

CHAPTER 5.00 – STUDENTS

NON- RESIDENT STUDENT ADMITTANCE/ENROLLMENT REQUIREMENTS 5.11

A student whose parent/legal guardian resides outside the jurisdiction of the Henry County Board of Education may be eligible to attend a Henry County school. To be considered for initial and continued enrollment in the Henry County School System, the parent/legal guardian of a non-resident student shall submit an annual written application to the Superintendent for consideration. Non-resident student requests for enrollment must be received by the Superintendent no later than the first business day of April in the year preceding the school year in which enrollment/admission is desired.

Non-resident enrollment requests will be considered only after all resident student transfer requests have been determined. No student shall be denied enrollment on the basis of race, sex, religion, or national origin.

The following factors shall be considered and used by the Superintendent as the basis for granting permission for a non-resident student to enroll/continue enrollment in the Henry County schools:

1. The availability of an instructional program that meets the education, physical and emotional needs of the student;
2. The receipt of written approval of the Superintendent of the student's resident school system;
3. The impact of the decision to enroll the student on a federal court desegregation order/consent decree on the student's resident school system or on the Henry County School System;
4. The ability to accommodate the applicant without placing undue financial burden on the Henry County School System;
5. The availability of space at the grade level and school;
6. The student's previous attendance record;
7. The student's academic performance at the average or above average level as determined through a review of grades, academic records, and standardized test results;
8. The student's satisfactory history of behavior as determined by a review of discipline records;
9. The student's satisfactory record of payment of school financial obligations and/or tuition;
10. The parent's/legal guardian's agreement to pay an annual tuition determined by the Henry County Board of Education; (note: a student's enrollment, if approved, will not become active until tuition is received);
11. The parent's/legal guardian's and student's agreement to follow the rules, regulations, and codes of student conduct established by the Henry County School System and the various schools within the School System; (note: failure to comply with the rules and regulations may be cause for expulsion, the withdrawal of permission to attend a Henry County school, and forfeiture of the proportional share of tuition paid);
12. The parent's/legal guardian's agreement to provide transportation for the student; (note: the Henry County School System does not provide transportation for non-resident students); and,

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13. The parent's/legal guardian's acknowledgment/understanding that the non-resident student is not eligible to participate in any athletic team, club, or organization for one (1) school year after enrolling.

The Henry County School System has the right to revoke enrollment of any non-resident student based on any of the following conditions:

- Inappropriate behavior or poor disciplinary record;
- Excessive tardiness to school or poor school attendance;
- Unsatisfactory academic performance;
- Falsifying school/or legal documents;
- Late tuition payments;
- An attempt to circumvent the policies/procedures of the school and/or the School System; and,
- Any other good and sufficient reason.

If, during the school year, it becomes evident that the guardianship/residency of a student has been misrepresented in order to avoid tuition and that the student actually resides outside of Henry County, tuition and a penalty fee (in an amount established by the Henry County Board of Education) will become due immediately. If tuition including the applicable penalty fee is not forthcoming, the student will be withdrawn. Such a student shall fall under the admission criteria for non-resident students.

When parents have joint legal custody and the student resides with a parent outside Henry County and the other parent resides within Henry County, the non-resident student shall not be required to pay tuition. However, when requesting enrollment, proof of guardianship and/or legal custody must be provided along with proof of residency for both parents/legal guardians. The Henry County School System accepts only legal guardianship/custody documents as authorized by a court of law. Notarized affidavits, educational guardianship records, or other types of statements are not acceptable.

Tuition Information

Beginning with the 2011-2012 school year, non-resident student tuition shall be paid each year prior to enrollment. The tuition may be paid in full prior to the beginning of the school year, or may be paid in two (2) installments (the first payment paid prior to the opening of first semester; the second installment paid prior to the opening of second semester). Failure to pay tuition according to the established payment date(s) will cause the student(s) to be withdrawn from the Henry County School System.

Non-resident students who enroll at times other than the beginning of a semester shall pay tuition on a prorated basis for the balance of the school year/semester of attendance.

Out-of-zone Students

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A student may not attend a school of the Henry County School System that is outside of the attendance zone where his/her parent/legal guardian has established legal residence, except as follows:

- When the parent/legal guardian of a current resident student establishes residence outside of Henry County or outside a school attendance zone during the academic year, the parent/legal guardian will be allowed, at his/her discretion, to permit his/her child(ren) to complete the current semester without paying tuition or submitting a transfer/non-resident enrollment request. However, the Henry County School System is not obligated to provide transportation for the student(s) under such circumstances.
- Employees of the Henry County Board of Education who live outside of Henry County may enroll their child(ren) in the Henry County School System without being subject to tuition.

Homeless Students

Nothing in this policy shall interfere with the implementation and application of the McKinney-Vento Homeless Assistance Act of 2001.

REFERENCE(S):

CODE OF ALABAMA
[16-28-4](#), [16-30-1 TO -4](#),

HISTORY:

ADOPTED: FEBRUARY 10, 2011
REVISED: JULY 18, 2013; _____
FORMERLY: 5.10.2