

## ADMISSION TO THE CORPORATION (LEGAL SETTLEMENT)

The Rush County School Corporation will educate, tuition free, students who have legal settlement in the Corporation, and students enrolled according to the requirements of I.C. 20-26-11.

### A. **Children of Divorced Parents**

1. Children of divorced parents may attend school in this Corporation if one (1) parent resides in this Corporation and a timely election is made utilizing the "Custodial Statement and Agreement: Divorce, Separation, or Abandonment" form provided by the Indiana State Board of Education.
2. Not later than fourteen (14) days before the first student day of the school year for which the parent seeks enrollment, the parent with physical custody of the child must notify the School Board Superintendent of the school corporation in which the parents seek to have the student enrolled of their election to enroll the child in the Corporation. The election may be for no less than one (1) school year.

B. A student who has been expelled from another school corporation or who is expelled from a nonpublic school or withdraws from a public or a nonpublic school to avoid expulsion may be enrolled in the Corporation in compliance with I.C. 20-33-8-20 during the actual or proposed expulsion if:

1. The student's parent informs the Corporation of the student's expulsion or withdrawal to avoid expulsion;
2. The Corporation consents to the student's enrollment;
3. The student agrees to the terms and conditions of enrollment established by the Corporation.

Such students will not be charged tuition unless otherwise required by law if they do not have legal settlement in the Corporation.

If a student's parent fails to inform the Corporation of the expulsion or withdrawal to avoid expulsion or the student fails to follow the terms and conditions established for enrollment, the Corporation may withdraw consent and prohibit the student's enrollment during the period of the actual or proposed expulsion. Before consent is withdrawn, the student must be given an opportunity for an informal meeting with the principal. At the informal meeting, the student is entitled to:

1. A written or verbal statement of the reasons for the withdrawal of consent.
2. A summary of the evidence against him/her.

3. An opportunity to explain his/her conduct.

C. Nonresident students may be accepted into the Summer School Program provided by this Corporation.

**D. Student Residence Change**

In considering the continued enrollment of students whose legal settlement changes during the first semester of the school year, the effective date of legal settlement change may (at the election of the parent, or student eighteen (18) years or older) be extended until the end of that school year. After the end of the school year, that student will be considered a transfer student.

**E. Transfer Students**

Students without legal settlement in the Corporation (hereafter referred to as "transfer students") will be enrolled in compliance with I.C. 20-26-11-32 and the following procedure:

1. The Corporation will establish the number of transfer students that can be accepted in each building and grade level.
2. The Corporation will establish a date by which requests to enroll a transfer student must be submitted to the Superintendent or designee. This date shall be submitted to the Indiana Department of Education and published on the Corporation Internet website.
3. Pursuant to I.C. 20-26-11-6.5, and except as permitted by law for capacity, discipline, or attendance issues, the Corporation shall accept a transferring student who does not have legal settlement in the school corporation if:
  - a. The student's parent is a current employee of the transferee school corporation with an annual salary of at least:
    - i. Eight thousand dollars (\$8,000); or,
    - ii. three thousand dollars (\$3,000) earned due to being included as an employee in the extracurricular portion of the transferee school corporation's current collective bargaining agreement;
  - b. The student's parent currently resides in Indiana; and
  - c. The transferee school corporation has the capacity to accept the student.
4. If the number of requests to transfer exceeds the capacity established by the Corporation, reduced by the number of transfers that will be given priority as described in paragraph (C) above, the students to be enrolled in each building and grade level shall be determined by a publicly verifiable random selection process in which each

application submitted on or before the date established by the Corporation pursuant to paragraph (A) above has an equal chance of being selected.

Pursuant to State law, a student's application to transfer to the Corporation may be denied if the student has been suspended for ten (10) or more school days, or suspended or expelled for possession of a firearm, deadly weapon, or a destructive device, causing physical injury to a person, a violation of the Corporation's drug or alcohol rules during the twelve (12) months preceding the student's request to transfer, or if the student has had a history of unexcused absences and the Corporation believes that, based upon the location of the student's residence, attendance would be a problem for the student if the student is enrolled with the Corporation.

For purposes of computing the number of days of suspension of the student requesting enrollment, student discipline received from a teacher pursuant to I.C. 20-33-8-25(b)(7) shall be included in the calculation of the number of school days that a student has been suspended.

Transportation will not be provided by the School Corporation for transfer students accepted for enrollment, unless the transfer student has an Individualized Education Program (IEP) in which transportation is required to be provided as a related service.

Priority will be given to a student requesting transfer who has a household member already a student in the Corporation or a parent who is a current employee of the Corporation. Parents who are Corporation employees or parents with a transfer student already enrolled in the Corporation and wish to enroll another household member must give notice to the Superintendent or a designee of their wish to transfer the child into the Corporation before April 1 of the prior academic year. This notice is required in addition to submitting a standard application form.

The Corporation shall make efforts to ensure that students who are enrolled in the Corporation as a transfer student continue to attend in subsequent school years.

No transfer student shall be accepted for enrollment for athletic reasons.

This policy applies to students in virtual schools.

Transfer students will not be charged unless otherwise required by law.

#### **E. Residency of Students with Military Parents**

Pursuant to IC 20-26-19 *et.seq.*, a student meets the residency requirements for enrollment in the Corporation if the parent of the student meets the following:

1. The parent is transferred to or is pending transfer to a military installation within Indiana while on active duty pursuant to an official military order.
2. The parent submits to the public school:

- a. an application, as determined by the public school, for enrollment in the public school; and
  - b. documentation, as determined by the Indiana State Board of Education, regarding the transfer or pending transfer.
3. The parent intends to reside in the attendance area of the Corporation.

I.C. 20-26-11

I.C. 20-26-11-32

I.C. 20-33-8-25(b)(7)

I.C. 20-26-19

Rush County School Corporation

Adopted: 6-7-2022