

1 **Custer K-12 Schools**

2
3 **STUDENTS**

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4
5 Discretionary Nonresident Student Attendance Policy

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7 The Board, recognizing that its resident students need an orderly educational process and
8 environment, free from disruption, overcrowding, and any kind of violence or disruptive
9 influences, hereby establishes criteria for the discretionary admission of nonresident students.

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11 1. Except as required by § 20-5-321, MCA, the District will admit nonresident students at
12 its discretion. As such, the District will screen all nonresident students and consider only
13 those who meet the criteria set forth in this policy.
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15 2. The Superintendent will recommend to the Board any nonresident student admission in
16 accordance with this policy, with the Board making the final decision on admission.
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18 3. Usually, nonresident students who do not qualify for mandatory attendance will not be
19 admitted to District schools. Exceptions are foreign exchange students, under Policy
20 3145, and children in the immediate family of nonresident District employees. The
21 District, at its discretion, also may consider for admission other nonresident students.
22 Review of the records and decisions regarding admission cannot be inconsistent with
23 district policies regarding nondiscrimination.
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25 4. The District will not admit nonresident students when doing so would cause the district to
26 exceed the class size standards under 10.55.712 and 10.55.713, ARM. In addition, the
27 District will also consider limiting student loads below the state maximum in multi-grade
28 classrooms. The District will not admit nonresident students when doing so would require
29 hiring additional staff or providing educational services not currently offered or would
30 create crowding of existing classes.
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32 5. The District will examine a student's records from previous school districts before any
33 Board approval for admission. The District will consider grades, attendance, test scores,
34 academic progress, and behavior.
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36 6. Every nonresident student who attends District schools must reapply for admission for
37 the succeeding school year by June 15. Admission in one school year does not infer or
38 guarantee admission in subsequent years.
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40 7. In order to be considered for the fall semester, an out of district student transfer
41 application must be submitted by July 1. Applications for the spring semester must be
42 submitted by November 15. The District may consider extenuating circumstances in the
43 event an application is submitted after a stated deadline. Acceptance of a late application
44 is not a guarantee of enrollment.
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46 8. Nonresident students enrolled under this policy are subject to all district policies, rules,
47 regulations on the same basis as resident students.
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9. All resident students who become nonresidents because their parents or guardians move out of the District may continue attendance for the semester, barring registration in another District. At the completion of the semester, a student must apply as a nonresident student.
10. The Board will not admit any student who is expelled from another school district.
11. The Board reserves the right to charge tuition for nonresident students. At its discretion, the Board may charge or waive tuition for all students whose tuition is required to be paid by one kind of entity, defined as either a parent or guardian or a school district. Any waiver of tuition will be applied equally to all students whose tuition is paid by the same kind of entity (i.e., if the District charges tuition in those circumstances where a resident district pays but waives tuition in those circumstances where a parent or guardian is responsible for tuition, the tuition waiver will be applicable to all students whose parents or guardians bear the responsibility for payment).
12. All nonresident students will be considered ineligible transportees for school transportation services (§ 20-10-101, MCA).
13. The Board may declare an emergency which, in its opinion, necessitates the removal of all nonresident students from District schools.

Cross Reference: 2161 – 2161P Special Education
3110 Entrance, Placement, and Transfer
3125 Education of Homeless Children
3210 Equal Education, Nondiscrimination and Sex Equity

Legal Reference: § 20-5-314, MCA Reciprocal attendance agreement with adjoining state or province
§ 20-5-320, MCA Attendance with discretionary approval
§ 20-5-321, MCA Attendance with mandatory approval – tuition and transportation
§ 20-5-322, MCA Residency determination – notification – appeal for attendance agreement
§ 20-5-323, MCA Tuition and transportation rates
10.10.301B, ARM Out-of-District Attendance Agreements
10.55.712, ARM Class Size Elementary
19 10.55.713, ARM Teacher Load and Class Size – High School

Policy History:

Adopted on: October 10, 2001
Reviewed on: 3/11/2010, 7/13/2022, 8/10/2022
Revised on: 1/14/2004, 9/14/2022