

Admission of Non-Resident Private Tuition Students

This policy governs acceptance of non-resident students whose parents wish to pay tuition to M.S.A.D. No. 51 to allow their child(ren) to attend District schools.

1. M.S.A.D. No. 51 shall accept non-resident private tuition students by application only. Application shall be made to the Admissions Committee. The Superintendent and/or his designee shall determine the composition of the relevant Admission Committee. The Superintendent shall have the discretion to decide whether to admit any non-resident student based on criteria that may include, but not be limited to, academic record, discipline record, character and any other criteria deemed relevant. A non-resident private tuition student who is accepted will not be formally enrolled in M.S.A.D. No. 51 until the student's parents have signed the Non-Resident Private Tuition Student Agreement, and made the first tuition payment.
2. Admittance to M.S.A.D. No. 51 shall have the same access to District programs as resident students, and are subject to the same policies and rules, except as otherwise limited by this policy.
3. Otherwise eligible non-resident private tuition students shall be admitted only if there is space and/or personnel available within existing programs or classes that the student would be attending, as described in Paragraph 8. Decisions regarding the availability of space or personnel for non-resident tuition students in District programs and classes will be made by the Superintendent or designee.
4. All requirements for enrollment in M.S.A.D. No. 51 schools that apply to resident students (such as age, health examinations and immunization requirements) also apply to non-resident private tuition students.
5. Non-resident private tuition students are expected to meet the same academic, extracurricular and behavioral standards and are subject to the same disciplinary procedures as resident students, up to and including expulsion. Any non-resident private tuition student whose enrollment is recommended to be terminated for disciplinary reasons prior to the end of the school year has the right to an expulsion hearing before the M.S.A.D. No. 51 Board of Directors, as described in 20-A M.R.S.A. § 1001(9). The decision of the Board is final.
6. M.S.A.D. No. 51 has no obligations to non-resident private tuition students under the Individuals with Disabilities Education Act (IDEA). A free appropriate public education (FAPE) remains available to non-resident private tuition students in the school district in which the student and his/her parent(s) reside and M.S.A.D. No. 51 has no obligation to provide a FAPE to non-resident private tuition students under either the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act. The District will not implement an Individualized Education Plan (IEP) or 504 Plan that was developed for a non-resident private tuition student in a former school or district.

7. All decisions regarding any accommodations and/or special education and related services that a non-resident private tuition student with a disability may need in order to participate in District schools will be made by a group of persons knowledgeable about the student after an individual assessment of a student's needs.
8. If the Superintendent determines that a non-resident private tuition student with a disability requires special education and/or related services to participate in District schools, the student is entitled to access such services only on a space-available and personnel-available basis, and only within existing, in-District programs and from personnel currently employed by the District. When determining whether space is available for a non-resident private tuition student in any District special education program, a program will be considered "closed" to non-resident private tuition students if 80% of the spaces in the program are filled. A staff member will be considered available to the student only if the staff member is serving no more than 80% of his/her maximum case load. The District shall not create new programs or classrooms to serve non-resident private tuition students, hire additional staff to serve those students, or serve non-resident private tuition students in any educational program outside of the District.
9. The Superintendent may deny or revoke the admission of a non-resident private tuition student if the Superintendent determines that the student cannot obtain an appropriate education in existing programs or classes at the school. In the case of students with disabilities, the Superintendent's decision will be made in consultation with, and after review of the determinations of the group of persons knowledgeable about the student, and in accordance with all applicable laws.
10. M.S.A.D. No. 51 will set the tuition amount on an annual basis. The parents and student (if 18 years old) shall sign a tuition agreement and make the first tuition payment prior to the student's admission to the District.
11. M.S.A.D. No. 51 shall not furnish transportation for non-resident private tuition students except where the student can otherwise access normal bus runs offered by the District.
12. The Superintendent and/or his designee shall make information about the District's non-resident student opportunities generally available to the public as appropriate and in accordance with other District policies.

Legal References: 20-A M.R.S.A. §§ 5203(1), 5204(1), 5801, 5804, 5805, 6001-B(3).

Adopted: 2/2/09