

### **Admission of Out-Of-State Students**

For the purpose of this policy, the term "out-of-state student" means a student who has legal residence in another state other than South Dakota. Bon Homme School District may accept out-of-state students, from districts outside the state of South Dakota, who wish to enroll provided Bon Homme School District can accommodate the students. This determination will be based upon criteria adopted by the Bon Homme School Board.

#### **A. General Principles**

1. A student who is a legal resident of a school district in a state other than South Dakota seeking to transfer into Bon Homme School District must apply at least one full semester prior to the semester of intended enrollment. This would enable the Board, administration, and staff to determine if accommodations can be made due to staffing, class size, scheduling, textbooks, etc. Accommodations may be made for emergency purposes upon approval of the Board.
2. When the parent, legal guardian, or emancipated youth applies in writing to attend Bon Homme School District, the district will enter the request on the agenda for the next regular School Board meeting. The application will be approved or disapproved by the Bon Homme School Board. The applicant will be notified within five working days of the School Board's decision.
3. If a change of residence occurs and the legal residence becomes the State of South Dakota, the student may apply for enrollment within Bon Homme School District as either a resident student or make formal application for "Open Enrollment." Once enrolled in Bon Homme School District the enrollment is continuous unless a change of residence occurs or a subsequent transfer application is received.
4. Bon Homme School District will accept credits granted for any course successfully completed in another school district and meet South Dakota standards. Bon Homme School District will award a diploma to an out-of-state student only if the student satisfactorily meets Bon Homme School District's graduation requirements.
5. Transportation of the out-of-state student to school is the responsibility of the applicant. Bon Homme School District may provide transportation to out-of-state students upon approval of the Bon Homme School Board.
6. The out-of-state student must follow the same school calendar as adopted by Bon Homme School District.
7. Bon Homme School District will not count the out-of-state student on the ADM (Average Daily Membership) reports to the Division of Education and Cultural Affairs in Pierre, South Dakota.
8. The out-of-state student will have equal opportunity to participate in the extracurricular activities as per rules and policies adopted by Bon Homme School District and the South Dakota High School Activities Association.

#### **B. Costs**

1. The parent, guardian, or emancipated youth will be responsible to reimburse Bon Homme School District the "per student costs" for each student enrolled. The per student costs will be computed based upon the last or previous full school year completed.
2. The parents, guardian, or emancipated youth will be required to pay the per student costs over a nine (9) month period of time (nine monthly installments). The first payment is due on the date the student enrolls in Bon Homme School District and the remaining eight (8) monthly payments will become due on the first day of the month following enrollment.

3. Should the parent, guardian, or emancipated youth, fail to make the monthly financial payment for the per student costs of the out-of-state student, the student shall be dropped from enrollment. Bon Homme School District shall award credit for courses up to the point the student is dropped from enrollment. Bon Homme School District will notify the parent or guardian, and school district of legal residence, that the student has been dropped from enrollment. The student shall be required to enroll in the school district of legal residence.
4. The parent, guardian, or emancipated youth, shall be responsible for any direct or indirect costs associated with particular programs or course offerings found at Bon Homme School District. Examples of this would be if there are fees for art, driver's education, band, etc., which all students of Bon Homme School District are equally charged when participating in a specific activity, course, or program.

### **C. Special Education**

1. Both State and Federal Law requires that the resident district be responsible for providing a free and appropriate public education for students in need of special education and related services. All applications for transfer of a special education student must first be considered by a placement committee and the placement committee must include representatives of both the resident and out-of-state district.
2. The combined placement committee must determine that Bon Homme School District can provide appropriate instructional programs and facilities to meet the student's needs and the same can be done with existing services and programs.
3. The legal resident school district is required to reimburse Bon Homme School District for the "actual costs incurred in providing an appropriate special education" for the out-of-state student.
4. The combined placement committee shall determine whether the out-of-state student requires transportation as a related service and, if the service is required, the legal resident district is required to provide or pay for the service.
5. The return of an out-of-state special education student to the legal resident district is also subject to the approval of the combined placement committee.

### **D. Criteria for Making Transfer Decisions**

Discrimination based upon race, gender, religious affiliation, or disability is prohibited. All members of the same family residing in the same household will be treated the same.

1. The following factors/criteria/standards will apply with respect to each application and the acceptance or rejection of the application for out-of-state students to enroll in Bon Homme School District.
  - a. Written statement of reason(s) why the parent(s), guardian(s), or emancipated youth wishes to enroll in Bon Homme School District.
  - b. Student's educational and discipline history in the legal resident district and any other prior school district(s) attended.
  - c. Educational impact on Bon Homme School District, if any, including impact on existing programs, class size, student/teacher ratio, staffing needs, and facilities.
  - d. The Department of Education and Cultural Affairs rules and administrative requirements.
2. The Bon Homme School Board may deny applications from an out-of-state student for any of the following reasons:
  - a. The application was not timely.
  - b. The violation of standards established in D-1 (as stated above).
  - c. The out-of-state student is under suspension or expulsion in the legal resident district.

- d. The out-of-state student has been convicted of possession, use or distribution of any controlled substance, including marijuana, etc.
- e. The out-of-state student has been convicted of a weapons charge relating to any school currently or previously attended.

#### **E. Miscellaneous Provisions**

1. The Bon Homme School Board makes the assignments of students among the schools within the district pursuant to SDCL 13-28-19 and 19.1, and local policy.
2. Bon Homme School District will make relevant information about the district, schools, programs, policies, and procedures available to all interested people upon request.
3. Appeals from Board action can be heard in civil court.

Legal References: SDCL 13-13-10.1; 13-15-8.1; 13-15-9; 13-15-21; 13-15-23; 13-28-9; 13-28-10; 13-28-11; 13-28-15; 13-28-19; 13-28-19.1; 13-28-21; 13-28-22; 13-28-23; 13-28-30; 13-28-34; 13-28-46; 13-28-47

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