

Admissions and Attendance

NONRESIDENTS

Nonresident pupils may be ~~enrolled~~ ~~inadmitted to~~ the District's schools in accordance with Board ~~policies~~ ~~policy 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

~~Written nonresident pupil contract information shall be kept on file at both the attending and resident districts.~~

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.

~~TRANSFER OF ADA~~

~~Nonresident pupils may be admitted to the District schools upon payment of tuition and/or transfer of the pupil's average daily attendance as defined under Kentucky's public school fund.~~^{4&5}

FOREIGN EXCHANGE STUDENTS

The District shall regulate the admission and participation of foreign exchange students in the District's educational programs. Foreign exchange students shall register with and be approved by the Director of Pupil Personnel and the Principal of the school in which the foreign exchange student seeks to enroll.

Foreign exchange students shall attend for only one (1) school year for the purpose of gaining language and cultural experiences. Grade level placement shall be decided by the Principal based on years in school, courses in which the student will be placed, number of credits earned at their home school, and recommendation of foreign exchange agency/company through which the student is applying. Students who have graduated from high school will not be accepted.

Foreign exchange students will be permitted to enroll only during the first five (5) school days of each semester. The student must submit to the receiving school a minimum of thirty (30) calendar days before enrolling the required paperwork and a videotape of the student using conversational English to show the English-speaking skills of the student. The school will determine if the student's English-speaking skills meet enrollment requirements. These conditions and requirements may be modified in exceptional circumstances as determined by the Principal of the receiving school.

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.

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NON-IMMIGRANT FOREIGN STUDENTS (CONTINUED)

4. 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.
5. 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.⁶

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. Prior to a decision to deny admission, the District shall offer the student, parent/guardian, or other persons having legal custody or control of the student a hearing before the Board.

REFERENCES:

¹KRS 159.010; OAG 7864

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

³KRS 158.120; OAG 8047; OAG 79327; OAG 75602; [G.C. v. Owensboro Public Schools, 711 F.3d 623 \(6th Cir., 2013\)](#)

⁴~~KRS 157.320~~

⁵~~702 KAR 7:125~~

⁴⁶KRS 158.155; KRS 157.330; KRS 158.150

⁷~~KRS 158.140~~

[KRS 157.320; KRS 157.350; KRS 157.360; KRS 158.100; KRS 199.802](#)
[702 KAR 7:125; 704 KAR 7:090; 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)

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RELATED POLICIES:

06.32; 08.1114; 08.113

09.11; 09.121; 09.1222; 09.1223; 09.123; 09.124; ~~09.125~~

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

09.14; 09.211