

Non-resident District Boundary Exceptions Procedures

A non-resident student is one who resides outside the Yakima School District boundaries. Such students may apply to attend a school in the district as a full-time student or, if home schooled, apply for part-time attendance in specific courses. All applications for non-resident attendance or home-schooled instruction will be considered on an equal basis. The district's central registration office shall provide information regarding interdistrict enrollment policies to non-residents on request.

A parent(s)/guardian(s) shall apply for admission on behalf of his or her child by completing the Yakima School District [Request for Admission form](#), stating the reasons for the request. Homeless children, in accordance with [RCW 28A.225.215](#) and the [McKinney-Ventro act of 2002](#), will be allowed to attend school in this district.

1. **Eligibility of Non-resident Student to Apply:** The superintendent may consider any of the following circumstances in making a decision to admit a non-resident student:
 - 1.1 The student's financial, educational, safety, or health conditions affecting the student would likely be reasonably improved as the result of attendance in this district.
 - 1.2 Attendance in the Yakima School District is more accessible to the place of work of the parent(s)/guardian(s) or to the location of childcare.
 - 1.3 A special hardship or detrimental condition exists.
 - 1.4 The student is in the process of moving into, or out of, the district within the current trimester/semester. Students moving out of the district may complete the current trimester/semester in their enrolled school/program, but if they wish to continue attending after moving out of the district, or if they are transferring to a new building or program, a new application must be completed and all requirements of this policy met.
 - 1.5 The parent(s)/guardian(s) recognizes that transportation will not be provided. The parent(s)/guardian(s) assumes responsibility for transporting the student to and from school daily or allows his/her child with a valid driver's license to drive to and from school daily.
2. **Admission Considerations:** When considering admission of a non-resident student, the school enrolling the student will request the parent(s)/guardian(s) and the student to briefly indicate in writing whether or not the student has:
 - 2.1 any history of placement in special educational programs;
 - 2.2 any past, current, or pending disciplinary action;
 - 2.3 any history of violent behavior, or behavior listed below:
 - a) violent offense;
 - b) sex offense;
 - c) inhaling toxic fumes;
 - d) controlled substances violation;

- e) liquor violation; or
 - f) any crime of assault, disruption, willful disobedience, defacing property, and possessing dangerous weapons;
- 2.4 any unpaid fines or fees imposed by other schools; and/or
- 2.5 any health conditions affecting the student's educational needs.
3. **Applications Denied for Cause:** The superintendent may reject an application for non-resident admission only under the following circumstances or reasons:
- 3.1 The preschool through grade eight (P-8) program for new non-resident students is currently closed in all buildings and programs.
 - 3.1.1 Pre-kindergarten enrollment in public or private programs situated within district boundaries does not establish the right to continue attendance as a non-resident student.
 - 3.1.2 Non-resident student enrollment does not establish sibling rule criteria, which might otherwise qualify an out-of-district sibling to begin attendance in the district.
 - 3.2 Space is not available in certain buildings and/or programs in grades nine through twelve (9 –12);
 - 3.2.1 In specific programs, buildings or classrooms with enrollment caps, such as magnet, special education, and International Baccalaureate, when the class or program reaches ninety percent (90%) of capacity, the classroom or program is closed for non-resident students. Determination of a non-resident student's attendance will be made at least one (1) week prior to the start of the school year or trimester in order to provide the opportunity for non-resident students to enroll in their resident district.
 - 3.2.2 As eighth (8th) grade students transition to ninth, non-resident students who have completed eighth (8th) grade in a Yakima District program will be the first to be taken into district ninth (9th) grade programs after district ninth (9th) graders have been placed; non-resident eighth (8th) graders new to the district desiring a district ninth (9th) grade program will be taken after non-resident students already served by the district. All considerations listed in sections 1 and 2 apply; see also procedure 3131P, section 5.2.4.

If a non-resident student meets the conditions listed above, the parent(s)/guardian(s) must provide a written release from the resident district to the district's school building or program which is being requested. Non-resident student applications must be accepted with the principal or director's signature into that specific building or program. Subsequently the non-resident student's application must have district approval through signature of the superintendent's designee in the central registration department.

- 3.3 There are not appropriate or specialized programs, services, or courses available in the building requested.
- 3.4 The student's disciplinary and/or judicial records indicate a history of convictions for offenses or crimes, violent behavior, gang membership, or other behaviors listed in [RCW 13.04.155](#).
- 3.5 The student has been expelled or suspended from a public or private school for more than ten (10) consecutive school days in the current or previous school year. This also applies to non-resident students who have been removed to an alternative setting, such as an Interim Alternative Educational Setting (IAES) for behavior that was determined to be not related to the student's disability by an MDT/IEP team. Readmission process for expelled or suspended students under this section must apply uniformly to both resident and non-resident applicants.
- 3.6 The district has reason to believe, based on the records from the previous school, that the student is likely to create a significant disruption to the educational program or to threaten the health or safety of other students or staff, and such disruption/threat is not related to the student's disability as determined by an IEP/MDT team; see [3200 P](#) section 6.
- 3.7 Attendance would result in the district's experiencing any financial hardship, which includes, but is not limited to the following:
 - 3.7.1 Overload pay to teachers, or the hiring of additional teachers, will not be initiated or continued based on enrollment of non-resident students.
 - 3.7.2 Additional classroom space will not be built, created or furnished based on enrollment of non-resident students.

If a non-resident student meets the conditions listed above, the parent(s)/guardian(s) must provide a written release from the resident district to the district's school program which is being requested. Non-resident students' applications must:

- * be accepted into a specific school or into a specific district program; subsequently the application must then
- * receive district approval through the central registration department.

4. **Non-resident Student Enrollment Process:** The procedure to complete the enrollment process is as follows:
 - 4.1 New non-resident students in grades nine (9) through twelve (12) will be considered for admission to this district pursuant to the requirements of policy and procedures [3141](#) and [3141P](#).
 - 4.2 Continuing non-resident students in grades K-12 must annually renew the request for admission and are subject to the requirements of policy and procedures [3131](#) and [3141](#).

- 4.3 Non-resident students who wish to attend a school or program in the Yakima School District or continue enrollment must annually complete both of the following forms:
 - 4.3.1 The interdistrict release form (obtained from the student's resident district) to acquire a release from that district;
 - 4.3.2 Yakima School District [Request for Student Admission form](#) (obtained from the Yakima School District).
 - 4.4 After completing both forms, in most cases the non-resident student will be asked to arrange an interview with the Yakima principal/designee at the building or program of their choice. The interviewer will review the requirements of policy and procedures [3141](#) and [3141P](#) in order for the principal/designee to make a recommendation for or against approval of the application for admission.
 - 4.5 After interview with the principal/designee, completed applications must then be submitted to central registration; the superintendent's designee will determine acceptance or rejection.
 - 4.6 Completed applications for the current school year will be acted upon after the needs of district resident students have been met and only if the acceptance of such applications will not be disruptive to ongoing programs.
 - 4.7 Completed applications for the next school year, received from September through May, will be acted upon at least one (1) week prior to the start of the school year or trimester in order to ensure that the needs of Yakima resident students are met.
 - 4.8 Notification to currently enrolled non-resident students of their potential enrollment status for the following year will be given in writing one (1) week prior to the start of school.
5. **Information Transfer Between Districts/Schools:** The school enrolling the student shall request from the school which the student previously attended the student's permanent record, including records of disciplinary action, attendance, immunization records, and academic performance.
- 5.1 If the student has not paid a fine or fee under [RCW 28A.635.060](#), or tuition, fees, or fines at approved private schools, the releasing school may withhold the student's official transcript, but shall transmit information about the student's academic performance, special placement, immunization records, and records of disciplinary action. If the official transcript is not sent due to unpaid tuition, fees, or fines, the enrolling school shall notify both the student and parent(s)/guardian(s) that the official transcript will not be sent until the obligation is met. Failure to have an official transcript may result in exclusion from extracurricular activities or failure to graduate.
 - 5.2 Records of disposition for a juvenile offense must be provided to the receiving school.-

- 5.2.1 Information requested above shall be transmitted within two (2) school days after receiving the request, and the records shall be sent as soon as possible.
 - 5.2.2 Any school district or district employee who releases the information in compliance with this section is immune from civil liability for damages unless it is shown that the school district employee acted with gross negligence or in bad faith.
6. **Reasons for Termination of Enrollment:** Subject to the conditions below, non-resident students grades nine - twelve (9-12) accepted under the provisions of this policy, who are enrolled and who are appropriately served in regular school programs, may continue their attendance in the Yakima School District at the assigned school following the annual renewal process; see section 8. However, enrollment may also be terminated if:
- 6.1 the school resident student population increases to the point that there would be insufficient space for non-resident students in the assigned school or program; or
 - 6.2 enrollment increases as the result of a boundary change to the point that there would be insufficient space for non-resident students in the assigned school or program; or
 - 6.2.1 in the above situations, or if some other extraordinary circumstances should occur which are occasioned by district program needs and outside the control of the non-resident student and his/her family, the currently enrolled non-resident student who continues to meet non-resident enrollment criteria will be offered attendance at another school or program if space exists elsewhere.
 - 6.3 Enrollment is also subject to termination for non-resident students in the following situations:
 - 6.3.1 if after a [Request for Admission application](#) has been approved it is discovered that the information provided was incomplete, or has changed since the time the application was considered, and/or was materially misrepresented on the application;
 - 6.3.2 if after a [Request for Admission application](#) has been approved the student chooses to enter the Running Start Program and enroll full time at a community college or technical college;
 - 6.3.3 if the student is expelled from the district or any district school program under the disciplinary policy [3200](#) process; or
 - 6.3.4 if the student has unexcused absences or has excessive unexcused tardies, failure to pursue a course of study (lack of academic progress), or if the student engages in frequent misconduct and/or disruptive behavior not related to a disability in violation of school rules. Before the interdistrict transfer of such a student is terminated under this provision, the student and parent(s)/guardian(s) will be entitled to discipline due process as outlined in policy [3200](#) and will be

notified that the student's continued attendance in this district is in jeopardy. Should a decision be made to terminate the student's district enrollment under this provision, the parent(s)/guardian(s) will be notified and may appeal that termination to the superintendent or his/her designee.

7. **Non-secondary Districts:** A student who resides in a district that does not operate a secondary program shall be permitted to enroll in secondary schools in this district in accordance with state law and regulation relating to the financial responsibility of the resident district.
8. **Annual Renewal and Transfer Restrictions:** All requests subsequently approved for all non-residents are for one (1) year and must be re-applied for annually and are subject to the requirements of policy and procedures [3141](#) and [3141P](#) in future years.
 - 8.1 Once approved, continued enrollment shall be contingent upon student conformance with all school and district policies.
 - 8.2 A new release is required annually and also if the student begins attendance at another school or district program.
 - 8.2.1 No open-enrollment transfers or transfers-for-cause are available for non-resident students. Instead, in order for a non-resident student to transfer to another school or program within the Yakima School District, he/she must meet all the conditions set forth in this policy, including the completion of a new release and application.
 - 8.2.2 Any non-resident student who has been admitted to a district school/ program which is later found to be inappropriate for that student, who needs a different school/program to meet his/her educational needs, who has completed the school/program, or who wishes for any reason to change schools or programs, must initiate a new release and application process under this policy.
 - 8.2.3 Applications for students seeking to change schools or programs within the district will have no preference given to their new applications, based upon their prior acceptance as non-residents under this policy.
9. **Notification:** All applicants will be notified in writing by the appropriate administrator if space is not available in the class, program, grade, or building requested or if the request does not meet criteria established in these procedures.
10. **Athletic and Activity Requests:** District boundary exceptions will not be granted solely to support the athletic or activity interests of the students. If the request for district boundary exception is denied, the parent(s)/ guardian(s) may appeal to the superintendent or designee in accordance with [RCW 28A.225.230](#) to the extent applicable.

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