

NONRESIDENT STUDENT ATTENDANCE

1. **Resident Student Attendance**

Virginia law prescribes when students are entitled to attend school on a tuition free basis. Enrollment in the Richmond County Public Schools is reserved for eligible students residing within the boundaries of Richmond County.

2. **Non-Resident Student Attendance**

A non-resident student is a person of school age who is deemed not to reside in the Richmond County Public School attendance zone. The Superintendent will establish non-resident student enrollment limits based on Richmond County student population. Once enrollment limits are established, each grade level will be examined and a determination will be made if additional students will be accepted. Strict adherence to classroom and school capacity will be considered in the acceptance of non-resident students who meet enrollment criteria. The approval of enrollment for non-resident students shall be for a one-year term or the remainder of the school year, whichever is the shorter time period.

3. **Criteria for Non-Resident Attendance**

- A. Readily available space in the school;
- B. Student's attendance not occasioning or implicating any additional cost, direct or indirect, to the Richmond County Public Schools;
- C. Absence of student discipline incidents in another school division;
- D. Absence of criminal or civil charges or adverse adjudications otherwise against the student; special consideration of attendance and satisfactory academic achievement;
- E. Satisfaction of all other requirements of any student's admission for the first time to any public school within the division, such as birth record or other information and affiliations;

4. Resident Acting in Loco Parentis

If a resident of Richmond County who is acting "in Loco Parentis" for the child of a non-resident requests that the child be admitted to the Richmond County Public Schools, the request will be approved only if the person who makes the request has legal custody of the child or is a court appointed guardian, or has a temporary kinship care relationship pursuant to Virginia Code § 22.1-3. Conditional approval may be granted prior to final custody agreement at the discretion of the Superintendent or designee. This transfer of custody shall not have been made solely for the purpose of enrolling the child in the Richmond County Public Schools.

5. Children of Non-Resident Richmond County Employees

- A. Non-resident students whose parents or guardians are employees of the Richmond County Public Schools or Richmond County may enroll their children in Richmond County Public Schools tuition free. Such enrollment shall be contingent upon meeting the criteria specified in this policy for non-resident students and is subject to the provisions of paragraph 9 of this policy;
- B. Non-resident students, whose parents or guardians leave the employee of Richmond County Public Schools or Richmond County during any semester, shall be permitted to finish that semester;
- C. Employees wishing to enroll their children must annually notify the office of the Superintendent of their intention to do so by May 15th of the year preceding the desired enrollment.

6. Non-Resident IDEA and Section 504 Students

Attendance in the Richmond County Public Schools of a non-resident student with disabilities does not create a legal obligation for the Richmond County School Board to provide the child with a free appropriate public education under Federal or Virginia law. The responsibility to provide such education and services always remains the obligation of the school division of residency. If the parents or the resident school division apply to place a student in the Richmond County Public Schools because the resident school division has determined it has no appropriate placement for the student and/or because the resident school division has agreed to an alternative placement pursuant to an IEP for the student, the resident school division and/or parent(s)/guardian(s) remain responsible for all necessary and reasonable expenses incurred by Richmond County Public Schools in providing the student with the required education in excess of any state and federal funds paid to the Richmond County School Board. Under no circumstances shall Richmond County Public Schools be responsible for the costs and expenses of providing special education and related services to any non-resident student with a disability. For non-resident students with disabilities to be enrolled, a proper application must be filled out, the student must meet the criteria for enrollments as specified in this policy, provide the current IEP, and there must be a prior written agreement with the resident school division for costs of all services, subject to the ultimate review and approval of the Superintendent or designee.

7. Termination

Richmond County Public Schools reserves the right to terminate at any time the enrollment of a non-resident student should that student become a disruptive influence, a discipline problem, be charged with a crime reportable to the Superintendent, have an attendance problem, or for any reason that in the discretion of the Superintendent or designee indicates the student's continued enrollment would be a detriment to Richmond County Public Schools. Termination of enrollment of a non-resident student may be made unilaterally by school authorities with no right to a hearing or any other appeal process by the nonresident parent or student.

8. Exchange Students

Students attending Richmond County Public Schools under a foreign exchange program and exempt from the requirement of Federal law 194-205 shall be admitted without the payment of tuition. The School Board believes that there are many benefits to students through an effective foreign exchange program. This cultural awareness experience not only benefits the foreign students attending our schools but greatly benefits our students by providing an opportunity to learn first-hand, from a visiting student, about another culture. The students may attend tuition-free and may enroll for no longer than one school year. No foreign exchange student program will be allowed in Richmond County Elementary or Richmond County Intermediate without the express permission of the Richmond County School Board. The student applicants will be accepted at the discretion of the principal after the following:

- A. Only students from the Council on Standards for International Educational Travel (CSIET) – approved Foreign Exchange Programs will be accepted;
- B. A student who has graduated from high school is ineligible for admission;
- C. The student must meet all Virginia school-entrance requirements;
- D. The VHSL eligibility regulations for foreign students must be followed if the student applicant participates in any VHSL sanctioned activity;
- E. The student applicant must be residing within the high school attendance area or be residing with a Richmond County Public School or Richmond County full-time employee;
- F. Consideration is given to the grade and/or subjects requested and the age of the student applicant;
- G. Consideration is given to the English proficiency of the student applicant;
- H. Consideration is given to the overall academic and discipline record of the student applicant;
- I. The principal will approve or disapprove foreign exchange student applications no later than August 1st or at least one month prior to the student beginning school if at second semester;

- J. Exceptions to any of the provisions listed above may be granted only by the Richmond County School Board;
- K. Foreign students in an F-1 immigration status or who obtain F-1 student visas shall not be admitted in Richmond County Elementary or Richmond County Intermediate or publicly funded adult education programs. Such students may be admitted, for one school year, in the division's secondary school.

9. Immigrants

Federal law 194-208, Section 625, requires that any foreign student with an F-1 immigration status must pay tuition to attend a public school in the United States. Any student with an F-1 immigration status will pay a tuition fee equal to the actual cost of educating a student in the Richmond County Public Schools.

Adopted: July 10, 2013

Legal Refs: Federal Law 194-208, Section 625

Code of VA, § 22.1-3. Persons to whom public schools shall be free.

Code of VA, § 22.1-5. Regulations concerning admission of certain persons to schools; tuition charges.

Code of VA, § 22.1-255. Non-resident children.

Legal reference: VA Const. art VII § 7; VA Code §§ 22.1-3-22.1-3.2, 22.1-5

CONDITIONS OF ADMISSION FOR NON-RESIDENT ATTENDANCE

1. Parents of any non-resident student wishing for their child to attend Richmond County Public Schools must apply annually, in writing, to the Superintendent or designee. Applications will be received between July 1st and July 31st preceding the school year for which enrollment is desired. Applications will not be accepted prior to July 1st, and applications received after July 31st will not be considered until all applications received in the specified time frame have been acted upon. Applications will be acted upon during the first two (2) weeks of August. Applications will be reviewed in the order received by date and time. Priority will be given to non-resident students already enrolled in Richmond County Public Schools. It is the policy and practice of Richmond County Public Schools that each request for non-resident student admission be considered on its merits and a determination for admission made without regard to race, creed, gender, or disability. However, factors for admission that will be considered include, but are not limited to, space available in schools, a student's attendance record, discipline record, and academic progress.
2. Richmond County Public Schools reserves the right to assign schools and classes to selected non-resident students. Non-resident students accepted will be assigned to classes in those schools pending space availability. No school will be assigned additional personnel as a result of enrolling non-resident students.
3. Richmond County Public Schools reserves the right to deny entrance to any non-resident student: should space not be available in the school desired; the student has experienced discipline problems in another school division; criminal or civil charges against the student are pending; or for any other good reason which in the discretion of the Superintendent or his designee indicates that such student's enrollment could be a detriment to Richmond County Public Schools.
4. Non-resident students accepted into Richmond County Public Schools will be assured of completing the current school year unless excluded for other reasons.
5. Richmond County Public Schools reserves the right to terminate at any time the enrollment of a non-resident student should that student become a disruptive influence, a discipline problem, be charged with a crime reportable to the Superintendent, have an attendance problem.
6. Transportation of a non-resident student to and from school remains the sole responsibility of the parent.

7. Non-resident students whose parents or guardians are employees of Richmond County Public Schools or Richmond County may enroll their children in Richmond County Public Schools tuition free. Such enrollment shall be contingent upon meeting the criteria for admission of non-resident students. Employees remain subject to all other conditions of admission provided for in this paragraph with respect to the additional costs associated with enrollment of non-residential children with disabilities. Non-resident students whose parents or guardians leave the employ of Richmond County Public Schools or Richmond County during any semester shall be permitted to finish that semester. Employees wishing to enroll their children must annually notify the office of the Superintendent of their intention to do so by May 15th of the school year preceding the desired enrollment.
8. Attendance in the Richmond County Public Schools of a non-resident student with disabilities does not create a legal obligation for the Richmond County School Board to provide the child with a free appropriate public education under Federal or Virginia law. The responsibility to provide such education and services always remains the obligation of the school division of residency. If the parents or the resident school division apply to place a student in the Richmond County Public Schools because the resident school division has determined it has no appropriate placement for the student and/or because the resident school division has agreed to an alternative placement pursuant to an IEP for the student, the resident school division and/or the parent(s)/guardian(s) remain responsible for all necessary and reasonable expenses incurred by the Richmond County Public Schools in providing the student with the required education in excess of any state and federal funds paid to the Richmond County School Board. Under no circumstances shall Richmond County Public Schools be responsible for the costs and expenses of providing special education and related services to any non-resident student with a disability. For non-resident students with disabilities to be enrolled, a proper application must be filled out, the student must meet the criteria for enrollments as specified in this policy, provide the current IEP, and there must be a prior written agreement with the resident school division for costs for all services, subject to the ultimate review and approval of the Superintendent or designee.
9. The Superintendent or designee for Richmond County Public Schools shall make the decision for enrollment of all non-resident students. This decision will not be made before August 1st of each school year. All decisions can be appealed to the Superintendent or designee.
10. All enrollments for non-resident students will be provisional pending the reception and verification of all school records and requested information. During this provisional period, enrollment can be revoked upon written notice to the parent(s).

I have read and understand these conditions:

SIGNATURES:

_____	DATE _____
Parent/Guardian	
_____	DATE _____
School Official	

Legal Reference: Virginia Code Sections 22.1-3; 22.1-5; and 22.1-255

**RICHMOND COUNTY PUBLIC SCHOOLS
2017- 2018 NON-RESIDENT APPLICATION**

Students Name: _____ Date of Birth: _____ 2017-2018 Grade: _____

Physical Address: _____

Mailing Address: _____

Parent or Legal Guardian(s): _____

Phone: Home() _____ Cell() _____ Work() _____

Name of School Last Attended: _____

School Phone: _____

Reason for Leaving: _____

Reason for Applying to Richmond County Public Schools: _____

Is a parent/guardian a full or part-time employee of Richmond County Public Schools? YES NO

School Name: _____

Is a parent/guardian a full or part-time employee of Richmond County? YES NO

Department _____

Will your child need special education services under IDEA II or Section 504 of the Rehabilitation Act? YES NO

If "YES", please attach all eligibility documents and most current IEP to this application.

Please initial this section indicating you understand that either you or the school division (if services are not available in your home school division) of your residence must bear the actual cost of any special education services your child may receive.

Has your child experienced any attendance or serious discipline problems in his/her previous school? YES NO

If "YES", please explain: _____

Are there any criminal or civil charges pending against your child? YES NO

I certify by my signature that all information provided in this application is correct. I further acknowledge that Richmond County Public Schools reserve the right to assign my child to any appropriate school where space is available.

Signature: _____ Date: _____

Printed Name: _____

FOR HIGH SCHOOL STUDENTS ONLY:

VHSL RULES APPLY TO HIGH SCHOOL STUDENTS WISHING TO TRANSFER

Section 28-6-1 Transfer rule of the Virginia High School League states that a student will be ineligible to participate in VHSL sponsored activities for 365 consecutive calendar days if enrolled in one high school and subsequently transfers to another high school without a corresponding change in residence of his/her parents/guardians.

HIGH SCHOOL PARENT/GUARDIAN PLEASE SIGN TO VERIFY YOU UNDERSTAND THIS RULE.

Signature: _____ Date: _____

FOR OFFICE USE ONLY

RECOMMENDATION:

APPROVED

DENIED

Administrator Signature: _____

Date: _____