ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS

Nonresident Students

1. Nonresident students will include legal transfers, cash tuition transfers, guardianship cases, hardship cases, and alien students and “grandfathered” students. For purposes of school attendance, regardless of a student’s age, his/her legal residence is determined by where his/her parents reside.

2. Permission to enroll for nonresident students will be issued subject to the following conditions:
   
a. Legal transfers are students transferred from other school corporations whose tuition is paid by the transferring corporation. Principals will provide the names of such students to the Business Office to be submitted to the transferring corporation for verification.

b. Cash tuition transfers are those students who cannot qualify as legal residents and who must therefore pay a cash tuition fee. These students ordinarily commute daily to school from a residence outside the district.

   (1) Requests for acceptance of pupils on a private cash tuition basis will be directed to the Office of the Superintendent.

   (2) The Superintendent’s Office will confer with the principal of the school involved to ascertain his/her willingness to accept this pupil. This decision will of necessity be based on such factors as availability of space, class sizes, and that the student is in good standing to be determined by the principal and the Superintendent.

   (3) After conferring with the Superintendent, the Principal will communicate the corporation decision to the family.

   (4) If the student is accepted as a cash tuition pupil, it is necessary for the parent to make payment at the Accounting Office and to obtain a ‘Permission to Enroll’ form from the Superintendent’s Office. This form should be taken by the parent to the office of the principal prior to enrolling the student.

   (5) Transportation will be provided by the parent.

e--a. Guardianship transfers are those students not living with parents, but who live with residents of the school district as legal wards. Legal guardianship of such students is established through action in the County Circuit or Superior Court which consists of filing a petition and the conducting of a hearing in the court. The hearing is for the custody of a person and not for
property and custody of a person. The court will either grant or deny the petition. Temporary permission to enroll may be granted by the Superintendent on the basis of written verification from an attorney that guardianship proceedings have been initiated. The guardianship will be completed within a reasonable period of time. The principal and the Superintendent will be provided a copy of the court order or proof of guardianship prior to entry of the student.

d. b. Hardship cases will consist generally of two types:

(1) An emancipated minor is one who no longer lives with parent or guardian and who provides his/her own maintenance and support. Such students will be granted permission to attend the school serving his/her attendance area, provided an appropriately executed “Student Affidavit in Support of a Claim of Emancipation for School Purposes” is presented to the principal to verify the student’s status as an emancipated minor. Copies of the approved affidavit are available upon request from the Superintendent’s Office and the form of the affidavit is incorporated in these guidelines by reference.

(2) An unemancipated minor, not living with parents or guardians and who is ineligible or unable to become a ward of a legal resident of the school district may obtain permission to enroll either with or without the payment of cash tuition. Enrollment in either case will be granted only with permission of the Superintendent.

c. e. Alien students are citizens of a foreign nation who reside in the school district solely or primarily for the purpose of receiving an education and who do not live with their parents or guardians. REFER TO POLICY #5114 FOR ENROLLMENT PROCEDURES.

d. “Grandfathered” students are those who enrolled as Transfer Tuition or Cash Tuition students prior to September 13, 2008. Enrollment shall be allowed to continue on that same basis until they choose to end their enrollment or until they matriculate from MCCSC.