

3112

### **Discretionary Nonresident Student Admission Policy**

Except as otherwise provided by law, admission to Cottonwood School District, as a nonresident student is a privilege. The Board, recognizing that an educational requirement of its resident students includes the need for an orderly educational process and environment, free from disruption, overcrowding and any kind of violence or disruptive influences, hereby establishes criteria on the discretionary admission of nonresident students.

#### **Determination of District Residency:**

The place where a student and his/her parent or guardian resides is presumed to be that student's place of residence unless otherwise provided by law. In a case of dual guardianship created by a split custody decree from a court of competent jurisdiction in which the two parents or guardians live in different school districts, one of which is Cottonwood School District, the residence shall be deemed to be the residence of the parent with whom the student customarily resides.

#### **Out-of-District Policy:**

The primary responsibility of the Board is to provide an educational program which is in the best interest of the Cottonwood School District students. Because of the need to keep the educational program at the highest quality possible, it is the policy of the Board to accept only those out-of-district students as required by Section 20-5-301 MCA, or that meet the requirements of this Policy.

#### **Requests for Admission:**

Any out-of-district student may apply for admission to Cottonwood School. Requests by out-of-district students for District attendance will be reviewed in accordance with Sections 20-5-320 through 20-5-324, MCA. Each request must be made in writing in the form of a properly completed out of district application form no earlier than Jan. 1 of the year for which admission is requested. The Board will review this information before making a decision. The Board typically begins reviewing requests for the upcoming year at the May Board Meeting. If the Board approves a request, it is given for one (1) school year. Approval will not be granted for more than one (1) school year at a time. The Head Teacher will ensure that a copy of school policy regarding an out-of-district application will be given to the applicant family when the family requests the out-of-district application form. The Board will not admit any student prior to viewing that student's records from the student's previous school districts.

#### **Conditions for Accepting Out-of-District Students:**

The following conditions must be met before an out-of-district request will be approved.

- 1-The School must have adequate resources and facilities to properly serve the student.
- 2-Acceptance of the student will not violate class size recommendations and total student population size limitations.
- 3-Acceptance of the student will not cause any class or total student population size to exceed fire, health code, occupancy limits or accreditation status.
- 4-The student must be able to demonstrate good standing in his/her current school in terms of academics, conduct and attendance.
- 5-The student must have passing grades in the school previously attended.
- 6-The parent or guardian must have correctly completed the application process.

## 3112

- 7-A parent or guardian must agree to provide transportation for the student to and from the school.
- 8-The student and/or their family must present no other educational or behavioral related detriment to the students or staff of the District.
- 9-The admission of non-resident students must not require the hiring of additional staff or the provision of educational services not currently provided in the school.
- 10-The candidate may be requested to spend 2 to 3 hours at the school to allow the Head teacher to evaluate the candidate.

**Conditions for Terminating out-of District Student Positions:**

Out of District students will be discharged:

- 1-If the school is unable to provide the resources and facilities specified in policy criteria for class/school size. Students will be discharged in reverse order of the placement policies when practical, at the end of the school year.
- 2-If the student exhibits inappropriate deportment.
- 3-At the end of the academic school year that placement is granted, any unused tuition will be prorated and refunded.
- 4-The Board may declare an emergency, which, in its opinion, necessitates the removal of **any or** all out of district students from the school.
- 5-When, by law, the school must admit in-district students, and thereby would exceed class size limits, fire, health or safety or accreditation standards, students will be discharged in reverse order of our placement policies when possible, however, the Board has sole discretion regarding enrollment decisions.

**Placement Priorities:**

The Board recognizes its obligation to accept 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;

- 1-Children of full time members of the teaching staff (Teachers, teachers aids etc).
- 2-Students who attended the School the preceding year. The number of years attending will also be considered a factor in favor of continued placement.
- 3-Applicants who have siblings currently attending the School.
- 4- The Board may at its sole discretion decide to hold a lottery for any available openings.
- 5- Notwithstanding the preceding items, the Board has the right and responsibility to make acceptance decisions that will provide the most effective educational experience for the entire student population. Areas of consideration include but are not limited to class size, teaching resources, teacher assessment of an applicant, and a long term view of the best interests of the District.

**Waiting List**

Otherwise acceptable applicants shall be placed on a waiting list after opens have been filled. If openings occur, school placement will be offered according to the "Placement Priorities " above and secondarily by position on the list. The waiting list terminates at the end of each school year. Being on the waiting list in a prior year has no bearing on placement in subsequent years.

**Tuition:**

Any out-of-district student accepted to Cottonwood School will be charged a tuition fee computed as determined by state law.

-Tuition paid by sending District - When the tuition will be paid by the sending district, it will be computed on the actual school year the student attends Cottonwood School and paid in full that school year.

3112

-Tuition paid privately – When the tuition is paid privately, the tuition will be paid in full during the year the student attends Cottonwood School.

The Board at its sole discretion shall establish tuition payment requirements each year. In cases of extreme hardship the board may allow special payment terms on a case-by-case basis. The payment terms will be included with letters of acceptance and non-payment may result in the withdrawal of acceptance of a student.

-Tuition payments, which are late by two weeks, may result in the suspension of the student until payments are made.

**Transfer and Out-of-District Student Probationary Period:**

Any transfer of out-of-district student new to the District shall be admitted and placed on a probationary basis for two (2) weeks. During the probationary period, the student shall be observed by the Head Teacher. If there is any doubt about the grade-level placement of the student, the student shall be the subject of an educational assessment to determine appropriate grade-level placement. If there are doubts about the student's behavior and/or a detrimental impact on the school experience for the student body at large, the Board reserves the right to terminate the student's out-of-district acceptance.

**Parental Disagreement with Placement:**

If a parent or guardian does not agree with the grade-level placement determined appropriate after assessment, the parent or guardian may request a hearing before the Board and Head Teacher. At all times, primary consideration will be given to the welfare of the student.

**Legal Reference:**

* 20-5-314, MCA	Reciprocal Attendance Agreement
*20-5-316, MCA	Out-of-State Tuition
*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
*20-5-323, MCA	Tuition and Transportation Rates
*20-5-324, MCA	Tuition Report
10.10.301, ARM	Out of District Attendance Agreements

Adopted on: 11/05/2013

Revised on:

As approved 11/05/2013