

POLICY NO. 5020
Adopted: 10-11-78
Revised: 6-27-90
Revised: 8-25-93
Revised: 8-11-04
Revised: 2-22-12
Revised: 3-14-12
Replaced: 4-26-17

ADMISSION OF NONRESIDENT STUDENTS

POLICY:

Any student who resides outside the Lake Stevens School District may apply to attend a school in the district. All applications for nonresident attendance will be considered on an equal basis and within the parameters of this policy and state law.

A parent or guardian must apply for admission on behalf of his or her student by completing the appropriate application for the District, as described in the procedures for this policy. The admission and enrollment of nonresident students is based on available enrollment capacity and is effective for one year.

The District will accept nonresident students into schools, grade levels, classes, and programs that have been determined to have available enrollment capacity as determined by the procedures included within this policy. The District shall be the sole determiner of the available enrollment capacity at each school for the upcoming school year. The District will designate available enrollment capacity in accordance with the procedures for this policy.

Legal references:

RCW 28A.225.220 Adults, children from other districts, agreement for attending school

RCW 28A.225.225 Applications from nonresident students or students receiving home-based instruction to attend district school — School employees' children — Acceptance and rejection standards — Notification

RCW 28A.225.230 Appeal from certain decisions to deny student's request to attend nonresident district

RCW 28A.225.280 Transfer students' eligibility for extracurricular activities

WAC 392-137-135 Affecting condition-grounds for release

WAC 392-137-140 Accessibility to work or child care-grounds for release

WAC 392-137-190 Appeal notice-denial of release or admission

WAC 392-137-195 Filing of notices of appeal

WAC 392-137-205 Noncompliance with standards and procedures – Grounds for admission

WAC 392-137-230 Length of acceptance

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ADMISSION OF NONRESIDENT STUDENTS

PROCEDURES:

1. Application Procedures: A parent or guardian shall apply annually for admission on behalf of his/her child by completing their home district application and including a full explanation of conditions warranting consideration for admission and appropriate documentation. An application will be deemed received on the date and time that the District receives notification from the releasing school district. This procedure is to be administered by fair and equitable standards toward all students.
2. Available Enrollment Capacity: The Superintendent or his/her designee will annually review enrollment capacity designations and will designate the schools with available enrollment capacity as soon as practical. Schools that do not have available enrollment capacity for nonresident students will be posted on the district website.
 - A. The Superintendent or his/her designee shall determine the capacity of each school, grade level, class and/or program, and use that capacity when considering a student's request to attend a school.
 - B. The primary consideration in reviewing an admission request is space. Space must be available in the school, grade level, class, and/or program requested. Factors considered in assessing available enrollment capacity may include, but are not limited to, the building's physical capacity; the District's Facilities Master Plan; present and projected enrollment; flexibility for growth; the District's commitment to provide comparable education environments between schools for each grade level; each school's ability to operate an effective and efficient educational program; teacher capacity; classroom capacity; and the impact to shared facilities such as locker rooms, cafeterias, and libraries.
 - C. The District will only consider applications for admission to school, grade level, class, and/or program with available enrollment capacity for that year.
 - D. For the 2017-18 school year, students in 9th grade and above who have earned credits towards their transcript may be allowed to remain in the district.

3. Enrollment Application Period: Nonresident student transfer requests will be accepted for school, grade level, class, and/or programs with capacity after May 15 for the following school year.
4. Standards:
 - A. The Superintendent or his/her designee will consider the following factors before accepting an application for nonresident admission to any school, grade level, class, and/or program that has been designated to have available enrollment capacity for the upcoming school year:
 - (1) The District's determination of available enrollment capacity for the school, grade level, class and/or program where the student has applied for admission;
 - (2) The District's determination that a student's financial, educational, safety, or health condition would be significantly impacted and the transfer would improve the identified condition;
 - (3) 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;
 - (4) Attendance at the school in the nonresident district is more accessible to the parent's place of work or to the location of child care;
 - (5) The student is continuing enrollment at the building or in a program.
 - B. The Superintendent or his/her designee will deny an application for nonresident admission based upon any of the following:
 - (1) The school, grade level, class, and/or program at the building requested does not have available enrollment capacity for the enrollment year in question;
 - (2) The student's disciplinary records indicate a history of convictions for offenses or crimes, violent or disruptive behavior, or gang membership;
 - (3) The student has been expelled or suspended from a public school for more than ten consecutive days;
 - (4) The student's attendance in the district is likely to create a risk to the health or safety of other students or staff;
 - (5) Enrollment of a child would displace a child who is a resident of the district;
 - (6) Acceptance of a nonresident student would result in the District experiencing a financial hardship.
 - C. If the nonresident student is the child of a full-time certificated or classified school employee and is requesting enrollment in the employee's assigned school or a school forming the District's K-12 continuum that includes the school to which the employee is assigned, the Superintendent shall accept the transfer request unless the nonresident student:

- (1) Has a history of convictions for offenses or crimes, violent or disruptive behavior, or gang membership;
- (2) Has been expelled or suspended from school for more than ten consecutive days; or
- (3) Would displace a child who is a resident of the district; except if the employee's child has already been admitted, that child shall be permitted to remain enrolled.

D. If a nonresident applicant is otherwise eligible to attend a school in the district with capacity but the available enrollment capacity in a school, grade level, class, and/or program is not sufficient to accept all applicants, applications will be prioritized in the following order:

- (1) A student who has completed at least his/her 10th grade year and wishes to remain at the school he/she has been attending until graduation;
- (2) A student for whom the District has determined that the student's educational, safety, or health condition would be significantly impacted and the transfer would improve the identified condition;
- (3) Students requesting to continue enrollment in the same school or program as the preceding school year;
- (4) Following application of items (1) through (3), all other requests will be prioritized based on the date and time that the application was received by the District.

E. Enrollment of a nonresident student can be terminated under any of the following conditions that would have led to a denial of acceptance of the original application:

- (1) If after the Choice (out of district) Application was approved, the information provided in the application is found to be incomplete or has changed and/or the information was materially misrepresented in the application;
- (2) If the student is expelled from the District or any school district program under the usual disciplinary process; or
- (3) If the student is excessively tardy or truant or if the student engages in frequent misconduct and/or disruptive behavior in violation of school rules (which indicates that the student is not being successful in the school or program). Before the Choice transfer of such a student is terminated under this provision, the student and parent/guardian will be notified that the student's continued attendance in this district is in jeopardy. Should a decision be made to terminate the student's district enrollment, the parent/guardian will be notified and may appeal that termination to the Superintendent or his/her designee.

5. Records from the nonresident student's previous school(s) will be requested and reviewed prior to accepting the nonresident student. Those records may consist of:

- A. Current attendance records,
 - B. Discipline records,
 - C. Current transcript/report cards or other pertinent education records.
6. A student who resides in a district that does not operate a secondary program shall be permitted to enroll in a secondary school in this district in accordance with state law and regulation relating to the financial responsibility of the resident district.
 7. Applications will be reviewed in the order they are received beginning May 15. The District shall provide all applicants with written notification of the approval or denial of the application within the time lines identified in WAC-392-137-205(2).
 8. If the student is to be admitted, the Superintendent or his/her designee shall notify the resident district and make necessary arrangements for the transfer of student records.
 9. In all cases that the District approves the admission of a nonresident student, the student or the student's parent(s) shall be solely responsible for transportation.
 10. Nonresident high school student athletes must meet the eligibility requirements of the Washington Interscholastic Activities Association (WIAA) in order to participate in varsity sports.
 11. Appeals. If the request of a nonresident student to attend the district is denied or revoked, notification to the parent/guardian shall include the reason or reasons for denial and the right to appeal.
 - A. The parent/guardian may appeal to the Superintendent or his/her designee for review of the decision. Such an appeal must be in writing and be received within five (5) business days from the day on which the denial was received by the parent/guardian. The appeal should be sent to Nonresident Variance Appeals, Lake Stevens School District, 12309 22nd Street NE, Lake Stevens, WA 98258. If the request for accepting the nonresident student is denied, the designated Assistant Superintendent will provide the applicant's parent(s) or guardian(s) written notification of the reasons for the acceptance or denial in a timely manner.
 - B. The Superintendent or his/her designee will also notify the parent or guardian of the right to appeal the denial to the Superintendent of Public Instruction or his/her designee, per the processes in RCW 28A.225.230, WAC 392-137-190, and 392-137-195.