

EXPLANATION: THE “EVERY STUDENT SUCCEEDS ACT OF 2015 (P. L. 114-95)” REQUIRES DISTRICTS TO ADDRESS ADMISSION OF FOSTER CHILDREN AND HOW THEY WILL BE TRANSPORTED. THIS MUST BE IMPLEMENTED BY DECEMBER 10, 2016.  
FINANCIAL IMPLICATIONS: POSSIBLE INCREASE IN TRANSPORTATION COSTS

TRANSPORTATION

06.32 AP.1

### **Eligibility for Transportation**

#### **STUDENTS WITH DISABILITIES**

The need for special transportation for students with disabilities must be determined by the ARC or Section 504 Team and stated in the student’s Individual Education Plan (IEP) or Section 504 Plan.

#### **CAREER AND TECHNICAL STUDENTS**

High school students attending an area career and technical school or extension center are eligible to be transported from the high school to the career and technical school. Transportation will be provided by the District in accordance with state regulations.

#### **DISTANCE LIMITATIONS**

Three (3)- and (4)-year-old preschool children and students with disabilities are not required to meet the distance specifications in Policy 06.32 to be eligible for school transportation.

#### **PRESCHOOL TRANSPORTATION**

The District shall provide Child Safety Restraint Systems for use by preschool students being transported on District buses in compliance with guidelines established by the National Highway Traffic Safety Administration.

When the parent/guardian, or a person authorized by the parent/guardian to accept the child, is not present upon midday or afternoon delivery, the child shall be returned to the school upon completion of the route. The parent/guardian shall be notified of the child’s location and shall be responsible for pick up.

Upon the third (3rd) time the assigned adult is not present to receive the child, the parent(s)/guardian will be requested to provide transportation for the child.

#### **CHILDREN IN FOSTER CARE**

The Superintendent will appoint a Point of Contact (POC) to coordinate activities relating to the District’s provision of services to children placed in foster care, including transportation services, when the District is notified by the Cabinet for Health and Family Services in writing that the Cabinet has designated its foster care POC for the District. The Superintendent may appoint the District POC prior to such notice from the Cabinet.

The District will collaborate with the Cabinet when transportation is required to maintain children placed in foster care in a school of origin outside their usual attendance area or District when in the best interest of the student. Under the supervision of the Superintendent/designee, the District POC will invite appropriate District officials, the Cabinet POC, and officials from other districts or agencies to consider how such transportation is to be promptly arranged and funded in a cost effective manner. The arrangement and funding will be in accordance with the Cabinet’s authority to use child welfare funding when required to maintain children in foster care in their school of origin when in the best interest of the student.

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**Eligibility for Transportation****CHILDREN IN FOSTER CARE (CONTINUED)**

If there are additional costs to be incurred in providing transportation to maintain a student in the school of origin, the District will provide transportation to such school if:

- The Cabinet agrees to reimburse the District for the cost of such transportation;
- The District agrees to pay for the cost of such transportation; or
- The District and the Cabinet agree to share the cost of such transportation.

**DEFINITIONS**

“Foster Care” means 24-hour care for children placed away from their parents, guardians, or person exercising custodial control or supervision and for whom the Cabinet has placement care and responsibility.

“School of origin” means the school in which a child is enrolled at the time of placement in foster care.

While “Best Interest” is not defined in ESSA, that determination shall take into account all relevant factors, including consideration of the appropriateness of the current educational setting, and the proximity to the school in which the child is enrolled at the time of foster care placement.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care  
KRS 605.120  
922 KAR 1:350  
42 U.S.C. § 675(4)(A)  
20 U.S.C. § 6311(g)(1)(E)  
20 U.S.C. § 6312(c)(5)  
P. L. 114-95, (Every Student Succeeds Act of 2015)

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EXPLANATION: THE MCKINNEY-VENTO ACT NO LONGER INCLUDES "AWAITING FOSTER CARE PLACEMENT" AS CHILDREN AND YOUTH LACKING A FIXED, REGULAR AND ADEQUATE NIGHTTIME RESIDENCE. THIS MUST BE IMPLEMENTED BY DECEMBER 10, 2016.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.12 AP.1

### **Student Enrollment and Homeless/Immigration Status**

#### **IMMIGRANT STATUS**

The Principal/designee shall notify school staff that a student's right to enrollment does not depend on his/her or the parent/guardian's immigration status.

School personnel should not engage in any practice that would inhibit or discourage an unauthorized alien student or any other student from attending.

#### **HOMELESS STUDENTS**

The term "homeless" shall refer to children and youths who lack a fixed, regular and adequate nighttime residence and includes those that are:

1. Sharing the housing of other persons due to loss of housing, economic hardship or a similar reason;
2. Living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
3. Living in emergency or transitional shelters;
4. Abandoned in hospitals;
- ~~5.~~ ~~Awaiting foster care placement;~~
- ~~6-5.~~ Residing in a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- ~~7-6.~~ Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings; and/or
- ~~8-7.~~ Migratory children who are living in the previously described circumstances.

EXPLANATION: THE "EVERY STUDENT SUCCEEDS ACT OF 2015 (P. L. 114-95)" AND MCKINNEY-VENTO ACT REQUIRE DISTRICTS TO ELIMINATE BARRIERS TO THE IMMEDIATE ADMISSION OF HOMELESS YOUTH AND FOSTER CHILDREN. THE DISTRICT IS TO WORK WITH THE LOCAL CHILD WELFARE AGENCY TO OBTAIN ANY NECESSARY ENROLLMENT DOCUMENTATION AFTER THE STUDENT IS ENROLLED. THIS MUST BE IMPLEMENTED BY DECEMBER 10, 2016.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.121 AP.1

### **Entrance Requirements**

#### **PRINCIPAL'S RESPONSIBILITY**

~~Principals are responsible for administering e~~Entrance requirements related to age and health status of a student are listed below. Students who are enrolling in the Nelson County Public Schools need to be accompanied by a parent or legal guardian and must be present at the time of enrollment. Students will not be allowed to enroll unless all of the information listed below is available:

- *Proof of Age and Identity* - Each pupil entering any elementary or secondary school for the first time shall present evidence of age by means of a birth certificate or other reliable proof of the student's identity and age. If a birth certificate is not presented, an affidavit of the inability to produce a copy of the birth certificate must be given.
- *Proof of Residence* – This documentation can be presented in the form of a utility bill or rent bill.
- *Proof of Legal Custody* – This documentation includes legal custody papers for all students not living with both of their parents. Proof of identification will be required of the custodial parent.
- *Proof of Immunization* - Upon enrollment, each pupil entering kindergarten or first grade for the first time shall present evidence of immunization by means of a certificate issued by a licensed physician or an APRN.
- *Preventive Student Health Care, Vision, and Dental Examinations* - Within one (1) year prior to initial entry to school, each student shall undergo a preventive student health care examination, which shall be documented on the state-required form or an electronic medical record that includes all of the data equivalent to that on the Preventive Student Health Care Examination form. A preventive student health care examination may also be required for students entering pre-school.

Also upon enrollment, each student entering the first year of public school, public pre-school or Head Start must undergo a vision examination as required by applicable statute and regulation and provide the school with either the required form or electronic medical record by January 1 of the first year of enrollment. Evidence of a dental screening or examination shall be required to be submitted on the required form or electronic medical record by January 1 of the first year that a five- and six-year-old student is enrolled in the District.

- *Official Withdrawal Form* – This documentation from the student's previous school must include withdrawal grades.

The above requirements are not to serve as barriers to immediate enrollment of students designated as homeless or foster children as required by the Every Student Succeeds Act (ESSA) and the McKinney-Vento Act as amended by ESSA. The District shall work with the local child welfare agency, the school last attended, or other relevant agencies to obtain necessary enrollment documentation.

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STUDENTS

09.121 AP.1  
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**Entrance Requirements**

**PRINCIPALS TO REPORT**

Principals are to report to the Superintendent/designee the names of those children who do not present acceptable evidence of age and required immunizations and examinations.

**LEGAL ACTION**

Except for vision examination records and dental examination records as noted above, which are due by January 1 of the first year of enrollment, failure to provide the remaining required documentation upon enrollment may constitute reason for appropriate action.

**RELATED PROCEDURE:**

09.12 AP.1

EXPLANATION: THE "EVERY STUDENT SUCCEEDS ACT OF 2015 (P. L. 114-95)" REQUIRES DISTRICTS TO ADMIT HOMELESS YOUTH AND FOSTER CHILDREN IN THE "SCHOOL OF ORIGIN" WHEN DETERMINED THAT IS IN THEIR BEST INTEREST. THIS MUST BE IMPLEMENTED BY DECEMBER 10, 2016.

FINANCIAL IMPLICATIONS: POSSIBLE INCREASE IN TRANSPORTATION COSTS  
DRAFT (05/03/16) (5/5/16)

STUDENTS

09.11 AP.21

### **Application for Out-of-Area Request**

NOTE: When dealing with homeless youth and foster children, the assignment to attendance zones shall be subject to modification when federal law applicable to students placed in foster care or students who are homeless requires that such students be educated in a "school of origin" that differs from the assigned attendance area.

To be considered for the next school year, application must be submitted no later than January 31<sup>st</sup>.

**SCHOOL YEAR** \_\_\_\_\_

#### **STUDENT INFORMATION**

First Name \_\_\_\_\_ Middle Name \_\_\_\_\_ Last Name \_\_\_\_\_  
Date of Birth \_\_\_\_\_ Current Grade Level \_\_\_\_\_  
Address \_\_\_\_\_ Zip Code \_\_\_\_\_  
Last /Current School Attended \_\_\_\_\_  
School of Residence \_\_\_\_\_  
Requested School \_\_\_\_\_

#### **PARENT/GUARDIAN INFORMATION**

First Name \_\_\_\_\_ Last Name \_\_\_\_\_  
Phone (Home) \_\_\_\_\_ Phone (Work) \_\_\_\_\_  
Email \_\_\_\_\_

**Application for Out-of-Area Request (cont.)****AGREEMENT TO BOARD POLICY**

It is the policy of the Nelson County Public Schools that in the case of approved Out-of-Area assignment:

1. Adequate and timely transportation to and from school will be the responsibility of the parent/guardian.
2. The student is expected to:
  - (a) remain in compliance with the Nelson County School Attendance Policy
  - (b) maintain a grade of C or better
  - (c) follow behavior guidelines listed in the school's Discipline Code Handbook
  - (a) demonstrate acceptable behavior
  - (b) make academic progress
  - (c) be in regular attendance

**Once attending school in the District, out-of-area students are subject to disciplinary action under the District Code of Acceptable Behavior and Discipline, up to and including expulsion. Acceptance for enrollment in subsequent years may be reviewed at the end of each school year.**

~~Failure to comply with any of the above conditions may result in the pupil being transferred to his/her home school.~~ I understand an Out-of-Area (OOA) placement is probationary and can be revoked if the school is projected to be over capacity ~~or my child does not meet the OOA criteria.~~ OOA placement shall not be made if the requested school is above 90% capacity.

~~Please select one of the reasons listed below as your reason for making an out-of-area request.~~

Please enter the reason(s) for making an out-of-area request below. Use a separate sheet of paper if needed.

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- ☐ Our family has moved, but I would like my child to remain in the school in which he/she has already attended because he/she is in grade 4, 7, or 11 and I wish for my child to complete the following (final year) at the current school of enrollment.
- ☐ My family is moving into a school's attendance area within the next 3 months, and I would like my child to go ahead and begin attending his/her new school
- ☐ My family has moved, but I would like my child to attend his/her current school through the end of this school year. We will begin in our new school next year.
- ☐ I am an employee in a school and would like my child to attend that school
- ☐ I have one (1) child already attending a school out of our attendance area, and I would like both children to attend the same school
- ☐ I live in a neighborhood very close to the school and would like my child to go there if space is available
- ☐ Reason other than listed above

USE SEPARATE PAPER TO EXPLAIN ANY SELECTED REASON(S)

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 Parent/Guardian Signature

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 Date

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STUDENTS

09.11 AP.21  
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**Application for Out-of-Area Request (cont.)**

**CENTRAL OFFICE USE ONLY**

Date Submitted \_\_\_\_\_ ☐ Approved ☐ Denied

\_\_\_\_\_  
Superintendent/Designee Signature

\_\_\_\_\_  
Date

**APPEAL**

A parent/legal guardian or adult student who disagrees with the denial of an out-of-area request may file a written appeal with the Director of Pupil Personnel (DPP) within five (5) days of receipt of the decision. A review of the decision shall be conducted by the DPP who will either uphold or deny the decision. The parent/legal guardian and the Principal will be notified of the decision in writing. The decision of the DPP as the Superintendent's designee, is final.