

## **Admissions and Attendance**

### **RESIDENCE DEFINED**

Minor, school-aged children who reside with a parent(s), guardian, or custodian who is a bona-fide resident of the District and has custody of the student, or emancipated/married pupils who are bona-fide resident of the District, or as otherwise provided by state or federal law, shall be considered residents and entitled to the privileges of the District's schools.

All other pupils shall be classified as nonresidents for school purposes.<sup>1</sup>

### **HOMELESS CHILDREN AND YOUTH**

The District shall provide educational and related services to homeless children and youth in a manner that does not segregate or stigmatize the students on the basis of their homeless status.

The District shall provide its schools with guidelines that detail the rights of homeless students and the responsibilities that schools have to meet their needs and eliminate barriers to school attendance. These guidelines shall emphasize the right of homeless students to:

1. Have equal access to all educational programs and services, including transportation, that non-homeless children enjoy;
2. Continue attending their school of origin for the duration of homelessness;
3. Attend regular public school with non-homeless students; and
4. Continue to receive all services for which they are eligible (i.e., special education, gifted and talented, limited English proficient).

The District shall designate an appropriate staff person to serve as liaison to homeless children and youth. The District liaison must provide public notice of the educational rights of homeless children in places where they receive services.<sup>2</sup>

### **IMMIGRANTS**

No student shall be denied enrollment based on his/her immigration status, and documentation of immigration status shall not be required as a condition of enrollment.

### **NONRESIDENTS**

Nonresident pupils may be admitted to the District schools upon approval of the Superintendent/designee<sup>3</sup> and payment of tuition and/or transfer of the pupil's average daily attendance as defined under Kentucky's public school fund.<sup>4 & 5</sup>

Nonresident students who have been expelled or suspended from another school district or whose suspension or expulsion is pending shall not be permitted to enroll in the District's schools until the period of suspension or expulsion has expired, unless there are extenuating circumstances as determined by the Superintendent.

### **NON-IMMIGRANT FOREIGN STUDENTS**

Non-immigrant foreign students qualifying for F-1 immigration status or who obtain an F-1 student visa may be admitted to the District based on the following guidelines:

1. These students shall not be permitted to attend any publicly funded adult education program.
2. These students may be permitted to attend in grades nine through twelve (9-12), but not at earlier grade levels.

**Admissions and Attendance****NON-IMMIGRANT FOREIGN STUDENTS (CONTINUED)**

3. As required by law, these students shall pay a tuition fee equal to the full, unsubsidized per capita cost to the District for providing education to the student for the period of attendance.
4. The period of attendance shall not exceed twelve (12) months.

These requirements do not apply to immigrant students residing in the District or foreign students in any other immigration status, including exchange students.

**EXPELLED/CONVICTED STUDENTS**

The parent, guardian, Principal, or other person or agency responsible for the student shall provide to the school prior to admission, a sworn statement or affirmation concerning any of the following that have occurred in or outside Kentucky:

1. If a student has been expelled from school; or
2. If a student has been adjudicated guilty/convicted of, homicide, assault, or an offense in violation of state law or school regulations relating to weapons, alcohol, or drugs.

Assault shall mean any physical assault, including sexual assault.

The sworn statement or affirmation shall be on a form provided by the appropriate state agency and shall be sent to the receiving school within five (5) working days of official notification that a student has requested enrollment in the new school.<sup>6</sup>

If a student is suspended or expelled for any reason, or faces charges that may lead to suspension or expulsion, but withdraws prior to a hearing from any public or private school in Kentucky or any other state and then moves into the District and seeks to enroll, the District shall review the details of the charges, suspension, or expulsion and determine if the student will be admitted, and if so, what conditions may be imposed upon the admission. Prior to a decision to deny admission, the District shall offer the student, parent/guardian, or other persons having legal custody or control of the student a hearing before the Board.

**REFERENCES:**

<sup>1</sup>[KRS 159.010](#); <sup>1</sup>[OAG 78-64](#)

<sup>2</sup>42 U.S.C. 11431 et seq. (McKinney-Vento Act)

<sup>3</sup>[KRS 158.120](#); [OAG 80-47](#); [OAG 79-327](#); [OAG 75-602](#)

<sup>4</sup>[KRS 157.320](#)

<sup>5</sup>[702 KAR 007:125](#)

<sup>6</sup>[KRS 158.155](#); [KRS 157.330](#), [KRS 158.150](#)

[OAG 91-171](#); [704 KAR 007:090](#)

Public Law 104-208

P.L. 107-110 (No Child Left Behind Act of 2001)

8 U.S.C. Sections 1101 and 1184; 8 C.F.R. Section 214

22 CFR §62.25

*Plyler v. Doe*, 457 U.S. 202 (1982)

Equal Educational Opportunities Act of 1974 (EEOA)

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**RELATED POLICIES:**

09.11, 09.123, 09.124, 09.125, 09.211

09.126 (re requirements/exceptions for students from military families)

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