

MEMO TO: BOARD MEMBERS

FROM: JOHN SIMPSON

DATE: JUNE 26, 2017

RE: BOE Policy Subcommittee Item of Consideration

The following is an item of consideration containing a recommendation from the BOE Policy Subcommittee. This change was presented during our June 12th meeting and is now placed on the agenda for approval at the June 26 meeting. Please feel free to contact one of the committee members with any questions.

Policy	Title	Type of Change	Recommended Change
JECA-1	Admission of Students	Current	Accept Policy Committee Revisions Noted on Attached Draft Policy

Types of Changes:

Grammar: Grammatical

Minor Minimal word changes not impacting current practice

Major: Major change that impacts current practice

Current: Changes that better reflect current practice

RECOMMENDED BOARD ACTION....none at this time.

**Policy
ADMISSION OF STUDENTS****Descriptor Code: JECA-1**

In general, in order to enroll in the Webster Groves School District, a student, the parent, legal guardian, military guardian, person acting as a parent or the student must provide proof of legal residency in the district or request a waiver of proof of residency (as outlined in this policy) and must complete all admission requirements as determined by Board policies, regulations and procedures. Students who do not provide proof of residency in the district will only be admitted without payment of tuition if permitted in this policy or required by law. This district allows nonresident students living in Missouri who are otherwise entitled to attend the Webster Groves School District to enroll in and attend this district upon payment of tuition.

The Board directs the superintendent or designee to create procedures for enrolling students and for collecting tuition or other payments when applicable and authorized under this policy.

Resident Students

A student is a "resident" student if he or she meets at least one of the following criteria:

1. The student physically resides and is domiciled in the district. For the purposes of this policy the domicile of a minor student is the domicile of a parent, military guardian pursuant to a military-issued guardianship or court-appointed legal guardian. A "power of attorney" document alone is insufficient to satisfy the "court-appointed legal guardian" requirement, with the exception of a special power of attorney document relevant to the guardianship of a child in the household of an active duty member of the military.
2. The student physically resides in the district for reasons other than obtaining access to the district's schools, regardless of with whom the student is living, and has a waiver of proof of residency on file.

Waiver of Proof of Residency

In cases where a student living in the district wishes to enroll, but the student does not live with a parent, military guardian or court-appointed guardian in the district and is not otherwise allowed by law or contractual relationship with another district to attend, the student, parent, military guardian, legal guardian or person acting as a parent must request a waiver of proof of residency. Waiver of proof of residency will only be granted on the basis of hardship or good cause. Good cause shall include situations where the student is living in the district for reasons other than attending school in the district.

The Board delegates to the superintendent or designee the responsibility of bringing to the Board's attention any application for a waiver in which the student is not clearly entitled to attend school in the district. All other applications will be accepted and granted by the superintendent or designee on behalf of the Board. Once an application for a waiver has been identified for Board review, the Board shall convene a hearing to consider a waiver request as soon as possible, but no later than 45 days after receipt of the waiver request or the waiver

shall be deemed granted. The Board president may appoint a committee of the Board to act in lieu of the Board to consider waiver requests.

Once a waiver of proof of residency has been requested and the superintendent or designee has determined that attendance is in the best interest of the student, the student may be permitted to enroll and attend school until such time as the Board or designee decides to grant or deny the waiver request.

In the event there is reason to suspect that admission of a student will create an immediate danger to the safety of other students and employees of the district, the enrollment of the student may be delayed and the superintendent or designee may convene a hearing within five working days of the enrollment request and determine whether the student may enroll.

Students Otherwise Entitled by Law to Enroll

In accordance with law, students will be enrolled and admitted without going through the waiver process when they:

1. Are considered homeless in accordance with state and federal law (42 U.S.C. § 11431 - 11435; § 167.020, RSMo.).
2. Are attending the district as participants in the voluntary transfer state program established under a court-ordered desegregation program as long as the district continues to receive funding (§ 167.020, RSMo.).

Voluntary transfer students (as defined in the voluntary transfer program instituted under *Craton Liddell, et al. v. The Board of Education etc., et al.*, U.S. District Court No. 72-0100C (E. Dist. Mo.) who are admitted to the district may attend school without paying tuition as long as the district continues to receive appropriate funding from the state.

3. Are wards of the state and have been placed in a residential care facility within the district by state officials (§ 167.020, RSMo.).
4. Have been placed in a residential care facility within the district due to a mental illness or developmental disability (§ 167.020, RSMo.).
5. Have been placed in a residential care facility within the district by a juvenile court (§ 167.020, RSMo.).
6. Are assigned to the district by the commissioner of education due to an unusual or unreasonable transportation hardship (§ 167.121, RSMo.). The resident district will pay the tuition.

7. Have been identified as students with disabilities under state eligibility criteria and are in the district for reasons other than accessing the district's educational program (§ 167.020, RSMo.).
8. Have a permanent or temporary home in the district and are orphans, have only one parent living or their parents do not contribute to their support, as long as the students are between the ages of 6 and 20 years old and are unable to pay tuition (§ 167.151, RSMo.).
9. Are children of parents/guardians who pay school taxes on property in the school district but do not live in the district. These students may attend school in the district on a tuition basis (§ 167.151, RSMo.). School taxes paid to the school district by the parents/guardians of nonresident students shall be deducted from the tuition charge applicable to the school term or fractional part thereof, concurrent with the calendar year in which the taxes are paid. The deduction will be prorated among the number of students per family attending the district's schools. A tax statement must be submitted to the superintendent or designee before a student will be admitted.
10. Are children of parents/guardians who own real estate of which 80 acres or more are used for agricultural purposes and upon which their residence is situated. These children may attend school, without paying tuition, in any district in which a part of such real estate, contiguous to that upon which their residence is situated, lies, provided that 35 percent of the real estate is located in the district of choice (§ 167.151, RSMo.). Such parents/guardians are required to send notification by June 30 to all school districts involved specifying which district their children will attend, and the children will only attend the district notified for that school year. If notification is not received, such children shall attend the school in which the majority of the parent's/guardian's property lies.
11. Have been placed by the Missouri Department of Mental Health, the Missouri Department of Social Services or by court order in facilities or programs located within the district, even if their domicile is in another district (§ 167.126, RSMo.).

The domicile district of a student is the school district where the student would have been educated if not placed in the facility or program. Each domicile district will pay the Webster Groves School District the average sum produced per child by the domicile district's local tax effort. A special school district will pay the average sum produced per child by the local tax efforts of the domiciliary districts. The district may, if such funds are available, receive payment from the Department of Elementary and Secondary Education (DESE) for educational costs that exceed the amount received from the domicile district, state aid and other state funds. In addition, the district may receive payments from DESE in lieu of receiving the local tax effort from the domiciliary district in some situations.

12. Are residing in a Missouri school district that has been declared unaccredited by the Missouri State Board of Education (State Board) and that is located in the same county as the Webster Groves School District or an adjoining county (§167.131, RSMo.). The

unaccredited district will pay tuition as calculated by the Webster Groves School District or the State Board. The Webster Groves School District is not responsible for providing transportation.

As to students domiciled in an unaccredited school district allowed to enroll in the school district, such students shall not be allowed to attend unless and until the tuition provided by law for such students is either paid in full or such payment is guaranteed in a manner that is agreeable to the Board of Education of the school district.

The Board will annually set tuition for each grade-level grouping in accordance with law. If an unaccredited district disputes the amount of tuition, the Board will submit the dispute to the State Board for resolution.

13. Are living in a district that is located in the same county as the Webster Groves School District or an adjoining county if that district does not provide education for all grade levels, such as K-6 or K-8 districts (§ 167.131, RSMo.). The sending district will pay tuition as calculated by the Webster Groves School District or the State Board. The Webster Groves School District is not responsible for providing transportation.

The Board will annually set tuition for each grade-level grouping in accordance with law. If a sending district disputes the amount of tuition, the Board will submit the dispute to the State Board for resolution.

14. Are placed in the care of another person living in the district because one or both of their parents/guardians have been stationed or deployed out of state or deployed within Missouri by the military or because of active duty military service. These students will be allowed to attend school in the district without the payment of tuition (§§ 160.2000, 167.020, RSMo.). In addition, if the active duty orders expire during the school year, the students may finish the school year in the district in accordance with law.
15. Were enrolled in the Webster Groves School District but, due to the active duty military service of a parent/guardian, are placed in the care of a person who resides in another school district. These students will be allowed to continue to attend school in the Webster Groves School District without payment of tuition (§ 160.2000, RSMo.).
16. Attend a private school within the district and are enrolled in the district for the limited purpose of special education identification and the receipt of some special education services when available as mandated by federal special education law (§ 167.020, RSMo.).
17. Have been placed in foster care outside the district if they previously attended the district and are placed in an adjacent district (§ 167.019, RSMo.).

18. Are otherwise required by law to be enrolled and admitted.

Enrollment at the Option of the District

The Board in its discretion may also allow students to enroll and attend under the following circumstances without going through the waiver process. Unless required by law, no student will be enrolled in the Webster Groves School District if the enrollment might result in overcrowding, disruption to the educational environment or a financial hardship to the district.

By law the district does not provide any students special education services because the Special School District of St. Louis County, a separate educational and taxing entity, is legally responsible for providing those services to students living in St. Louis County and enrolled in a public school. The Special School District will not provide special education services to students who do not live in St. Louis County and therefore the district cannot enroll a nonresident student who does not live in St. Louis County if the student needs special education services. In addition, the district cannot continue to enroll nonresident students who are determined to need those services if those students do not already live in St. Louis County.

1. The district may enroll and educate nonresident students on a contractual basis with another school district that will pay the tuition or educational expenses (§ 167.020, RSMo.). For example, students may attend a district alternative education program on a contractual basis or as part of a regional or cooperative education program.
2. Children of nonresident district employees who are employed full time may attend schools in the district for the purpose of receiving general education services free of tuition charges on a space available basis and in an attendance area determined by the district after one year of successful parental employment. (§§ 163.011, 168.151, RSMo.). In accordance with law, these students will be considered resident students for the purpose of determining average daily attendance, and the Board shall not solicit or receive money from a nonresident district employee employed by the district for the purpose of paying tuition or any other expenses for the operation of schools.

*Insert item here and renumber below.

3. The district may enroll students pursuant to a contractual arrangement that complies with the Enrollment Option Act (§§ 162.1040 - .1059, RSMo.). A nonresident student enrolled pursuant to an enrollment option program shall be counted as a resident student for the purposes of determining state aid.
4. Nonresident students living in Missouri will be permitted to enroll in the district's schools upon payment of tuition as long as the admission will not require the district to exceed the district's target class sizes and student-to-teacher ratios set by the Board. Nonresident students will only be permitted to enroll upon agreement to pay tuition, as calculated by the Webster Groves School District or the State Board, unless the students are exempt from payment of tuition as allowed by law or another arrangement has been made with Board approval. Tuition rates shall be determined annually on the basis of the per-pupil cost for the preceding year for the operation, maintenance and debt service of the schools, as prescribed by state law. A nonresident student shall be defined as a student who does not meet the requirements to be a

resident student of the Webster Groves School District, as defined in Board policies and law. Priority shall first be given to:

- a. Children of nonresident district employees,
 - b. Children of nonresident SSD employees,
 - ~~b.~~ c. Next to existing nonresident tuition students,
 - ~~c.~~ d. Next to siblings of existing nonresident tuition students,
 - ~~d.~~ e. Next to the approved number of foreign exchange students, and
 - ~~e.~~ f. Finally, to all other students whose tuition is paid, as more specifically provided later in this policy.
5. In accordance with law, the district may enroll nonresident students in its summer school program if there is room in the district's program to accommodate the students and the students are not attending summer school in another district (§ 167.227, RSMo.). The district will either count the students as residents for state aid purposes or allow them to attend upon payment of tuition by another district or the parents/guardians.
- The district will not enroll nonresident students in summer programs funded entirely by federal funds unless there is an interdistrict agreement to provide those services.
6. Foreign exchange students living within the boundaries of the school district who have obtained a J-1 visa and who are sponsored by an organization listed on the Council on Standards for International Educational Travel (CSIET) Advisory List will be allowed to enroll in the school district. Such enrollment will be conditioned upon approval of the superintendent and in accordance with procedures set forth by the superintendent or designee. The Board of Education reserves the right to limit the number of foreign exchange students enrolled in a given year. Attendance by foreign exchange students is a privilege, not a right.
7. Children residing in institutions located within the district that provide a place of residence for three or more such children whose domicile is not in the state of Missouri may be admitted pursuant to a contractual arrangement, provided that the school district, its taxpayers, the state of Missouri or its political subdivisions bear no financial burden as a result of the placement (§ 167.126, RSMo.).

Tuition

The amount of tuition, when referenced in this policy, will be determined by the Webster Groves School District or the State Board, in accordance with law.

Removal of Students Ineligible to Attend

The superintendent or designee will investigate any information the district receives indicating that a student is not a resident of the district or not otherwise entitled to attend the district in accordance with law or this policy. If the superintendent or designee determines after the investigation that the student is not a resident of the district and is not otherwise entitled to enroll in and attend the district in accordance with law and the district’s policy, the district will notify the student's parents/guardians, ask them to withdraw the student by a specific date, and offer the parents/guardians a hearing. If the parents/guardians do not request a hearing by the specified deadline and do not withdraw the student, the district will formally remove the student from its rolls and notify the parents/guardians that the student may no longer attend school in the district.

Educational Larceny

It is a crime to provide the district false information regarding residency. The Board authorizes the superintendent or designee to seek all criminal and civil recourse against any person who attempts to fraudulently assert residency in the district.

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Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Webster Groves

Date Adopted: 9/13/1993
Last Revised: 6/11/2016

Policy Reference

IGBCA
IGBE
IHB

Description

[PROGRAMS FOR HOMELESS STUDENTS](#)
[STUDENTS IN FOSTER CARE](#)
[CLASS SIZE](#)

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*Children of nonresident Special School District (SSD) teachers and full-time support staff who are assigned to Webster Groves School District buildings may also be permitted to attend without payment of tuition. However, under the terms of a reciprocal agreement between Webster Groves School District and SSD, children who do not reside within St. Louis County and who are attending Webster Groves Schools under this provision are not eligible for SSD educational services that are implemented or based within separate SSD schools, including vocational/technical schools.