

A non-resident student (out-of-district student) is one attending school in a district other than his/her home district. A student's residence is that of his/her parent or guardian; providing, however, that the residence of a student between the ages of eighteen (18) and twenty-one (21) is determined by the actual bona fide residence of the student without regard to the residency of his/her parent or guardian.

A non-resident student may be accepted for attendance in St. Maries Joint School District No. 41 under the enrollments option program described in Idaho Code Section 33-1402, where tuition would be paid by the home district as described in Idaho Code Section 33-1404, when the acceptance would not work a hardship on St. Maries Joint School District No. 41 and when the acceptance would meet the standards and guidelines set out in District policies.

A hardship is worked on the District when the acceptance of the non-resident student for admission to St. Maries Joint School District No. 41 would, in the judgment of the Superintendent or his/her designee, cause the applicable class, program, grade level or school building to reach, at any time within the applicable school year, limits set by the 1990 Idaho Session Laws (Chapter 136, 7, page 311), the Standards for Accreditation of K-12 Schools (Published by Commission on Schools, Northwest Association of Schools and Colleges) or the regulations of the State Department of Education (see State Board of Education Rules and Regulations for Public Schools K-12 [IDAPA 08.02.E]) or would require the District to add or alter equipment or facilities, to add personnel or extend hours of work of any personnel, or would substantially diminish other enrolled students' proportional share of the funds allocated to the District. The Superintendent or his/her designee shall consider not only the current enrollment and capacity of the applicable class, program, grade level or school building at the time of the receipt of the application of the non-resident student, but also the anticipated enrollment and capacity of the applicable class, program, grade level, or school building during the school year of the proposed admission of the out-of-district student.

Priority for admission to St. Maries Joint School District No. 41 shall be given in the order as follows:

1. In-district students;
2. Out-of-district students included in district-to-district agreements wherein the sending district contracts with St. Maries Joint School District No. 41 to educate specific individuals or groups;
3. Out-of-district students who are placed by court order under provisions of the Idaho Youth Rehabilitation or Child Protective Acts and reside in licensed group homes, agencies, and institutions located within St. Maries Joint School District No. 41;

4. Homeless children and youth as defined by the Stewart B. McKinney Homeless Assistance Act (P.L.100-77) when it is determined to be in the best interests of that child;
5. Bona fide foreign exchange students;
6. Out-of-district students who are enrolled in St. Maries Joint School District No. 41 at the time the application required in Idaho Code Section 33-1402 is submitted;
7. Out-of-district students whose parents are employed by St. Maries Joint School District No. 41; and
8. Other out-of-district students.

The non-resident student, or his/her parent or guardian, shall be responsible for transporting the student to and from school.

No out-of-district or in-district student shall be admitted to St. Maries Joint School District No. 41 when such student is under suspension or expulsion from another school district. The District may reject the application of a non-resident or resident student when the student is under disciplinary proceedings in another school district at or near the time of the application for admission to St. Maries Joint School District No. 41.

An out-of-district student who applies and is accepted for admission to St. Maries Joint School District No. 41, but who fails to attend, shall be ineligible to again apply for an enrollment option in St. Maries Joint School District #41 unless one or more of the standards set out in numbers 2 through 4 above are applicable as determined by the Superintendent or his/her designee.

No student shall gain eligibility to participate in extracurricular activities in violation of regulations or policies governing eligibility as a result of an enrollment option transfer to the St. Maries Joint School District No. 41.

**DATES OF IMPORTANCE**

February 1 of preceding school year - applications complete

March 31 of preceding school year - notification of acceptance or denial

**Policy Cross Reference:**

**Legal Reference:**

**Policy History:**

Adopted:	02/11/1991
Reviewed:	09/10/2007
Amended:	09/10/2007