

1 **Bainville K-12 Schools**

2
3 **STUDENTS**

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4
5 Discretionary Nonresident Student Attendance Policy

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7 The Board, recognizing that its resident students need an orderly educational process and
8 environment, free from disruption, overcrowding, and any kind of violence or disruptive
9 influences, hereby establishes criteria for the discretionary admission of nonresident students.

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11 1. Except as required by § 20-5-321, MCA, the District will admit nonresident students at
12 its discretion. As such, the District will screen all nonresident students and consider only
13 those who meet the criteria set forth in this policy.
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15 2. The Superintendent will recommend to the Board any nonresident student admission in
16 accordance with this policy, with the Board making the final decision on admission.
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18 3. Usually, nonresident students who do not qualify for mandatory attendance will not be
19 admitted to District schools. Exceptions are foreign exchange students, under Policy
20 3145, and children in the immediate family of nonresident District employees. The
21 District, at its discretion, also may consider for admission other nonresident students.
22
23 4. The District will examine a student's records from previous school districts before any
24 Board approval for admission.
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26 5. The District has the option of accepting a nonresident student who does not meet the
27 criteria set forth by the Superintendent, if the student agrees to special conditions of
28 admission as set forth by the District.
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30 6. Every nonresident student who attends District schools must reapply for admission for
31 the succeeding school year by June 15. Admission in one school year does not infer or
32 guarantee admission in subsequent years.
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34 7. The District will not admit nonresident students when doing so would require hiring
35 additional staff or providing educational services not currently offered or would create
36 crowding of existing classes.
37
38 8. All resident students who become nonresidents because their parents or guardians move
39 out of the District may continue attendance for the semester, barring registration in
40 another District. At the completion of the semester, a student must apply as a nonresident
41 student.
42
43 9. The Board reserves the right to charge tuition for nonresident students. At its discretion,
44 the Board may charge or waive tuition for all students whose tuition is required to be paid
45 by one kind of entity, defined as either a parent or guardian or a school district. Any
46 waiver of tuition will be applied equally to all students whose tuition is paid by the same

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4 kind of entity (i.e., if the District charges tuition in those circumstances where a resident
5 district pays but waives tuition in those circumstances where a parent or guardian is
6 responsible for tuition, the tuition waiver will be applicable to all students whose parents
7 or guardians bear the responsibility for payment).
8

- 9 10. All nonresident students will be considered ineligible transportees for school
10 transportation services (§ 20-10-101, MCA).
11
12 11. The Board may declare an emergency which, in its opinion, necessitates the removal of
13 all nonresident students from District schools.
14
15 12. The Board **may** admit any student who is expelled from another school district.
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17 **Non-Resident Montana Students**
18

19 **Students who reside within the state of North Dakota must fulfill all of the requirements**
20 **stated above. Students granted admission will not be required to pay tuition, except where**
21 **required by law. When tuition is charged, the amount will be set by the Board of Trustees,**
22 **with the maximum not to exceed the amount established by law.**
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24 **The district of residence for any North Dakota student attending Bainville School District**
25 **will be required to pay tuition in the amount established under the Reciprocal Agreement**
26 **governing tuition between the states of North Dakota and Montana. In the absence of a**
27 **Reciprocal Agreement, the tuition amount must be mutually agreed upon by both districts**
28 **as a precondition of attendance.**
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32	Legal Reference:	§ 20-5-314, MCA	Reciprocal attendance agreement with adjoining
33			state or province
34		§ 20-5-320, MCA	Attendance with discretionary approval
35		§ 20-5-321, MCA	Attendance with mandatory approval – tuition and
36			transportation
37		§ 20-5-322, MCA	Residency determination – notification – appeal for
38			attendance agreement
39		§ 20-5-323, MCA	Tuition and transportation rates
40		10.10.301B, ARM	Out-of-District Attendance Agreements
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42 **Policy History:**

43 Adopted on: Fall 2004
44 Reviewed on:
45 Revised on: 2/25/08