

## STUDENTS

### Nonresident Student Attendance Policy

Students may attend school in other than the resident student's school under the following circumstances:

1. State Enrollment Options Program;
2. When the resident and non-resident districts mutually agree; or
3. When the resident district and an out-of-state school district mutual agree;
4. Except when such transfer would work a hardship on the receiving school district

### State Enrollment Options Program

Whenever the parent or guardian of a student determines it is in the best interest of the student to attend a school other than the student's resident school, the parent/guardian must apply annually for admission to the non-resident school on a form provided by the State Department of Education. The application, together with the student's cumulative record, shall be submitted to the receiving district no later than February 1 for enrollment during the following school year. The February 1 deadline may be modified by mutual agreement of the resident and non-resident school. Notice of the application must be given to the student's residence district. The nonresident school will have 60 days in which to consider the application. If the application is denied, the non-resident school must provide a written explanation of the denial of enrollment.

No tuition shall be charged when a student attends a non-resident school under the State's Enrollment Options Program.

The parent/guardian of a non-resident student is responsible for transporting the student to and from the school or to a bus stop within the non-resident district.

Eligibility rules for participating in extracurricular activities shall apply to non-resident students. Any suspended or expelled student will not be eligible to attend a non-resident school under the provisions of this law.

### Mutual Agreement of Resident And Non-Resident Idaho Districts

The boards of trustees of a resident and non-resident district may agree in writing, on an annual basis that students may be allowed to attend school in the non-resident district.

### Mutual Agreement of Resident District And An Out-Of-State District

The Board of Trustees may agree in writing, on annual basis, that a resident student attend school in the nearest appropriate school district in a neighboring state. Such agreement shall state the rate of tuition and cost of transportation, if any, to be paid by the District. The agreement will be entered into the records of the Board of Trustees. A copy must be filed with the State Board of Education.

The Board of Trustees may, upon approval of the State Board of Education, enter into an agreement with the governing body of a school district in another state for education and/or transportation of an out-of-state student. The rate of tuition, cost of transportation as well as other appropriate costs shall be specifically addressed in the agreement. The agreement will be entered into the records of the Board of Trustees with a copy to be filed with the State Board of Education.

### Hardship Exception

When tuition is to be paid by the resident district, or waived by this District, the District will admit students except when any such transfer would constitute a hardship. In the following circumstances, the District may determine that a hardship exists when acceptance of a nonresident student(s) would:

1. Require the hiring of additional staff, the provision of educational services not currently provided in the school, or the crowding of existing classes;
2. Cause an excessive number of students in a particular building
3. Cause an excessive number of students in a particular class
4. Cause an excessive number of student enrollment in a specialized program (i.e. Title I, Special Education, Gifted/Talented)
5. Would cause disruption of the education process. The District will consider the following criteria in making this determination: 3080-3
  - a. Is the student in good standing with the most recently attended school in terms of academics, conduct, and attendance;
  - b. Can the student demonstrate a record free of truancy;
  - c. Can the student demonstrate a clean behavior record in the school last attended for a period of at least one year;
  - d. Would the student's presence pose a detriment to the health and safety of other students and/or staff;

e. Has the student been suspended or expelled from any other school district.

Idaho Youth Rehabilitation/Child Protective Act

Any non-resident student placed by court order under the Idaho Youth Rehabilitation Act or the Child Protection Act and residing in a licensed home, agency, or institution located within the District shall be enrolled and shall not be charged tuition.

Homeless Children

Homeless children as defined by the Steward B. McKinney Homeless Assistance Act (P.L. 100-77), may attend any school district or school within a district without payment of tuition when it is determined to be in the best interest of such homeless child.

Other Conditions: The Board will not admit any student prior to viewing that student's records from the student's previous school districts.

The District has the option of accepting a nonresident student who does not meet the criteria set forth herein, if the student agrees to special conditions of admission, as set forth by the District.

The Board will not admit any student who is expelled from another school district.

Legal Reference: I.C. § 33-1400 et seq. Transfer of Pupils

I.C. § 33-205 Denial of School Attendance

Policy History:

Revised on: August 8, 2016