

Discretionary Nonresident Student Attendance Policy

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

1. Except as required by § 20-5-321, MCA, the District will admit nonresident students at its discretion. As such, the District will screen all nonresident students in accordance with 20-5-320 through 20-5-324 MCA; 10.10.301B, ARM; and the criteria set forth in this policy.
2. The Board Designee will recommend to the Board any nonresident student admission in accordance with this policy, with the Board making the final decision on admission.
3. Nonresident students who do not qualify for mandatory attendance pursuant to 20-5-321 will not be admitted to District schools. Exceptions are children in the immediate family of nonresident District employees. The District, at its discretion, also may consider for admission other nonresident students.
4. The District will examine a student's records from previous school districts before any Board approval for admission.
5. The District has the option of accepting a nonresident student who does not meet the criteria set forth by the administration, if the student agrees to special conditions of admission as set forth by the District.
6. Every nonresident student who attends District schools must reapply for admission for the succeeding school year by **March 15th**. Requests received after this time will be acted upon in the order in which the request was received. Each completed application form will be dated and time stamped upon delivery to the school office. If a request is approved by the Board, approval will be given for one school year or for the remainder of the current school year. Admission in one school year does not infer or guarantee admission in subsequent years. Out of district students must reapply each year for admittance.
7. The Board shall ensure that the following conditions are met before an out-of-district requests are considered or approved:
 - a) The school must have adequate resources and facilities to accommodate and educate the student without necessitating additional classrooms/facilities, educational services, or staff.
 - b) Acceptance of the student will not violate class size requirements as adopted by the Board.
 - c) The student must be in good standing in his/her current school in terms of academics, conduct, and attendance; and shall provide proof of such.
 - d) Parent/Guardian must have submitted a completed and signed Application for Out-of-

District Attendance (3141F) and the Office of Public Instruction Student Attendance Agreement (Form FP-14).

8. The Board shall use the following conditions for terminating out-of-district students attendance:
 - a) If the school is unable to provide the resources and the facilities specified in policy criteria for the class size, students will be discharged in reverse order of acceptance or, if possible, at the end of the semester.
 - b) If the student, or parent of student, engages in conduct that would warrant disciplinary action under school policy.
 - c) If the Board declares an emergency which, in its opinion, necessitates the removal of all Out-of-District students.

9. Placement Priorities. The Board shall first accept all Out-of-District students meeting mandatory placement criteria established by state law. Once these obligations have been met, applications will be given priority in the following order:
 - a) Students who have previously attended the school. The number of years of prior attendance in the district will also be considered a factor in favor of continued placement.
 - b) Current Out-of-District students attending Pine Creek School students must apply by **March 15th** preceding the next academic year that they plan to attend in order to retain priority status. If students do not meet the March 15th deadline, their applications will be considered on a chronologically received basis with all other new out-of-district applications. Completed forms will be dated and time stamped upon delivery to the Principal or Board designee. It is the responsibility of the submitting party to obtain proof of submission.
 - c) Students who have siblings attending the school who are in good standing.
 - d) When all of the above criteria are equal among applicants, the order in which the application was delivered to the school office will be a deciding factor in reviewing applications.

10. 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.

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

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responsibility for payment).

12. All nonresident students will be considered ineligible transportees for school transportation services (§ 20-10-101, MCA) except when all students are transported for school-sponsored purposes.
13. Students not enrolled in a current school will be tested to determine placement.
14. The Board may evaluate a student's discipline record at the end of the semester, or sooner, to determine if the child will be allowed to remain or return.
15. The Board will not admit any student who is expelled from another school district.

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

Policy History:

Adopted on: February 17, 1998
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