

Admissions and Attendance

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.

NONRESIDENT STUDENTS

All nonresident pupils may be ~~enrolled in~~~~admitted 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.~~

To continue enrollment in the District's schools for the next academic year, all nonresident students shall be required to meet the following conditions:

1. The student shall comply with the District's attendance policy,
2. The student shall show appropriate academic progress as determined by his/her teachers and the Principal, and
3. The student shall comply with the District's "Student Code of Conduct."

All pupils of nonresident District employees may be admitted to the District's schools with no tuition assessed to the parent/guardian. To qualify, said Williamstown Board of Education employees shall be employed full time within the District. "Full time" shall be defined as certified or classified positions receiving usual and customary employee benefits. A substitute, seasonal, part-time, or temporary employee shall not meet the requirements of full time employee.

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.

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

Admissions and Attendance**EXPELLED/CONVICTED STUDENTS (CONTINUED)**

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; OAG 91-171

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

³KRS 158.120; OAG 8047; OAG 79327; OAG 75602

⁴KRS 158.155; KRS 157.320; KRS 158.150

⁵~~KRS 158.140~~

KRS 157.320; KRS 157.350; KRS 157.360; KRS 158.100

KRS 199.802

702 KAR 7:125; 702 KAR 7:050; 704 KAR 7:090

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

P. L. 104-208

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

22 C.F.R. §62.25; *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; ~~09.125~~

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

09.14; 09.211

LEGAL: HB 517 AMENDS KRS 159.035 TO REQUIRE THAT ANY STUDENT ENROLLED IN A PUBLIC SCHOOL SHALL NOT HAVE HIS OR HER PERFECT ATTENDANCE RECORD NEGATIVELY AFFECTED BY PARTICIPATING IN ANY OF THE PAGE PROGRAMS OF THE GENERAL ASSEMBLY.

FINANCIAL IMPLICATIONS: ALTHOUGH THE STUDENT IS NOT PRESENT AT SCHOOL, THE DISTRICT WILL STILL RECEIVE SEEK FUNDING

LEGAL: HB 194 AMENDS KRS 158.143 TO PROVIDE THAT A STUDENT ENROLLED IN A DISTRICT-OPERATED ALTERNATIVE EDUCATION PROGRAM SHALL BE ELIGIBLE TO SEEK ATTAINMENT OF A HIGH SCHOOL EQUIVALENCY DIPLOMA UNDER CERTAIN CONDITIONS AND SHALL BE EXEMPTED FROM COMPULSORY ATTENDANCE.

FINANCIAL IMPLICATIONS: STUDENT NO LONGER ENROLLED FOR SEEK FUNDING

STUDENTS

09.122

Attendance Requirements

COMPULSORY ATTENDANCE

All children in the district who have entered kindergarten or who are between the ages of six (6), as of August 1, and eighteen (18), except those specifically exempted by statute, shall enroll and be in regular attendance in the schools to which they are assigned.¹

Per 704 KAR 5:060, any five (5) year old child not otherwise subject to compulsory attendance laws, but who voluntarily enrolls in the primary school program at the beginning of the school year, may upon parental or guardian's written request be withdrawn from the program at any time within the first two (2) school calendar months. At the end of such trial period a child shall be considered irrevocably entered into the primary school program for purposes of KRS 159.010 and KRS 159.020.

EXEMPTIONS FROM COMPULSORY ATTENDANCE

The Board shall exempt the following from compulsory attendance:

1. A graduate from an accredited or approved 4-year high school;⁵
2. A pupil who is enrolled in a private or parochial school;⁵
3. A pupil who is less than seven (7) years old and in regular attendance in a private kindergarten nursery school;⁵
4. A pupil whose physical or mental condition prevents or renders inadvisable, attendance at school or application to study;⁵
5. A pupil who is enrolled and in regular attendance in private, parochial, or church school programs for exceptional children;⁵ ~~or~~
6. A pupil who is enrolled and in regular attendance in a state supported program for exceptional children;² or
7. A student enrolled in a District-operated alternative education program who attains a High School Equivalency Diploma.⁸

PHYSICIAN'S STATEMENT REQUIRED

The Board, before granting an exemption, shall require a signed statement as required by law unless a student's individual education plan (IEP) specifies that placement of the child with a disability at home or in a hospital is the least restrictive environment for providing services.²

Attendance Requirements

EXCEPTIONS TO PRESENCE AT SCHOOL

Students must be physically present in school to be counted in attendance, except under the following conditions:

1. Students shall be counted in attendance when they are receiving home/hospital, institutional,² or court-ordered instruction in another setting.
2. Participation of a pupil in 4H activities that are regularly scheduled and under the supervision of a county extension agent or the designated 4H club leader shall be considered school attendance.³
3. Students may participate in cocurricular activities and be counted as being in attendance during the instructional school day, provided the Principal/designee has given prior approval to the scheduling of the activities. Approval shall be granted only when cocurricular activities and trips are instructional in nature, directly related to the instructional program, and scheduled to minimize absences from classroom instruction.⁴
4. Students participating in an off-site virtual high school class or block may be counted in attendance in accordance with requirements set out in Kentucky Administration Regulation.⁴
5. Students having an individual education plan (IEP) that requires less than full-time instructional services shall not be required to be present for a full school day.⁴
6. Students who attend classes for moral instruction at the time specified and for the period fixed shall be credited with the time spent as if they had been in actual attendance in school, and the time shall be calculated as part of the actual school work required by law. Students shall not be penalized for any school work missed during the specified moral instruction time.⁵
7. Students participating as part of a school-sponsored interscholastic athletic team, who compete in a regional or state tournament sanctioned by the Kentucky Board of Education or KHSAA, that occurs on a regularly scheduled student attendance day shall be counted and recorded present at school on the date or dates of the competition, for a maximum of two (2) days per student per school year. Students shall be expected to complete any assignments missed on the date or dates of the competition.⁶
8. The pupil is participating in standards-based, performance-based credit that is awarded in accordance with 704 KAR 3:305, and that falls within one (1) or more of the categories of standards-based course work. A pupil may be counted in attendance for performance-based credit for a class or block for the year or semester in which the pupil initially enrolled in the class or block if the pupil demonstrates proficiency in accordance with local policies.^{4 & 7}
9. Students attending basic training required by a branch of the United States Armed Forces shall be considered present for all purposes for up to ten (10) days.³
10. Students participating in any of the page programs of the General Assembly.³

Attendance Requirements

REFERENCES:

¹KRS 159.010; OAG 8555
²KRS 159.030
³KRS 159.035
⁴702 KAR 7:125
⁵KRS 158.240
⁶KRS 158.070
⁷704 KAR 3:305
⁸KRS 158.143
KRS 158.030; ~~KRS 158.143~~
KRS 159.020; KRS 159.180; KRS 159.990
704 KAR 5:060
OAG 7968; OAG 79539; OAG 8740; OAG 97-26

RELATED POLICIES:

08.131; 08.1312
09.111; 09.121; 09.123; 09.36

LEGAL: 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. WRITTEN AGREEMENTS WILL NO LONGER BE NECESSARY. CHOOSE AN OPTION BELOW.

FINANCIAL IMPLICATIONS: NONRESIDENT PUPILS WILL BE COUNTED IN ADA FOR STATE FUNDING

09.1222

CHOOSE ONE OF THESE
OPTIONS.

Nonresident Students

☐ The District shall not allow nonresident students to enroll in the District.

☒ 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

Tuition**FEES TO BE CHARGED**

The Board may charge a 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 District.¹

REFERENCES:

¹KRS 158.120
237 S.W. 2D 65 (1951)
OAG 80-47; OAG 91-75
KRS 157.350; KRS 158.135
702 KAR 7:125

RELATED POLICIES:

09.12; 09.125

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

Adopted/Amended: 7/15/1996

Order #: 38