NONRESIDENT (OUT-OF-DISTRICT) STUDENTS

Consistent with Chapter 28A.225 RCW, any student who resides outside of the Longview School District may apply to attend a school in the District or file the parental declaration of the intent to provide home-based instruction and enroll for ancillary services, if any. All applications for nonresident attendance or home-based instruction will be considered on an equal basis. Acceptance is to the District and does not guarantee placement at a specific school or in a specific program.

Applications for admission for the following school year will be accepted between January 1 and March 31. An application received before March 31 will be held and will not be acted upon until March 31 and will be deemed received on that date for purposes of the notification deadline in this policy.

An application received after March 31 will be accepted or denied, and written notice provided, within 45 calendar days of the date the District actually receives it.

The application will be considered under the same standards as applications received during the window, except that capacity be measured against the seats remaining after decisions on window applications have been issued. Capacity will be determined in accordance with the acceptance considerations and capacity provisions established in Procedure 3141P. Where no capacity remains in the grade level, class, school, or program requested, the application will be denied on that basis and the notice will state the capacity figure and the enrollment figure relied on. The District will date- and time-stamp each application on receipt and will maintain a central log of the receipt, decision, and notification dates for every application.

The superintendent may adopt procedures implementing this policy. Those procedures may contain a priority system, fair and equitable under equal protection standards, to be applied when the District receives more applications for nonresident admission than it has capacity to accept.

The Board annually will inform parents of the interdistrict enrollment options and parental involvement opportunities. Information on interdistrict acceptance policies will be provided to nonresidents on request. Providing online access to the information satisfies this requirement unless a parent or guardian specifically requests the information in written form. The District will not charge any transfer fee or tuition cost for enrolling an eligible nonresident student.

The superintendent or designee will develop an application form that contains information including, but not limited to, the current legal residence of the child and the school district in which he or she is currently enrolled or receiving home-based instruction, the reason for requesting release from the resident district, and the specific building and grade level (elementary) or course offerings (secondary) in which the student desires to be enrolled. All applications must be submitted on the District's designated form, and no other form will be accepted. The form will identify the records the applicant must submit, and an application that does not include those records is incomplete and may be denied on that basis. The application must include a release from the student's resident district under WAC 392-137-160.

The District will use the Standard Choice Transfer System in the Education Data System (EDS) to process nonresident transfer requests. The superintendent or designee will issue the written decision directly to the parent or guardian and will enter the decision in the Choice Transfer System. Written notice to the parent or guardian will not depend on entry in the Choice Transfer System.

Staff members may provide routine information about the programs of the school involved but will not engage in any form of recruiting related to academics, athletics, or activities.

A nonresident student may not request attendance at a particular building for the sole reason of the athletic or activity interests of the student. Eligibility for interscholastic activities is governed by Washington Interscholastic Activities Association rules and Policy 2151, under which a transfer student is ordinarily ineligible for varsity competition for one calendar year absent a waiver granted by the WIAA.

Children experiencing homelessness will be allowed to attend school in the District in accordance with federal and state law and District policy.

The parent or guardian is responsible for transporting the nonresident student to and from school or to a designated stop within the school's existing service area. District buses will not alter routes to serve a nonresident student. This paragraph does not limit transportation required as a related service under a student's individualized education program or Section 504 plan, or transportation required for a student experiencing homelessness.

Standards for accepting, rejecting, or revoking

The superintendent or designee will accept, reject, or revoke an application for nonresident admission based upon the following standards, applied equally to all applications:

1. Whether the class, grade level, course, school, or program in which the student desires to be enrolled has capacity for additional students, measured against the enrollment guidelines established under Procedure 3141P.

2. Whether appropriate educational programs or services are available to improve the student's condition as stated in requesting release from the student's district of residence.3. Whether the student's attendance in the District is likely to create a risk to the health or safety of other students or staff.

4. Whether the proposed entrance date provides sufficient time to expect probable success during that quarter or semester.

5. Whether the student has maintained a satisfactory attendance record. A student who has been absent or tardy more than 10 percent of the current or most recent school year does not meet this standard, with every three tardies counted as one absence.

6. Whether the student has maintained satisfactory academic progress. A student with more than one failing grade in the current or most recent grading period does not meet this standard.

7. Whether a student is ostensibly applying for entrance for the sole purpose of graduating. Such a student will be required to enter at the beginning of the semester prior to commencement.

8. Whether acceptance of the student would result in the District experiencing a significant financial hardship ("financial hardship" does not include routine programmatic costs associated with serving additional students with or without disabilities. Financial hardship includes acceptance that would cause a classroom to exceed a class-size limit set by collective bargaining agreement.)

9. Whether the student's disciplinary records or other documentation indicate a history of convictions for offenses or crimes, 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).

10. Whether the student has been expelled or suspended from a public school for more than 10 consecutive days, in which case the student may apply for admission under the District's policy for readmission and reengagement of suspended or expelled students. The District's readmission and reengagement procedures apply uniformly to resident and nonresident applicants.

11. Whether enrollment of the nonresident student would conflict with a District innovation academy cooperative under RCW 28A.340.080.

12. 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.

13. Whether the application is complete and includes the records the application form requires.

14. Whether, at the time the application is acted upon, the District has sufficiently completed its enrollment and financial projections for the school year in question to determine that it has the space, capacity, and financial resources to admit the student. If the District has not completed those projections, it will notify the parent or guardian when the projections are complete and whether the application is accepted.

The District may determine before the beginning of a school year that it will not accept applications for a specified grade level, class, school, or program, or District-wide, because of a planned or anticipated lack of capacity for nonresident students. A determination under this paragraph will be documented, will state the enrollment and financial basis for it, and will be posted on the District website and provided to any nonresident who requests it.

Admission or denial: notice of decision and appeal

The superintendent or designee will accept or deny each application and provide the applicant with written notification of the decision within 45 calendar days of the date the application is deemed received under this policy. An application not acted upon within 45 calendar days is

deemed denied and is subject to reversal on appeal under WAC 392-137-205. If the student is to be admitted, the superintendent or designee will notify the resident district and make necessary arrangements for the transfer of student records.

A notice of approval will state the length of the acceptance, which will not exceed one school year, and the circumstances under which the acceptance may be revoked.

A denial will be in writing and will state each standard in this policy on which the denial is based and the specific facts supporting each. The notice will inform the parent or guardian of the right to appeal the decision to the Office of Superintendent of Public Instruction under RCW 28A.225.230(3).

A parent or guardian may request review of a denial or revocation by a designee of the superintendent who did not make the initial decision within five business days of the date of the notice. The reviewer will issue a written decision within five business days of receiving the request. Review under this paragraph does not extend the deadline for appeal to OSPI.

Children of full-time employees

Except for students who reside out-of-state and students under RCW 28A.225.217, 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 which the employee is assigned;

B. At a school forming the District's kindergarten through twelfth-grade continuum that includes the school to which the employee is assigned;

C. At a school in the District that provides early intervention services pursuant to RCW 43.216.580 or preschool services pursuant to RCW 28A.155.070, if the student is eligible for such services; or

D. For an employee whose primary work location is not a school, at the school serving the attendance area of the employee's primary work location or at a school forming the District's kindergarten through twelfth-grade continuum for that attendance area. "Primary work location" means the site the employee is ordinarily assigned to report to for duty.

The District may reject the application of a student who is the child of a full-time employee if:

1. The student's disciplinary records or other evidence support a conclusion that the student has a history of convictions for offenses or crimes, violent or disruptive behavior, or gang membership;

2. The student has been expelled or suspended from a public school for more than 10 consecutive days, provided that the District's readmission and reengagement procedures apply uniformly to resident and nonresident applicants under RCW 28A.225.225(2)(b);

3. Enrollment of the student would displace a child who is a resident of the District; or

4. 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.

A student enrolled under this section must be permitted to remain enrolled at the same school or in the District's kindergarten through twelfth grade continuum until the student completes schooling or the student repeatedly fails to comply with the requirements for participation in an online school program. Annual reapplication is not required for a student enrolled under this section.

Admission conditions and revocation

The acceptance of a student who is the child of a full-time employee will be for one school year or until the parent is no longer a District employee, whichever is earlier. Should the employee cease employment during an academic term, the employee's child will be permitted to remain enrolled in the District until the end of that academic term.

The acceptance of other nonresident students will be for the designated school year or a stated period of time of lesser duration. Acceptance of all nonresident students is subject to the conditions listed on the District's prescribed application form and must be renewed prior to the student's enrollment for any subsequent school year.

A nonresident student transfer may be revoked at any time during the school year if the student no longer meets one or more of the standards in this policy, if the application contained a material misrepresentation or omission of fact, or if the student needs a different educational program, setting, or placement and there is not room where the student would be placed.

A revocation will be in writing, will state each standard on which it is based and the supporting facts, will state the effective date, and will inform the parent or guardian of the right to appeal to OSPI on the same terms as a denial. Absent circumstances affecting the health or safety of students or staff, a revocation will not take effect before the end of the semester or grading period in which notice is given.

A student enrolled as a resident who establishes residence outside the District during the school year must submit a nonresident application at the time of the move. A student who moves before the end of the first semester will be considered under the standards in this policy. A student who moves after the end of the first semester may complete the school year in the District and must apply for any subsequent year.

A student who resides in a district that does not operate a secondary program will be permitted to enroll in secondary schools in the District in accordance with state laws and regulations relating to the financial responsibility of the resident district.

A student who has dropped out of high school for six weeks or longer, has returned from participation in a substance-abuse treatment program, is about to become or is a teen parent, or has returned from hospitalization due to a mental health problem may attend high school in the

District regardless of residence. Such a student, with completed application, will be admitted provided that appropriate educational programs are available to accommodate the needs of the student.

Legal References:

RCW 28A.225.215 Enrollment of children without legal residences
RCW 28A.225.217 Children of military families—Continued enrollment in district schools
RCW 28A.225.220 Adults, children from other districts, agreements for attending school—Tuition
RCW 28A.225.225 Applications from school employees' children, nonresident students, or students receiving home-based instruction to attend district school—Acceptance and rejection standards—Notification
RCW 28A.225.230 Appeal from certain decisions to deny student's request to attend nonresident district—Procedure
RCW 28A.225.240 Apportionment credit
RCW 28A.225.270 Intradistrict enrollment options policies
RCW 28A.225.280 Transfer students' eligibility for extracurricular activities
RCW 28A.225.290 Enrollment options information booklet
RCW 28A.225.300 Enrollment options information to parents
RCW 28A.250.070 Rights of students to attend nonresident school district for purposes of enrolling in alternative learning experience programs—Standard release form
RCW 28A.340.080 Innovation academy cooperatives
Chapter 392-137 WAC Finance—Nonresident Attendance
WAC 392-137-160 Nonresident attendance—Grounds for admission
WAC 392-137-205 Nonresident attendance—Standards and procedures—Notification
WAC 392-137-230 Nonresident attendance—Length of acceptance

Cross References:

Policy 2151 Interscholastic Activities
Policy 3110 Qualifications of Attendance and Placement
Policy 3115 Students Experiencing Homelessness: Enrollment Rights and Services
Policy 3120 Enrollment
Policy 3131 District Attendance Area Transfers
Policy 3140 Release of Resident Students

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