

## **ADMISSION OF NON-RESIDENT STUDENTS/ASSIGNMENT OF RESIDENT STUDENTS**

This policy is enacted to fairly allow admission and assignment of both resident and non-resident students in the Wall School District. For the purpose of this policy, the term ‘resident district’ means the district in which the student has legal residence as determined by SDCL 13-28-9. The term ‘assigned school’ means the attendance center within the district to which a resident student is assigned. The term ‘non-assigned school’ means an attendance center to which the student has been assigned.

The Board will consider recommendations from the administration when determining the capacities of programs, classes, grade levels, and buildings. The administrative recommendation shall take into account current and projected enrollments in light of physical, fiscal, and human resources projected within the district. Insofar as possible, any numerical factor will be building or attendance center specific.

The Board will accept all students from other districts wishing to enroll, provided the Wall School District’s facilities can accommodate the students without adversely affecting the quality of the educational program. The board also will consider applications for resident students to enroll in non-assigned schools. The procedures and criteria to be used by the board in making its decisions are specified below.

### **A. Admission of Non-Resident Students**

1. A student who is a legal resident of another South Dakota district seeking to transfer to the Wall School District must make application to the Wall School District. The application must be on forms provided by the Department of Education and Cultural Affairs. The application must be made by an unemancipated student’s parent or guardian or by the emancipated student.
2. The application will be approved or disapproved by the Wall School District Board. The applicant and the resident district will be notified of the decision within five days of the decision. Applications will be reviewed in the order received.
3. The application may be withdrawn by the applicant before the regular August board meeting through notification of the school board.
4. Once approved by the Wall School District, the applicant’s intent to enroll obligates the student to attend school in the Wall School District for the next school year, unless the two boards agree in writing to allow a student to return to the original district or unless the parent, guardian, or student changes residence to another district.
5. Once enrolled in the Wall School District, the enrollment will continue unless a bona fide change of residence occurs or a subsequent transfer application is received.
6. The Wall School District will accept credits granted for any course successfully completed in another accredited district. The Wall School District will award a diploma to a non-resident only if the student satisfactorily meets the Wall School District’s graduation requirements.
7. Transportation of non-resident students to school is the responsibility of the applicant.

8. Non-resident students may express a preference to attend a particular school within the Wall School District. However, the final determination of the school to which the student is to be assigned will be made by the board.

### **B. Assignment of Resident Students**

1. Parents or guardians who wish to have their students transfer from one district school to another must make application to the school board by August 1<sup>st</sup> of the school year proceeding the year of intended transfer.
2. The application will be approved or disapproved by the Wall School Board no later than the regular August school board meeting, except for kindergarten students. The applicant will be notified of the decision within five days of the decision. Applications will be reviewed in the order received.
3. The application may be withdrawn by the applicant before the regular August board meeting through notification of the school board.
4. First priority in assigning students to a school will be given to students who already are attending the given school. Second priority will be given to students who live in the attendance area of the school but have been assigned involuntarily to a different school and have requested a return to the school in their attendance area. Third priority will be given to applications from resident students to attend non-assigned schools. Nonresident students will be accommodated on the space-available basis after the above steps have been followed.
5. Once the Wall School Board has approved the application, the applicant's intent to enroll obligates the student to attend the school in the non-assigned school for the next year, unless the board agrees in writing to allow the student to return to the assigned school.
6. Once enrolled in a non-assigned school, the enrollment will continue unless a subsequent transfer application is received.

### **C. Kindergarten Students**

There will be a specific kindergarten registration period each spring. Nonresident kindergarten students will be accommodated on a space-available basis after resident registration has taken place. Applications will be reviewed in the order received.

### **D. New Students**

New resident students who enroll after February 1 (or, in the case of the Kindergarten students, after the specified deadline date) will be enrolled in either the assigned school or a non-assigned school, at the discretion of the principal and/or superintendent.

### **E. SPECIAL EDUCATION STUDENTS**

The Wall School District will follow all state and federal rules and regulations when dealing with special education students and open enrollment.

### **F. Criteria for Making Transfer Determinations**

The standards will be available to any individual so requesting. Discrimination based upon race, gender, religious affiliation, or disability is prohibited. All members of the same family in the same household will be treated the same.

In making decisions regarding the acceptance of non-resident students and the approval of the transfer of resident students from the assigned school to a non-assigned school, the Wall School Board will consider the following criteria:

1. The maximum class size will be as follows for admission of non-resident students:
  - a. For grades K-6 the maximum class size will be 25
  - b. For grades 7-12 the maximum class size will be 30
  - c. For rural schools the maximum total enrollment will depend upon the number of teachers, grades, building capacity and special needs.
2. If there are special needs students assigned to a particular classroom, the principal and/or superintendent may establish a lower maximum class size based upon student needs. It is not the intent of the Wall School Board to add class sections in order to accommodate non-resident students. However, the board may at its discretion add such sections if the number of applications for a particular grade or class is such as to justify an additional section.
3. The board may deny applications for any of the following reasons:
  - a. The standards established above in this section are violated:
  - b. The applicant is under suspension or expulsion, or has a history of serious disciplinary problems.
  - c. The applicant has been convicted of possession, use, or distribution of any controlled substance, including marijuana, and is under suspension pursuant to SDCL 13-32-4.3:
  - d. The applicant has been convicted of a weapons charge relating to the schools and is under suspension pursuant to SDCL 13-32-4.3.
4. The Department of Education and Cultural Affairs has authority to promulgate rules setting forth procedural and administrative requirements of the open enrollment program. The district will follow all such rules and procedures.

#### **G. Miscellaneous Provisions**

1. The board will assign all students among the schools within the district, pursuant to SDCL 13-28.
2. The district will make relevant information about the district, schools, program, policies, and procedures available to all interested people.
3. Appeals from the board action under the 1997 Open enrollment Act can be made under SDCL 13-46 and the court will conduct a de nova review. The time for appeal under SDCL 13-46 is within ninety days from the date of the decision.

(Updated 9/10/2010)