

NONRESIDENT STUDENTS

Application

Choice Transfer Requests will be Done on an Annual Basis

- A. Between March 1 – March 31 of the current school year, students requesting to be enrolled into the South Kitsap School District as well as students who currently are enrolled on a approved Choice Transfer request must re-apply annually;
- B. Student athletes are responsible for ensuring their eligibility following WIAA regulations and are prohibited from participating in varsity athletic competitions during their initial year of transfer unless eligibility is granted by the WIAA;
- C. Applications for transfers for the next school year will be taken March 1 to March 31 of the current year. Applications will also be accepted thereafter for current students when and if the student or parent can show good cause why the application was not submitted in a timely manner. Applications will continued to be accepted on a first come, first served basis from new Choice Transfer requests;
- D. The Principal of the requested school in which the Choice Transfer is made will review and make the determination for acceptance or denial of the request. The Superintendent or Superintendent’s designee will notify the student or parent by email, of the students approval or denial for the subsequent school year;
- E. Any request for transfer into the district received after August 1st will not be considered prior to the first 10 days of school;
- F. All requests for transfer will be reviewed and a determination for enrollment will be made in a timely manner with parents or students being notified by email for the subsequent school year.

The Following Criteria will be Used in Determining Whether Applications will be Approved

- A. Whether acceptance of a nonresident student would result in the district experiencing significant financial hardship (“financial hardship” does not include routine programmatic costs associated with serving additional disabled or non-disabled students);
- B. Whether in the grade level or class at the building where the student desires to be enrolled has the capacity for additional students;
- C. Whether appropriate educational programs or services are available to improve the student’s condition as stated in requesting release from his or her district of residence;

- D. Whether the student's disciplinary records or other documentation indicate a history of violent or disruptive behavior or gang membership (a gang means a group of three or more persons with identifiable leadership that on an ongoing basis regularly conspires and acts in concert mainly for criminal purposes);
- E. Whether the student has been expelled or suspended from a public school for more than ten consecutive days, in which case the student may apply for admission under the district's policy for readmission and reengagement of suspended or expelled student;
- F. Whether enrollment of a nonresident student would conflict with a district innovation academy cooperative under RCW 28A.340.080.;
- G. Whether the student has repeatedly failed to comply with requirements for participation in an online school program, such as participating in weekly direct contact with the teacher or monthly progress evaluations.

Limitations

The District reserves the right to decide prior to the beginning of a given school year and decide not to accept applications for a specific program, service, or grade level within the District, due to a planned and/or an anticipated lack of capacity for non-resident students.

Choice Transfer Students Currently Enrolled

1. High school students who have moved out-of-district after the beginning of their junior or senior year with appropriate release from their home district will be allowed to graduate with their class.
2. Any student, other than high school junior or seniors as noted above, that moves out-of-district after the beginning of the school year will, with appropriate release from their home district, be allowed to complete that year only at the school in which they are enrolled. In the event that overcrowding occurs in the student's classroom or grade level, the District reserves the right to rescind the transfer. At the completion of the school year, the student would be considered out-of-district subject to the Choice Transfer application process.

Termination

Any acceptance of nonresident admission may be terminated by the Superintendent or designee at any time before the end of the current school year if, in the professional judgment of the Superintendent or designee, the factors and/or reasons justifying the student's release from his or her resident district and admission to the nonresident district no longer apply or no longer justify the nonresident student's attendance in the district. Instances in which termination is proper include, but are not limited to, the following:

- A. Where, upon input from the student's study team or other team of qualified staff members, the Superintendent or designee determines that the district is no longer able to provide appropriate educational programs or services to the student within the District;

- B. Where the Superintendent or designee determines that the student's continued attendance in the district is likely to create a risk to the health or safety of other students or staff or interferes with the education of other students;
- C. Where the Superintendent or designee determines that the student's application for admission contained a material omission or misrepresentation of fact;
- D. Where the District's financial circumstances deteriorate during the course of the acceptance such that continuation of the acceptance causes a financial hardship to the District; or
- E. Where the actual costs of serving the student are significantly higher than anticipated at the time of acceptance so as to cause a financial hardship to the District.

If the application is denied or admission terminated, the Superintendent or designee shall notify the parent or guardian in writing of the denial or termination and the reasons therefore and shall include a statement that the parent has a right to appeal the decision pursuant to RCW 28A.225.230(3).

Termination shall be effective seven calendar days following notice of the Superintendent or designee's decision to revoke admission.

Children of Full-Time Employees

Pursuant to RCW 28A.225.225, a nonresident student who is the child of a full-time certificated or classified employee will be permitted to enroll:

- A. At the school to where the employee is assigned;
- B. At a school forming the district's kindergarten through twelfth grade continuum, which includes the school where the employee is assigned; the student remains enrolled until he or she completes schooling; or
- C. At a school in the district that provides early intervention services pursuant to RCW 28A.155.065 and/or preschool services pursuant to RCW 28A.155.070, if the student is eligible for such services.

Residency

A student's residence means the physical location of the student's principal abode: i.e., home, house, apartment, facility, structure, or location, etc., where the student lives the majority of the time. Proof of residency may be requested.

Internal Appeals Process

Internal Appeals Process requires completion within 45 days from the date the application was received only after March 1 of current year.

- A. The following due process procedures are intended to resolve disputes, which remain after application of this procedure. These due process procedures may be implemented by the student/parent or guardian as an appeal from a denial of admission to a particular school or by District staff seeking to clarify whether or not a particular student is properly enrolled in a particular school or by District staff seeking to clarify whether or not a particular student is properly enrolled in a particular school. All students age 8 to 18

must attend school. Therefore, the student will be enrolled in the school in which he/she is a resident pending exhaustion of the District appeal procedures.

1. If a student and/or the parents/guardians wish to appeal a denial of admission to the District, a written request within 5 working days of the denial of the transfer request must be submitted to the Executive Director of School and Family Support. When a request is received, a meeting with the district's hearing officer will be set.
2. The hearing officer will issue a written decision after the hearing. When that decision is adverse to the position put forward by the student/parent, the hearing officer's decision will be automatically forward to the Superintendent for review.
3. The Superintendent will review the hearing officer's decision as well as any pertinent evidence. The Superintendent's decision will be final.
4. OSPI Appeal Available:
For Choice Transfer appeals, an aggrieved student/parent may appeal to the Office of the Superintendent of Public Instruction. "An aggrieved student/parent may appeal a denial of admission or release to the Office of the Superintendent of Public Instruction. Appeals from a denial of admission can only be brought based on the District's failure to comply with statutory standards and procedures adopted under RCW 28A.225.225. See RCW 28A.225.300(3); WAC 392-137-200; WAC 392-137-205.
5. Parents or guardians have the right to appeal to OSPI without a requirement to go through a district-level appeals process first.

REVISED: January 24, 2017; May 15, 2019 (per 12.18 WSSDA update)