRS 160.345

²KRS 156.070

KRS 160.1592

702 KAR 007:065; OAG 15-022

Kentucky High School Athletic Association (KHSAA)

RELATED POLICIES:

02.4241

09.1222

09.126 (re requirements/exceptions for students from military families); 09.423

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Nonresident Student Enrollment**NONRESIDENT TRANSFERS**

Those nonresident pupils requesting enrollment in a school in this District for the first time shall follow these procedures:

1. Complete the school's registration forms, which must be signed by the parent/guardian(s). (Proof of legal guardianship of a student must be in the form of a legally executed document signed by a judge.)
2. Parent/guardian(s) and pupil then make an appointment with the Director of Pupil Personnel/designee for a review of the 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.
 - Birth certificate or other proof of age.
 - Report of student's conduct including, but not limited to, physical violence and disciplinary action taken.
 - Statement of student's attendance.
 - Student's physical examination and immunization records.
 - Current IEP, if applicable (for placement purposes only – not a determining factor in granting acceptance).
3. Nonresident pupils will only be enrolled when they can be assigned to classes where the enrollment is below the allowable maximum.
4. A student expelled from his/her previous school during the last school year will have his/her records and experiences reviewed before being considered for enrollment. A student expelled from another school shall not be enrolled without the parents'/guardians' corresponding move to, or legal residence within, the District.
5. When the number of nonresident students must be limited due to enrollment capacity, the following priorities will be observed:
 - A. Students of District employees will have priority over new applicants.
 - B. Those nonresident students attending school in this District last year will have priority over new applicants.
 - C. Siblings of nonresident students already attending school in the District shall have priority over new applicants who do not have siblings currently enrolled.
 - D. When priorities are equal, the date of application will be the determining factor for enrollment.
6. Admission and continued enrollment shall be contingent on the student's compliance with all District rules, regulations, and Student Code of Conduct. Students shall be subject to suspension or expulsion for any Level III, IV, or V violation.

Nonresident Student Enrollment

NONRESIDENT TRANSFERS (CONTINUED)

7. The Director of Pupil Personnel/designee's decision in granting enrollment of nonresident pupils may be appealed to the Superintendent. If the Superintendent's decision is not satisfactory, an appeal may be made to the Board. The Board's decision shall be final.

RELATED POLICIES:

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

Review/Revised:5/26/2022

Tuition

The procedures cited below are to be followed in implementing the Board's tuition policy:

Where nonresident students or out-of-state students attend a school within the District the amount of tuition shall be set by the Board. The tuition shall equal the District's per pupil basic SEEK allocation.

CHILDREN OF EMPLOYEES

Employees who live outside the District may enroll their children in District schools without tuition fees, contingent on the District receiving ADA as provided by law.

PAYMENT OF TUITION

Tuition may be paid either at the beginning of each semester or in full at the beginning of the school year.

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