

Nonresident Students

The District shall allow nonresident students to enroll in the District pursuant to existing Admissions and Attendance Policy 09.12, Tuition Policy 09.124, and related procedures.

Upon allowing nonresident pupil enrollment, the policy shall allow nonresident children to be eligible to enroll in any public school located within the District. The policy shall not discriminate between nonresident pupils, but may recognize enrollment capacity, as determined by the District. The nonresident pupil policy and any subsequent changes adopted by the Board shall be filed with the Kentucky Department of Education no later than thirty (30) days following their adoption.¹

DEFINITION OF LEGAL RESIDENCE

Except for emancipated pupils, the legal residence of a pupil is determined by the address of the legal residence of the parent/guardian or as otherwise provided by law.

BOARD APPROVAL

The Board reserves the right to enroll, charge tuition, and assign all nonresident pupils. Once enrolled in the District, non-resident 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.

Contingent upon the recommendation of the Superintendent and approval of the Board, nonresident pupils may attend District schools upon written request or upon payment of tuition at the rate determined by the Board.

CRITERIA FOR ENROLLMENT OF NONRESIDENT STUDENTS

1. Students with a history of discipline problems, particularly those involving suspension or expulsion, shall not be enrolled.
2. Enrollment of nonresident students will not result in affected classes exceeding state class-size requirements or require the employment of additional staff.
3. Applicants with a history of truancy will not be enrolled.
4. Students enrolling must be performing academically on grade level, must be on target to graduate with their original age-level class, and must maintain a grade of "C" or better in all subjects. Students who have been retained shall not be considered for admission.
5. Parents/guardians shall be responsible for providing transportation to and from school on a timely basis.

REFERENCES:

¹KRS 158.120

KRS 157.350

[OAG 66-550](#); [OAG 79-327](#); [OAG 80-47](#)

G.C. v. Owensboro Public Schools, 711 F.3d 623 (6th Cir., 2013)

RELATED POLICIES:

09.12; 09.124; 09.313; 09.42811