

Nonresident Students

Section 3000 - Students

Consistent with Chapter 28A.225 RCW, any student who resides outside the district may apply to attend a school 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 Burlington-Edison School 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.

The superintendent will develop an application form that the parent or guardian will complete to apply for the student's admission. The form will gather information such as the child's current legal residence, the school district where the student is currently enrolled or receiving home-based instruction, the basis for requesting release from the resident district, the specific building desired, and grade level (elementary) or course offerings (secondary) in which the student desires to be enrolled if accepted by the district.

The district must use the Standard Choice Transfer System in the Education Data System (EDS) to process those requests for student transfer enrollment into online or alternative learning experience programs or schools.

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 superintendent will accept or reject an application for nonresident admission based upon the following standards:

- Whether acceptance of a nonresident student would result in the district experiencing significant financial hardship ("financial hardship" does not include routine programmatic costs associated with serving additional disabled or non-disabled students);

- Whether in the grade level or class at the building where the student desires to be enrolled has the capacity for additional students;
- 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;
- Whether the student's disciplinary records or other documentation indicate a history of violent or disruptive behavior or gang membership (a gang means a group of three or more persons with identifiable leadership that on an ongoing basis regularly conspires and acts in concert mainly for criminal purposes);
- 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;
- Whether enrollment of a nonresident student would conflict with a district innovation academy cooperative under RCW 28A.340.080; and
- Whether 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.

Admission or denial: Notice of decision and appeal of decision

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

If the application is denied, the superintendent will notify the parent or guardian in writing within 45 days from receipt of the parent's application. The notification will include the reason(s) for denial and inform the parent or guardian of their right to appeal the district's denial decision to the Superintendent of Public Instruction or his or her designee as detailed in RCW 28A.225.230.

The parent or guardian may appeal the denial to the district's superintendent or designee. Within five business days of receipt of the parent's appeal submission, the superintendent or designee will provide the parent with a written notification of the final appeal decision to either grant or deny the student's admittance into the district.

Children of full-time employees

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:

- At the school where the employee is assigned;

- At a school forming the district's kindergarten through twelfth grade continuum, which includes the school where the employee is assigned;
- The student remains enrolled until he or she completes schooling; or
- 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.

The district may reject the application of a student who is the child of a full-time employee if:

- Disciplinary records or other evidence supports a conclusion that the student has a history of convictions, violent or disruptive behavior, or gang membership; or
- 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
- 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.

Termination of Assignment

Nonresident student enrollment may be terminated at any time if:

1. The resident student population increases to the point that there is insufficient capacity for nonresident students in the assigned school or program, in which case the nonresident student(s) will be offered attendance at another school or program if space exists elsewhere;
2. Information about the student's instructional needs, or academic or disciplinary records, were unknown or materially misrepresented on the application;
3. The student is suspended or expelled from the school or District under standard disciplinary procedures; or
4. The student has engaged in violent or disruptive behavior.

Transportation

In all cases in which a student's enrollment is granted, the student or the student's parent(s)/guardian(s) shall be responsible for transportation, except that a student may ride on an established district bus route if the superintendent determines that the district would incur no additional cost ensuring transportation to the existing bus stop or route, childcare, or alternate address.

Cross References: 3120 – Enrollment
3155 – Homeless Students - Enrollment Rights and Services

Legal References: RCW 28A.225.220 Adults, children from other districts, agreements for attending school - Tuition
RCW 28A.225.225 Applications from nonresident students or students receiving home-based instruction to attend district school - School employees' children - Acceptance and rejection standards - Notification
RCW 28A.225.230 Appeal from certain decisions to deny student's request to attend nonresident district - Procedure
RCW 28A.225.240 Apportionment credit
RCW 28A.225.290 Enrollment options information booklet
RCW 28A.225.300 Enrollment options information to parents
RCW 28A.250.070 Rights of students to attend nonresident school district for the purposes of enrolling in alternative learning experience programs—Standard release form.
WAC 392-137 Finance - Nonresident attendance

Revised: 07/23, __/ __