

STUDENTS

Policy 2230
(Regulation 2230)
(Form 2230)

Admission and Withdrawal

Admission of Non-Tuition Students

Resident Students

Resident students of the District, five to twenty-one (5-21) years of age, who have not graduated from high school or received any document evidencing completion of the equivalent of a secondary curriculum (G.E.D.), and are not barred from enrollment by provisions of the Safe Schools Act (See Policy and Regulation 2664) may attend District schools tuition free. Resident students must provide proof of residency in the District at the time of enrollment. To be a resident of the District, a student must both physically reside and be domiciled within District boundaries. The domicile of a minor child is the domicile of a parent, military guardian pursuant to a military issued guardianship, or court-appointed legal guardian. Where due to military stationing or deployment out-of-state of one or both of a child's parent(s), the child, a resident of Missouri, relocates to live with other family members that live in the District or lives in a military support community located in the District, the child may attend District schools. If the parents' active duty orders expire during the school year, the student will be permitted to finish the current school year at the District.

In addition, the District will provide tuition-free special education services to resident students who qualify for special education services between the ages of 3 and 21 as required by law.

Students Entitled to Enroll Without Proof of Residency

The residency provisions of this policy are not applicable to homeless students, inter-District court-ordered desegregation students, wards of the state placed in residential care facilities, students placed in a residential care facility due to a mental illness or developmental disability, students placed in a residential facility by a juvenile court, students with a disability identified under state eligibility criteria if the student is in the district for reasons other than accessing the district's educational program, students attending regional or cooperative alternative education programs, students attending an alternative education program on a contractual basis, or students attending a school pursuant to R.S.Mo.§ 167.151(2) or (4). The exemptions to the residency requirement are expressly established by state law and entitle such students to tuition-free school attendance. Additionally, a student may be partially exempt from the payment of tuition as set forth in Policy and Regulation 2240 and state law. For purposes of IDEA special education evaluation and provision of special education services a student attending a private school located within the District will be evaluated as a resident student.

Requests for Waiver of Proof of Residency Requirements

Those students who are unable to satisfy the proof of residency requirements and who are not entitled to enroll as provided in the previous section of this Policy and state law may request a waiver of the proof of residency requirements. Upon filing a Request for Waiver of Proof of Residency (Form 2230.1) and satisfaction of all other enrollment requirements, the student will be conditionally enrolled and allowed to attend school pending a Board of Education hearing on the student's request unless there is reason to suspect that the admission of the pupil will create an immediate danger to the safety of other students or employees of the District. If there is reason to suspect that the student poses an immediate danger, the Superintendent/Designee may convene a hearing within five working days of the request to register and determine whether or not the pupil may register. (See Policy and Regulation 2200, Regulation 2230 and Policy and Regulation 2664).

Students of Nonresident Teachers and Regular Employees

Nonresident students of District teachers or regular District employees may be permitted to attend school without payment of tuition. Such students will be considered a "resident" student for purposes of state aid.

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The Superintendent/Designee is responsible for ensuring that all pre-registration residency, waiver requests, and prior discipline forms are completed and maintained as District records.

A student may only register in the District if the student provides proof of residency or if the student or parent/guardian requests a waiver from the Board of Education on the basis of hardship or good cause. A Residency Enrollment Checklist (Form 2230) and Affidavit Regarding Prior Discipline (Form 2230.2) will be completed at the time of enrollment. If the Superintendent/Designee has reason to suspect that the admission of a student will create an immediate danger to the safety of others, a hearing will be convened within five (5) working days of the request to register. At the hearing, the District will determine whether the student may enroll. (See Regulation 2664 – Enrollment or Return Following Suspension and/or Expulsion.)

Waiver

Students or parents/guardians seeking a waiver of the District's residency requirement must complete and submit to the Superintendent a Request for Waiver of Proof of Residency (Form 2230.1) stating the reasons for which the waiver is requested. If a waiver is requested, the Board of Education, or a committee of the Board appointed by the Board President, must convene a hearing no later than forty-five (45) days after the request for waiver is filed with the Superintendent. Once a waiver of proof of residency has been requested, the student may be permitted to conditionally enroll and attend school pending a hearing before the Board on the request unless there is reason to suspect that the student's admission will create an immediate danger to the safety of other students or employees of the District. If there is reason to suspect that a student poses an immediate danger, the Superintendent/Designee may hold a hearing within five working days of the request to register and determine whether or not the pupil may register.

If the District fails to convene a timely hearing, the request for waiver is automatically granted. Following the hearing, the Board will provide written notice of its decision and the reasons for its approval or denial of the waiver request. If the Board grants the waiver request, the student will be allowed to continue attending school in the District and will be deemed fully enrolled. If the Board denies the waiver request, the student's conditional enrollment will automatically be revoked and the student shall not be allowed to continue attending school in the District.

In considering whether a waiver to residency should be granted, the presumption that a student's domicile is in the home of the student's parent/guardian is not conclusive. Students residing within the District, but not within the domicile of their parent/guardian, will be considered residents of the District if they reside within the District for reasons other than solely to attend District schools or athletic reasons.

Students Entitled to Enroll Without Proof of Residency or Payment of Tuition

The following students may enroll without payment of tuition or request for a waiver of the proof of residency requirements:

1. Orphaned children or children with only one living parent.
2. Children between the ages of six (6) and twenty (20) who are unable to pay tuition and whose parents/guardians do not contribute to their support.
3. Children who participate in an American Field Service or similar foreign exchange program subject to District approval and provided that the student resides in the home of a District resident.
4. Children whose parents/guardians own and reside upon property at least eighty (80) acres of which are used for agricultural purpose, provided at least thirty-five percent (35%) of the property is within the District.
5. Inter-district court-ordered desegregation students.
6. Students of District teachers or regular District employees.
7. Homeless students.
8. Wards of the state placed in a residential care facility by state officials.
9. Students placed in a residential care facility by a juvenile court or due to a mental illness or developmental disability.
10. Students with a disability identified under state eligibility criteria if the student is in the District for reasons other than accessing the District's educational programs.
11. Students attending regional or cooperative alternative education programs.
12. Students attending an alternative education program on a contractual basis.

The administration may investigate the eligibility of children attending schools under the provisions of this regulation. If a determination is made by the Superintendent/Designee that the

student does not meet the criteria to be entitled to a free public education by the District, the student may be administratively removed from the enrollment as set forth in Policy 2290.