

**STUDENT AND PERSONNEL  
SERIES 500**

**501.2**  
**TITLE            NONRESIDENT/OPEN ENROLLMENT**

Wilder School District has adopted the following policy of open enrollment in compliance with Idaho Code Sections 33-1402 through 33-1404 for the regulation of enrollment of non-resident students.

Wilder 133 is an open enrollment school district and tuition will be waived for out-of-district students who meet the terms of this policy and are enrolled at the District. The Board of Trustees and/or their designee will have the sole and final discretion on the admittance or non-admittance of non-resident students.

**DEFINITION OF NON-RESIDENT STUDENT**

A nonresident student is any student whose parent(s) or legal guardian(s), resides outside the legal boundaries of the Wilder School District #133.

Children residing with adults not their parent or legal guardian, through the use of a “Special Power of Attorney for Educational and Medical Purposes”, are considered nonresident students.

**POLICY COMPLIANCE REQUIREMENT**

Nonresident students who are seeking enrollment and are accepted for enrollment in any school within the Wilder School District must comply with all rules, policies, and regulations of the district and the school in which they are enrolled. Failure to do so may result in loss of privilege to attend.

**A. Admission Procedures**

A non-resident student desiring to attend a school within the Wilder School District must adhere to the following steps in order to be considered for enrollment.

1. The nonresident student’s parent or legal guardian must apply annually for admission to a school in this district on forms provided by the district and approved by the Idaho State Department of Education.
  - The forms and the student’s accumulative record must be completed and returned to the administrator in charge prior to February 1<sup>st</sup> for enrollment the following school year.

- A notice of the application must also be given to the home district. Upon agreement of this and the home district, the deadline for applications may be waived.
2. The building administrator will review each non-resident application and make a recommendation to accept or reject it.
  3. The Wilder School District will notify the parent or guardian of the acceptance, rejection, or revocation of their child's application within sixty (60) days. If the application is rejected the rejection will include a written explanation.

B. Criteria by Which an Application May Be Rejected or Revoked includes but is not limited to:

1. Expulsion from this or another school district.
2. A record of drug and/ or alcohol abuse.
3. Current suspension from another school district.
4. A record of continued discipline problems in this or another district.
5. A record of truancy and / or attendance problems with respect to the 90% attendance policy in this or another district.
6. Any record of vandalism and / or theft in this or another school district.
7. Record of involvement in current or former juvenile court proceedings as a violator of the law.
8. Debt of money or property to this or another school district.

Any student whose application is accepted but who is not free from all of the above criteria, will be admitted on a probationary status and could lose attendance privileges at any time.

C. Additional Factors for consideration.

1. Satisfactory arrangements for transportation must be made by the applicant. Wilder School District will not accept the responsibility for transporting non-resident students.
2. Non-resident students currently enrolled in the Wilder Schools so long as they remain in good standing with respect to discipline, attendance, and academic performance, shall be given special consideration to continue should class or building capacities become a factor.
3. Students who are currently living within the Wilder School District and attending school here but who move to another district will be allowed to continue to attend in Wilder so

long as they remain in good standing with respect to discipline, attendance, and academic performance.

4. No student shall gain eligibility to participate in extra curricular activities in violation of policies governing eligibility as a result of enrollment option transfer to this district.
5. If a student applies and is accepted in this district from out of district but fails to attend, that student shall be ineligible to again apply for an enrollment option in this district.

Non-resident students will have their applications denied if it is determined by the building principal that a hardship on the educational program exists

Non-resident students residing in licensed group homes, agencies or institutions shall be received and admitted if the facility is located within the district. However, this provision shall not inhibit the Board of Trustees from prescribing non-discriminatory pre-conditions or standards of admission when necessary to protect the health, safety, and welfare of its existing students and/or protect its educational processes.

Homeless children and youth, as defined in the Steward B. McKinney Homeless Assistance Act (P.L 100-77), may attend any school within the district without payment of tuition when it is determined by the District to be in the best interest of such children.

#### PROVISIONAL ENROLLMENT

Should any enrollment deadlines and/or requirements be waived in accordance with the above admissions process, such student will be subject to a conditional enrollment. In such cases, a nonresident student seeking to enroll in the district shall hold the status of a “provisionally” enrolled student until such time as the district’s administration has had the opportunity to request, receive, and review the student’s educational records from his/her transferring school.

Upon receipt of a student’s educational record, the district’s administration shall review the contents of the educational record and determine if they will accept or deny the student’s enrollment into the district. Denial of student enrollment into the district may be based upon any of the matters outlined above, as well as those matters addressed in Idaho Code 33-205 or any other relevant Idaho or federal Law.

During the status of provisional enrollment, a nonresident student does not achieve the right of full enrollment in the district nor does the student obtain any due process rights relating to denial of enrollment or refusal of attendance as may be established under any provision of code or law.

Legal Reference: Idaho Code Section § 33-1401 *et seq*, 33-1402, 33-1403, 33-1404, 33-205, 15-5-104.

Revised: May 11, 2009