

Nonresident Students

Any student who resides outside the district may apply to attend a school or program 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.

The Mary Walker School District Board of Directors annually will inform parents of the inter-district enrollment options and parental involvement opportunities. Information on inter-district acceptance policies will be provided to nonresidents on request. Providing online access to the information satisfies the requirements of this policy unless a parent or guardian specifically requests information to be provided in written form. The district will not charge any transfer fees or tuition costs for enrolling eligible nonresident students.

A parent or guardian will apply for admission on behalf of his or her child by completing the appropriate district application or as otherwise permitted by state law and regulation. The district will develop an application form which 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 basis for requesting release from the resident district and the specific building and grade level (elementary) or course offerings (secondary) or program in which the student desires to be enrolled if accepted by the district.

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

Standards for Accepting or Rejecting an Application

The district will accept or reject an application for nonresident admission based upon consideration of some or all of the following standards:

1. Whether acceptance of a nonresident student would result in the district experiencing a financial hardship;
2. Whether the grade level, class, or program at the building in which the student would be enrolled has the capacity for additional students;
3. Whether appropriate educational programs or services are available to improve the student's condition as stated in requesting release from his or her district of residence;
4. 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;

5. Whether the student has been expelled or suspended from a public school for more than ten 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; and
6. Whether enrollment of a nonresident student would conflict with a district innovation academy cooperative under RCW 28A.340.080.

Admission, Denial or Revocation of Acceptance: Notice of Decision and Appeal of Decision

The district, in a timely manner, will provide all applicants with written notification of the approval or denial of a nonresident student's enrollment application. Acceptance of a nonresident student shall be for one school year only. If the student is to be admitted, the district will notify the resident district and make necessary arrangements for the transfer of student records.

The district may terminate enrollment (i.e., revoke acceptance) of a nonresident student after the student has been accepted if:

1. After an inter-district transfer request has been approved, it is discovered that the information provided was incomplete or has changed since the time the application was considered and/or was materially misrepresented on the application;
2. The nonresident student is expelled or suspended for more than ten consecutive days from the district or any district program under the disciplinary process (in which case the student may apply for admission under the district's policy for readmission and reengagement of suspended or expelled students);
3. Continued enrollment of the nonresident student would result in the district experiencing a financial hardship (e.g. threatened litigation, reduction in or failure to obtain anticipated funding for the school or program, need to close the school or program);
4. The grade level, class, or program at the building the nonresident student is enrolled in no longer has the capacity for the student; or
5. Appropriate educational programs or services are no longer available to improve the nonresident student's condition as stated in the requesting release from his or her district of residence.

If the application is denied or acceptance is revoked, the district will notify the parent or guardian of the reason(s) for denial and the right to petition the superintendent/designee, upon five school business day's prior notice, for review of the decision and to have a hearing before the superintendent/designee. Following the hearing by the superintendent/designee, a final decision will be promptly communicated to the parent in writing.

The final decision of the district to deny the admission or revoke acceptance of a nonresident student may be appealed to the Superintendent of Public Instruction or its designee

Children of Full-Time Employees

1. Pursuant to RCW 28A.225.225, 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 which includes the school to which the employee is assigned; or
 - c. At a school in the district that provides early intervention services pursuant to RCW 28A.155.065 and/or preschool services pursuant to RCW 28A.155.070, if the student is eligible for such services.

 2. The district may reject the application of a student who is the child of a full-time employee if:
 - a. Disciplinary records or other evidence supports a conclusion that the student has a history of convictions, violent or disruptive behavior or gang membership; or
 - b. The student has been expelled or suspended from a public school for more than ten consecutive days (however, the district's policies for allowing readmission of expelled or suspended students and the required reengagement procedures under this rule must apply uniformly to both resident and nonresident applicants seeking admission, pursuant to RCW 28A.225.225(2)(b)); or
 - c. Enrollment of the nonresident child would displace a child who is a resident of the district.

 3. If a nonresident student is the child of a full-time employee and has been enrolled under Section 1 above, the student must be permitted to remain enrolled at the same school or in the district's kindergarten through twelfth grade continuum until:
 - a. The student completes their schooling; or
 - b. 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.
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Cross Reference(s)

Board Policy 3120 – Students – Enrollment

Legal Reference(s)

RCW 28A.400.380 – Leave Sharing Program
RCW 41.04.650-665 – Leave Sharing Program
WAC 392-126-004-104 – Finance – Shared Leave

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