

STUDENT ATTENDANCE AGREEMENT (FP-14.1)

PARENT PLACEMENT OR DISTRICT TO DISTRICT AGREEMENT

School Year 20__ - 20__

SECTION I: TO BE COMPLETED BY PARENT/GUARDIAN

I request that the following student be allowed to attend a school district outside the student's district of residence:

Student Name (last, first, middle initial)	Birthdate
Parent/Guardian Address (physical)	
Student Address (group home only)	
Parent/Guardian Signature (or Group Home Manager, in Place of Parent/Guardian) This agreement will be returned to the parent/guardian after acceptance by the district of choice and will specify the costs, if any, which will be charged to the parent/guardian for attendance. If the student attends under this agreement, the parent/guardian agrees to pay the costs, if any, charged to the parent/guardian under the terms of this agreement. Signature of Parent/Guardian _____ Date: _____	

SECTION II: TO BE COMPLETED BY DISTRICT OF CHOICE/PLACEMENT

Student State ID	Student Grade
District of Choice/Placement	District of Residence
Individual Making Request Parent/Guardian District	Student Placement Group Home Placement District to District Placement
Enrollment Start Date	Annual Pupil Instruction Days

SECTION III: TRANSPORTATION – TO BE COMPLETED BY DISTRICT OF CHOICE/PLACEMENT

Transportation Provided by District of Choice/Placement Transportation is the responsibility of the parent/guardian. Transportation is discretionarily provided by the district of attendance, in accordance with 20-10-122, MCA. <i>*The child is not an eligible transportee as defined in 20-10-101, MCA</i>

SECTION IV: TUITION COSTS – TO BE COMPLETED BY DISTRICT OF CHOICE/PLACEMENT

Type of Agreement (Check one and indicate the annual amounts of Regular Education, Special Rate and Total Annual Tuition)	Regular Education Rate	Special Rate (Attach FP-14A)	Total Annual Tuition (Regular Education Rate + Special Rate)
Parent/Guardian Request Discretionary – Parent/Guardian requests to enroll student outside District of Residence	\$ _____	\$ _____	\$ _____
Mandatory – Student to attend same school system as high school or elementary age sibling(s) attends	\$ _____	\$ _____	\$ _____
Mandatory – Student lives closer to school of choice and at least 3 miles from resident district school AND District of Residence does not provide transportation	\$ _____	\$ _____	\$ _____
Mandatory – Geographic barrier prohibits attendance in District of Residence	\$ _____	\$ _____	\$ _____

Type of Agreement (Check one and indicate the annual amounts of Regular Education, Special Rate and Total Annual Tuition)	Regular Education Rate	Special Rate (Attach FP-14A)	Total Annual Tuition (Regular Education Rate + Special Rate)
Group Home Placement	\$ _____ (District of Residence)	\$ _____ (State of Montana)	\$ _____ (Total)
District to District Placement		\$ _____	\$ _____

SECTION V: AGREEMENTS AND SIGNATURES

Transportation and tuition will be charged as indicated in Sections III and IV.

A. DISTRICT OF CHOICE/PLACEMENT

The Board of Trustees:

____ APPROVES this Student Attendance Agreement

____ DISAPPROVES this Student Attendance Agreement

Board Chair _____

Signature _____ Date: _____

B. DISTRICT OF RESIDENCE

The Board of Trustees:

____ APPROVES this Student Attendance Agreement

____ DISAPPROVES this Student Attendance Agreement

____ ACKNOWLEDGES receipt of this Student Attendance Agreement

Board Chair _____

Signature _____ Date _____

District of Residence Determination 1-1-215, MCA (check one):

	The residence of the minor's parents.
	If one of the parents is deceased or the parents do not share the same residence, the residence of the parent having legal custody.
	If neither parent has legal custody, the residence of the legal guardian or custodian appointed by a court of competent jurisdiction (not a foster parent).
	The district of residence for a child following the termination of parental rights and before a permanent placement is accomplished is the physical location of the district court that ordered termination.
	The district of residence of a child whose custodial parent is incarcerated is the school district where the custodial parent resided prior to incarceration.
	If there are questions concerning legal residency, consult with the agency responsible for the child's placement in the district.
	In the case of controversy, the district court has jurisdiction over residence.

Policy 3141: Nonresident Student Attendance

Status: ADOPTED

Original Adopted Date: 10/08/2020 | **Last Revised Date:** 12/14/2023 | **Last Reviewed Date:** 12/14/2023

Nonresident Student Enrollment

For the purposes of this policy, except as provided in Section 20-9-707, MCA, a student's district of residence must be determined on the basis of the provisions of Section 1-1-215, MCA.

Mandatory Nonresident Enrollment for Extenuating Circumstances

The District shall enroll a student who resides outside of the District whenever the extenuating circumstances listed in Section 20-5-321, MCA, exist.

Applying for Nonresident Enrollment with No Extenuating Circumstances

Whenever the extenuating circumstances listed in Section 20-5-321, MCA do not exist and mandatory enrollment of a student who resides outside the District is not required, the District may enroll the nonresident student at the request of the student's parent or guardian as specified in this policy. The District shall serve children who are residents of the district and nonresident children seeking mandatory enrollment for extenuating circumstances prior to enrolling nonresidents students seeking to apply when extenuating circumstances do not exist.

Every nonresident student who seeks to enroll in the District shall apply for admission for the succeeding school year no later than October 1st of the attendance year. All applications shall be submitted using the form as developed by the Office of Public Instruction. Nonresident students shall reapply for admission each school year. Admission in one school year does not infer or guarantee admission in subsequent years. Each application shall be assigned a unique number distinct from a student identification number that does not disclose a student's personally identifiable information consistent with Policy 3600. Within 10 days of the initial application for an agreement, the District shall notify the parent or guardian of the child and district of residence involved in the out-of-district attendance agreement of the anticipated date for approval or disapproval of the agreement.

The Board of Trustees authorizes the District Administrator to review the applications for nonresident enrollment consistent with his policy and Section 20-5-320, MCA. The Board of Trustees shall make the decision to approve or deny requests for nonresident enrollment during a meeting of the Board. If individual application review is needed the application shall be considered during a closed session consistent with Policy 1400 after giving prior notice to the parents that their application will be considered by the Board of Trustees in a closed session of the Board. Any motion on an application shall be made referring to the distinct application number.

In reviewing and determining whether to approve an application for attendance by a nonresident child, the District Administrator shall recommend for approval and Board of Trustees shall approve the application unless the Board of Trustees find that the impact of approval of the application will negatively impact the quality of education for resident pupils by grade level, by school, or in the District in the aggregate in one or more of the following ways:

1. The approval would result in exceeding limits of:

- A. building construction standards pursuant to Title 50, chapter 60, MCA;
- B. capacity and ingress and egress elements, either by individual room or by school building, of any fire code authorized by Title 50, chapter 3; or
- C. evacuation elements of the district's adopted school safety plan.

The Board authorizes the District Administrator to coordinate with the local fire marshal, law enforcement, health department, and first responders when developing standards under this Subsection

1. Findings shall be adopted by the Board in the District's strategic plan or plan for continuous improvement specified in Policy 1610.

2. The approval would impede meeting goals, standards, or objectives of quality education adopted by the Board in the District's strategic plan or plan for continuous improvement specified in Policy 1610.

3. The approval would risk jeopardizing the educational quality adopted by the Board in the District's strategic plan or plan for continuous improvement specified in Policy 1620 because the nonresident child who is applying was:

- A. truant as defined in Section 20-5-106, MCA, in the last school district attended;
- B. expelled by another school district at any time; or
- C. suspended in another school district in any of the 3 school fiscal years preceding the school fiscal year for which attendance is requested. This Subsection C does not apply to a student who is eligible for special education or related services.

Review and consideration of applications and the records of applicants as well as decisions regarding admission cannot be inconsistent with District policies regarding nondiscrimination. In the event the District receives more applications than the District can accommodate, the District shall prioritize applications on the basis of the quality of education for students who are residents of the district of attendance and the obligations of resident taxpayers. This priority may include applications from children of District employees as well as children with siblings who have previously enrolled in the District as nonresident students. This priority is specifically established and shall be implemented on a rational basis to provide a quality education to students enrolled in the District.

Placement Priorities

The Board recognizes its obligation to accept out-of-District students meeting mandatory placement criteria established by state law. Once these obligations have been met, applications will be given priority in the following order:

1. Students who attend the school the preceding year. The number of years attending will also be considered a factor in favor of continued placement. Currently attending out of district students must apply by February 1st preceding the academic year of enrollment to retain their priority status. If students do not meet the February 1st deadline their applications will be considered on a chronologically received basis with all the other new out-of-District applications. Completed forms will be dated upon delivery to the school office.
2. Children in the immediate family of nonresident District employees.
3. Students who have siblings attending the school.
4. Students who have previously attended the school.
5. Students whose legal residence is directly adjacent to the boundaries of the District, and whose parent or legal guardian owns property in the District.
6. Students whose legal residence is directly adjacent to the boundaries of the District.
7. Students whose parent or legal guardian owns property in the District.
8. Students entering grade 6, 7, or 8, whose legal residence is within the boundaries of Cottonwood School District #22.
9. When all of the above criteria are equal among applicants, the order in which the application was delivered to the school office will be the deciding factor in approving applications.

Within 10 days of approval or disapproval of an application for non-resident enrollment, District shall provide copies of the approved or disapproved attendance agreement to the parent or guardian and to the district of residence. In the case of a disapproval, the District shall provide the specific allowable reason for the disapproval consistent with this policy and supporting documentation.

For an approved application and out-of-district attendance agreement the District shall provide a copy of the completed agreement to the county superintendent of schools of the county of residence, county superintendent of schools of the county of attendance, and the Superintendent of Public Instruction. Whenever a student enrolls in and attends a school outside of the student's district of residence under the provisions of this policy, by July 15 following the year of attendance, the district of attendance shall notify the district of residence of an obligation under Section 20-5-323, MCA.

If an out-of-district attendance agreement is disapproved or no action is taken, the parent or guardian may appeal the disapproval or lack of action in accordance with Montana law.

Unless otherwise agreed by the district of residence and the district of attendance, the family of a nonresident child whose application for attendance has been approved is responsible for transportation of the child and the child is not an eligible transporter as defined in Section 20-10-101, MCA. The district of attendance may discretionarily provide transportation pursuant to Section 20-10-122, MCA.

10.10.301B	Out-of-District Attendance Agreements
10.55.712	Class Size Elementary
10.55.713	Teacher load and class size

Montana Code Annotated References

1-1-215	Residence - rules for determining
20-5-314	Reciprocal attendance agreement with adjoining state or province
20-5-320	Attendance with discretionary approval
20-5-321	Attendance with mandatory approval – tuition and transportation
20-5-322	Residency determination – notification – appeal for attendance agreement
20-5-323	Tuition and transportation rates

Cross References

	Description
2161	Special Education - https://simbli.eboardsolutions.com/SU/wsWTbplusQTOslsh7chl8So7uafg==
2161-P(1)	Special Education - Special Education Procedures - https://simbli.eboardsolutions.com/SU/dRKjR6Lslshz6iYhVDajE54kg==
2413	Credit Transfer and Assessment for Placement - https://simbli.eboardsolutions.com/SU/4SxDftRDfPIA7qLkfglfQ==
3110	Entrance, Placement, and Transfer - https://simbli.eboardsolutions.com/SU/gBPu5B04AeziMEKR7mEa6g==
3125	Education of Homeless Children - https://simbli.eboardsolutions.com/SU/2Js6sqMkfoNYvbGAY7FSKw==
7008	Nonresident Student Attendance Agreement, Tuition, and Transportation Costs. - https://simbli.eboardsolutions.com/SU/NWmd97REyD5c2vnsIDa1Vg==



ANDERSON SCHOOL DISTRICT # 41

10040 Cottonwood Road

Bozeman, MT 59718

Verification of receiving School Policy
5.100 Admission

Date: _____

We have received the policy and understand that is is a request for a one-year placement which is dependent upon availability of resources and space at Anderson School. We realize that the application process must occur each spring for the upcoming school year, and that there are not guarantees for placement from year to year.

We have received:

- A copy of the district application.
- A copy of the Anderson School District Board Policy regarding admission for out-of-district students.
- The out-of-district forms have been received for:

Thank you for your consideration.

Parent Signature