

Mounds View Public Schools Ends and Goals Regulation

EG-0107-A Non-Resident Student Admission

I. Purpose

Pursuant to School Board Policy EG-0107, the purpose of this regulation is to set forth the application, exclusion and termination procedures used by the School District in making a determination regarding non-resident student enrollment status.

II. General Statement of Criteria for Admission, Exclusion or Termination of Non-resident Enrollment Agreements

A. Programs, Class, Grade Level or School Building Capacity. Applications for enrollment pursuant to a non-resident student agreement will be approved only if acceptance of the application will not cause the capacity of the program, class, grade level, or school building to be exceeded. The District reserves the right to determine school or program of attendance.

1. Capacity limits are exceeded when the acceptance of an additional student into a particular program, class, grade level, or school building will (a) require adding an additional staff person to the program to adequately address the needs of the students, or (b) result in the School District being out of compliance with the Department of Education caseload regulations governing the maximum number of students with certain disabilities that may be assigned to a teacher. Determination of capacity will be determined annually during the school year prior to the enrollment date requested.
2. Relevant information utilized to determine capacity may include:
 - a. Staff/student ratio
 - b. Current or projected enrollment
 - c. Current or projected staffing
 - d. Size and other physical attributes of the facility
 - e. Miscellaneous factors that affect the quality of service available

B. Additional Criteria

An application for non-resident student enrollment may be denied because of a student's prior conduct in another school district. The School District may refuse to allow a pupil who is expelled under Section 121A.45 to enroll during the term of the expulsion if the student was expelled for:

1. possessing a dangerous weapon, including a weapon, device, instruments material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury: at school or a school function;
2. possessing or using an illegal drug at school or a school function;
3. selling or soliciting the sale of a controlled substance while at school or a school function; or
4. committing a third-degree assault involving assaulting another and inflicting substantial bodily harm.

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Additionally, the District reserves the right to deny non-resident enrollment to any student who has within the previous school year, committed an act that would constitute grounds for expulsion or exclusion under District 621 conduct codes.

- C. Factors that will not be used for rejection. The School District will not use the following factors as a basis for accepting or rejecting an application for non-resident enrollment:
1. previous academic achievement,
 2. athletic or extracurricular ability,
 3. disabling conditions of a student,
 4. proficiency in the English language,
 5. previous disciplinary history, except as stated in paragraphs B of this regulation.
- D. Application. The student and parent/guardian must complete and submit a Non Resident Agreement Application to the District Student Information Department by January 31 of the school year preceding the year, in which enrollment is sought. The parent/guardian must authorize and request the district of residence to promptly forward all of the student's educational records, including disciplinary records to District 621.
- E. Review and Decision. Applications will be reviewed by District Administration and a decision will be made regarding enrollment in the spring of the year prior to requested enrollment date. Applicants will be sent a written notification regarding the status of their application. If their application is not accepted the District will identify the reason for the refusal to grant enrollment.
- An application may be denied if applicant's educational records, including disciplinary records, are not received from the student's district of residence in time to allow their review.
- F. Termination
1. The School District may terminate the enrollment of a nonresident student enrolled under a nonresident agreement at the end of a quarter, semester or school year if the student meets the definition of a habitual truant under section 260C.007, subdivision 19, the student has been provided appropriate services under chapter 260A, and the student's case has been referred to juvenile court. A "habitual truant" is a child under 16 years of age who is absent from attendance at school without lawful excuse for seven school days if the child is in elementary school or for one or more class period on seven school days if the child is in middle school, junior high school or high school, or a child who is 16 or 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days.
 2. The district may terminate the enrollment of a nonresident student over the age of 16 enrolled under this section if the student is absent without lawful excuse for one or more periods on 15 school days and has not lawfully withdrawn from school under section 120A.22, subdivision 8.

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3. The School District may terminate the enrollment of a nonresident student enrolled under a nonresident agreement at any time during the year upon the student receiving 10 disciplinary referrals or receiving at two or more disciplinary referrals resulting in an in-school or out of school suspension.
4. Prior written notice of intent to terminate non-resident enrollment status and documentation of the attendance or behavior infractions giving rise to the termination will be provided to the student and the student's family. The student and parent will have the opportunity to meet with the building principal or program administrator to create a plan to rectify the issues. In the event that the student and/or the student's parents cannot reach an agreement with the building administrator as to a mutually acceptable plan or if the plan is not followed, the student and parent will be notified that the nonresident agreement is terminated and advised to return to their home district.

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