

## **RSU 26 ADMISSION OF NONRESIDENT STUDENTS**

The RSU 26 board of directors adopts this policy for accepting non-resident students at RSU 26 schools (Asa Adams Elementary, Orono Middle School, Orono High School, CORE) from neighboring districts in Maine.

### Definitions

- A) **Non-resident tuition students** are those students who may be tuitioned by other school departments that do not maintain a contract for services with RSU 26 or by their parents or guardians. It does not apply to students residing outside of Maine who are attending Orono High School.
- B) **Non-resident tuition children of staff members** are those non-resident students who have one or more parents or legal guardians who are employed full-time by RSU 26. These students will be treated as regular non-resident tuition students (definition A) except for purposes of determining the tuition rate (Section 6.B of this policy)
- C) **Superintendent agreement students** are those students who attend RSU 26 schools based on an agreement between the RSU 26 superintendent and the superintendent of the district in which the student is legally resident to transfer the state subsidy to RSU 26. In addition to other requirements in this policy, superintendent agreement students will be accepted based on the criterion in law (MRSA 20-A §5205.6) including the criterion of being in the “student’s best interest” as determined at the discretion of the superintendent
- D) For the purposes of this policy, the phrase “non-resident student” without further qualification includes all of the students described in definitions A-C.

### Admission of non-resident students

1. RSU 26 schools shall accept non-resident students by application only. Application shall be made to the Principal of the appropriate school with the exception of superintendent’s agreements which shall be made to the Superintendent. Admission may be denied to any non-resident student who is currently subject to an expulsion or suspension or is the subject of an expulsion or suspension proceeding. Admission decisions are made by the Principal or his/her designee (or Superintendent or his/her designee for superintendent agreements). Appeal of a denial may be made to the Superintendent of Schools, whose decision shall be final.
2. In addition to the above, admission of non-resident students shall also be based on the availability of space within an existing program or class that the student would be attending. The availability of space in a particular program or class shall be determined by the Principal or his/her designee in consultation with the program or class teachers, and may include consideration of the overall number of students in that program or class, any applicable state or local mandates for program or class size, the particular demands on teacher time presented by students currently scheduled for that program or class, and a reasonable estimate of the number of new students from school units currently being served by the relevant RSU 26 school who may join that program or class during the school year in question. RSU 26 schools shall not create new programs or classrooms to serve non-resident students.
3. All requirements for entry into the relevant RSU 26 school programs that apply to resident students (such as age, health examinations and immunization requirements) also apply to non-resident students.
4. Non-resident students are expected to meet the same academic, extracurricular and behavioral standards and are subject to the same disciplinary procedures as resident students.
5. The Superintendent may revoke the admission of a non-resident student if the Superintendent determines that the student cannot obtain an appropriate education in an existing program or class at the school. In the case of students with disabilities, the Superintendent’s decision shall be made in consultation with the student’s Individualized Education Program (IEP) Team and all applicable laws.

6. Tuition for tuition students (Definitions A or B) shall be set as follows:
  - a. For students tuitioned from other school units or by non RSU 26 employee parents or guardians, RSU 26 will charge an annual tuition at the maximum rate permitted by state law (20-A M.R.S.A. § 5804), including amounts for special education in accordance with state special education regulations. Tuition amounts for the upcoming semester shall be paid in full by the first day of each school semester, unless guaranteed by a sending school unit. Should a sending school unit fail to pay tuition as due, the Superintendent shall notify the Commissioner of the Department of Education for payment, as set forth in 20-A M.R.S.A. § 5810(2). Failure to pay tuition as due shall be grounds for revoking the admission of the non-resident tuition student.
  - b. For students with at least one parent or guardian who is a non-resident employee at RSU 26 schools, this option to tuition is available only if a superintendents agreement to have the sending district pay has been filed and denied by the sending superintendent and an appeal has been filed and denied by the Maine Department of Education all before October 1 of the school year in question. If the appeal to the state has been filed by August 1 and has not received a decision from the state by October 1, we will treat the student tuition as if they were denied for that year. In such case, the annual tuition of \$350.00 per child shall be charged to the parent. If a parent has 3 or more children, annual tuition of \$1,000.00 for all children shall be charged to the employee. Tuition shall be paid as per written agreement between the school and the teacher, but in no case shall the full amount be paid later than October 1<sup>st</sup> of the current school year. Employees who leave RSU 26 must withdraw their child(ren) from the school unless their resident school unit agrees to pay tuition as required in Paragraph 6.A above or the family agrees to pay the tuition amount described in section 6A. In the event of a transfer of a student into RSU 26 the family is still expected to follow this process of requesting a superintendents agreement and appealing if denied, but the October 1 deadline does not apply for the year the transfer occurs.
7. RSU 26 shall not furnish transportation for non-resident students except where the student can otherwise access normal bus runs offered by the school.

References: 20-A M.R.S.A. § 5204, § 5205, 5801, et seq., 6001-B (3).  
Adopted: August 2, 2016  
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