

## Chinook School District

STUDENTS

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### Out-of-District Attendance

The District recognizes that the tuition sections of the statutes contain both mandatory and discretionary provisions and directs administration to follow these definitions and procedures:

#### Definitions

A minor child's District of residence is determined by the residence of the parents or legal guardians **or** a marital relationship with an adult, unless otherwise determined by the court. An **"out-of-District"** student is one who lives with a parent, legal guardian or spouse outside the District boundaries or who lives in the District but whose parent, legal guardian or spouse resides elsewhere. A person may have only one residence for school purposes (§ 1-1-215, MCA).

#### Out-of-District Attendance Policy

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 admission of out-of-District students:

1. Except as provided by law, admission to Chinook Public Schools as an out-of-District student is a privilege. As such, the District will screen all out-of-District students and only consider those who meet the criteria set forth in this policy.
2. The Superintendent is hereby given the authority to admit or deny any student's admission in accordance with this policy. Students who are denied admission by the Superintendent may appeal to the Board within thirty (30) days of said denial. The Board shall make the final decision on admission.
3. Out-of-District students who qualify for mandatory admission under § 20-5-32 1, MCA, will be admitted.

Out-of-District students with disabilities living in the District will be admitted without regard to their legal residence. In such cases, the District of residence shall be advised that the student is enrolled and is receiving services.

4. All students without a right to attend in the District will be denied enrollment, unless the Superintendent finds any combination of the following conditions exist to the Superintendent's satisfaction:

- A. Space available, including both existing and projected space. Space available is defined as teacher-pupil ratio as well as facility space. Accreditation standards will serve to establish the maximum enrollment permitted for either regular classrooms or special education units.
  - B. Tuition agreements completed by either the District of residence or the parent.
  - C. The student's department at his/her previous schools.
  - D. Evidence that adequate transportation is available.
5. Siblings of those students who have been admitted in the District, and who may or may not otherwise meet requirements of enrollment, may apply for admission through the Superintendent's office by June 1st of the preceding school year. The District retains the option of accepting or rejecting the application or imposing special conditions for admission.
  6. The District has the option of accepting an out-of-District student who does not meet the criteria set forth herein if the student agrees to special conditions of admission as set forth by the District.
  7. The District will not admit an out-of-District student when to do so would require the hiring of additional staff, or the crowding of existing classes.
  8. When a parent/guardian wishes to have his/her children attend Chinook Schools as an out-of-District student, he/she shall apply to the District before June 1st prior to the school year for which he/she seeks approval, unless the student can establish compelling reasons for the mid-year transfer and the Board believes that a mid-year admission is in the best interests of the student and the school.
  9. All out-of-District students enrolled in the District upon the enactment of this policy may continue attendance, barring registration in another district or a Board declared emergency which, in their opinion, necessitates the removal of all out-of-District students from the schools.
  10. Tuition charges for non-residents shall be determined by the Board in compliance with Montana law. The Board reserves the right to charge tuition for out-of-District student per statute.
  11. All out-of-District students will be considered as ineligible transportees for school transportation services.

12. When admitting an out-of-District student, the District shall utilize form FP-14, prepared by the Office of Public Instruction.

Legal Reference:	§ 20-5-314, MCA	Reciprocal attendance agreement with adjoining state of province
	§ 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 – notification – appeal for attendance agreement
	§ 20-5-323, MCA	Tuition and Transportation rates
	10.10.301, ARM	Out-of-district attendance agreements

Policy History:

Adopted on: August 1998

Revised on: