

ADMISSION OF NONRESIDENT STUDENTS

Code **JFAB** Issued **9/12**

Purpose: To establish the basic structure for the admission of nonresident students to the center.

The career center will accept nonresident student applications on a space available provision and according to the tuition requirements established in policy DFG Tuition Income.

In addition, a nonresident student must meet the following requirements.

- must be 16 years old on or prior to completion of the prescribed program
- must be classified as a member of the tenth, eleventh or twelfth grade at the student's high school of origin
- must complete the center's student registration form
- must submit the appropriate grade, attendance and discipline reports and a guidance counselor's recommendation from his/her school of origin

The center complies with federal and state laws prohibiting discrimination and with all requirements imposed by regulations of the U.S. Department of Education.

The director will make the final decision on the admission of a nonresident student.

Cf. DFG

Adopted 9/17/12

Legal references:

A. Federal Law:

1. Homeless Assistance Act, Pub.L.No. 100-77, 101 Stat. 482-538 (1987), also known as the McKinney Act.
2. Title VI of the Civil Rights Act of 1964, 42 U.S.C. Sec. 2000d - Prohibits discrimination by recipients of federal financial assistance on the basis of race, color or national origin.
3. Title IV of the Civil Rights Act of 1964, 42 U.S.C. Sec. 2000c-6 - Prohibits discrimination on the basis of race, color or national origin, among other factors, by public elementary and secondary schools.
4. Uniform Tax Act (Section 1524, Internal Code) Section 610 E, Code Section 6676 E - All dependents age five and above required to have social security number.
5. No Child Left Behind Act of 2001, P.L. 107-110, Section 4155.

B. S. C. Code, 1976, as amended:

1. Section 44-29-180 - Students must show immunization prior to admission.
2. Section 59-63-30 - Qualifications for attendance.
3. Section 59-63-45 - Reimbursement for attending another school district.
4. Section 59-63-480 & 490 - Attendance of non-resident students.
5. Section 59-19-90(10) - Power of board to transfer and assign pupils.
6. Section 59-38-10 - South Carolina Education Bill of Rights for Children in Foster Care.

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C. Federal Court Decisions:

1. Milliken v. Bradley, 418 U.S. 717.
2. Tasby v. Estes, 412 F.Supp. 1185, aff'd 572 F.2d 1010.
3. Evans v. Buchanan, 393 F.Supp. 428.
4. Armour v. Nix, No.79-6108 (N.D. Ga. May 12, 1979).

D. U.S. Supreme Court:

1. Parents Involved in Community Schools v. Seattle School District No. 1, 127 S. Ct. 2738 (2007).
2. Plyler vs. Doe, 457 U.S. 202 (1982).

E. State Board of Education Regulations:

1. R-43-272 - School admission.
2. R-43-273 - Transfers and withdrawals.