

Billings School District 2

STUDENTS

Discretionary Nonresident Student Attendance Policy

The Board, recognizing that its resident students need an orderly educational process and environment, free from disruption and overcrowding, hereby establishes criteria for the discretionary admission of nonresident students. The District will screen all nonresident students and consider only those who meet the criteria set forth in this policy. The Superintendent will recommend to the Board any nonresident student admission in accordance with this policy. Foreign exchange students shall be admitted pursuant of the terms of this policy according to current federal law regulating foreign exchange programs.

This District will consider the following criteria for discretionary admission of nonresident students: the student's academic record, disciplinary record, including truancy records, and the current student enrollment in the class in which the student would be admitted. The District will not admit nonresident students when doing so would require hiring additional staff or providing educational services not currently offered or would create crowding of existing classes.

The Superintendent or designee will not admit any student prior to viewing that student's records from the student's previous school district(s). The Superintendent or designee will evaluate the student based on the above listed criteria and determine whether or not to recommend the admission of the student. The Superintendent or designee may not admit any nonresident student who is serving a suspension or expulsion in another school district or who has been recommend for suspension or determination.

All resident students who become nonresident students due to a move by the students' parents from the District may continue attendance for the semester, barring registration in another school district. At the completion of the semester, the student must apply for admission as a nonresident student if the student wishes to remain in the District.

The Board reserves the right to charge tuition for nonresident students. The tuition for a child with a disability will be determined under the rules adopted by the Superintendent of Public Instruction for the calculation of tuition for Special Education pupils. The Board may, in its discretion, charge or waive tuition for all students whose tuition is required to be paid by one type of entity. Unless otherwise provided by law, nonresident students are not eligible transportees for school transportation services. The Board may declare an emergency, which in its opinion, necessitates the removal of all nonresident students from District schools.

<u>Legal References:</u>	§1-1-215, MCA	Residence – rules for determining
	§ 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:

First Reading:	February 23, 2004 – Board of Trustees
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