NONRESIDENT STUDENT ENROLLMENT CAPACITY

Per K.S.A 72-3123, 72-3124, and 72-3126, before May 1st of each year, the superintendent of schools or designee will develop and submit a recommendation to the board of education declaring the projected enrollment and number of open seats available to nonresident students. By June 1 of each year, the district will publish on its website, at a minimum, the number of students expected to attend the district in the next school year and the number of open seats available to nonresident students. Included in this report are recommended actions the board of education is asked to take to fulfill such statutory requirement.

USD 399 will have the capacity to accept nonresident students for the 2026-2027 school year. Based on the projected enrollment and capacity to operate effectively, USD 399 will accept nonresident students as outlined in the table below. The district process for selection is outlined below. Students living outside of the USD 399 boundary must formally apply for nonresident enrollment and use the application linked below which will be available on or before June 1, 2026. The completed application must be received by no later than June 15, 2026. Applications may also be picked up and returned to the USD 399 District Office at 710 5th St, Natoma, KS 67651. All questions about nonresident enrollment shall be directed to Bill Bagshaw, Superintendent, 785-640-1875, or bbagshaw@natoma-usd399.net.

SELECTION PROCESS

- By May 1 - District determined availability.
- By May 31 - Building administrators will notify parents of students not in good standing to return.
- By June 1 - District capacity will be posted on the website.
- **Nonresident Application Forms made available and accepted between June 1 - June 15.**

If capacity numbers are not met, the district may consider enrollment of nonresident students after July 15th.

Between July 1st and July 15th of each year:

1. The superintendent or representative will sort and select nonresident student applications that match the approved and published open seats available in the district.
2. The superintendent or representative will ensure that the names of each nonresident applicant are entered into a lottery and selected randomly.
3. All students entered into the lottery will be selected and listed in order of selection.
4. The superintendent or designee will review and confirm each student selected qualifies for nonresident enrollment.
5. Each student selected for enrollment will be placed in a school as determined by the superintendent or designee.

6. The parent or guardian of each student selected for enrollment will be notified of their acceptance as nonresident students and of the school placement.
7. The parent or guardian must acknowledge receipt of acceptance and student placement within five (5) business days from the notification or the nonresident enrollment will be denied.
8. The superintendent or designee will confirm all approved open seats have been filled by nonresident students.
9. Applicants not selected for nonresident enrollment will be notified and provided reason for nonselection. The district may maintain a "waiting list" of nonresident students who were not selected for enrollment but may be eligible for a seat if one becomes available.
    - Nonresident students whose parent is an employee of the district or whose sibling is currently attending will be given priority and not be entered into the lottery as long as there is capacity.

All eligible nonresident students who completed the application process following the district's guidelines will be accepted as students if capacity exists and if they are not currently suspended or expelled from their current school district. Districts may contact students and their families during the lottery process to confirm enrollment location and confirm acceptance. The nonresident student's current district may be required to confirm good standing prior to acceptance.

2026-2027 Enrollment Projections and Capacities

		Projected Enrollment	Max Capacity	Enrollment Capacity	
Grade Level	PK	10	20	10	Natoma Elementary School
	K	6			
	1	14	20	6	
	2	7	20	14	
	3	6	20	11	
	4	9	20	11	
	5	10	20	13	
	6	7	17	10	Natoma High School
	7	8	20	9	
	8	9	20	11	
	9	6	20	14	
	10	9	20	11	
	11	13	20	14	
	12	10	20	13	

U.S.D. 399 Application for Nonresident Student Enrollment

The U.S.D. 399 Board of Education has determined the capacity available in each grade level in each school building of the school district (hereafter "district") for the upcoming school year.

The number of open seats available to nonresident students in each grade level for each school building can be found on the district's website at www.usd399.com

This application must be submitted to the district at 710 5th Street, Natoma, KS 67651 between January 1 and June 15, 2026.

STUDENT AND GRADE INFORMATION

Name of Student (hereafter "applicant"):

_____

School Level: Elementary _____ Middle/Junior High _____ High School _____

Grade Level: _____

Priority Enrollment Criteria Questions

1. Is applicant experiencing homelessness?
   Yes ___ No ___

   a. If applicant is currently experiencing homelessness, in which school and school district did applicant last attend school?
   _____

2. Is applicant a child who is in the custody of the Department of Children and Families and living in the home of a nonresident student who attends school in the district?
   Yes ___ No ___

3. Does applicant have a parent or person acting as a parent who is employed by the district?
   Yes ___ No ___

4. Does applicant have a sibling who is enrolled in and attending a school in the district or who has been accepted to enroll and attend school in the district?

Yes ___ No ___

5. Is applicant a military student, as defined by K.S.A. 72-5139?
   Yes ___ No ___

6. Is applicant a Kansas resident?
   Yes ___ No ___

Good Standing Determination Questions

1. Did applicant maintain at least a 90% school attendance rate in the last school year, excluding absences which were excused under the school's attendance policy?
   Yes ___ No ___

2. Is applicant under a period of suspension or expulsion from any school district?
   Yes ___ No ___

   a. If so, when does the period of suspension or expulsion expire?
      _____

3. Has applicant had three or more out-of-school suspensions in the current school year, excluding suspensions determined to be a manifestation of the student's disability or a failure on the part of school staff to implement an individualized education program, Section 504 plan, or behavior intervention plan?
   Yes ___ No ___

4. Has applicant been given a long-term suspension or expulsion by a school district in the current school year?
   Yes ___ No ___

PARENT/GUARDIAN AND STUDENT CONTACT INFORMATION

Name of Parent(s)/Guardian(s) of the Applicant:

_____

Physical/Residential Address of the Applicant:

_____

Mailing Address of Applicant (if different from the Physical/Residential Address):

_____

Mailing Address of Parent(s)/Guardian(s) (if different from the Mailing Address of the Applicant)"

_____

Parent/Guardian or Adult or Emancipated Applicant Telephone Number: _____

Parent/Guardian or Adult or Emancipated Applicant Email Address: _____

Parent/Guardian and Applicant understand and acknowledge the following:

1. If the number of applications for the grade level and school building referenced herein is less than the number of available seats for that grade level in the school building, an eligible nonresident student deemed in good standing will be accepted for enrollment and attendance at the school district for the 2026-2027 school year and will be permitted to continue enrollment and attendance in the district, unless such student is no longer deemed by district administration to be in good standing.
2. If the number of applications for a grade level in a school building referenced above is greater than the number of available seats for the grade level in the school building, district administration shall accept students in good standing based on priority enrollment status first. If capacity remains after accepting priority enrollment students, the administration will randomly select nonresident student applicants deemed to be in good standing for enrollment using a confidential lottery process that will be completed on or before July 15 of each year.
3. If applicant is not a resident of Kansas, enrollment may only be considered if applicant's parent or person acting as a parent is an employee of the district, applicant is a homeless student and this is the applicant's district of origin, or if capacity remains after the district has completed its nonresident selection process, the student is in good standing, and district administration opts to allow out-of-state students to enroll.

4. If applicant is not accepted for or is denied enrollment at the district, the district will provide notice to the parent or person acting as a parent of the nonresident student or the adult or emancipated applicant of the reason for the nonacceptance or denial and an explanation of the nonresident student selection process on or before July 30 of each year.
5. If there is no capacity at the applicant's preferred school, and the application states enrollment in a school other than the preferred school will be denied, the district will deny the application due to lack of capacity.
6. If the application is accepted, applicant's enrollment may be discontinued if it is discovered applicant or applicant's parent or person acting as a parent provided false or fraudulent information in the application process.
7. The district shall not be required to provide transportation to nonresident students unless otherwise required to do so by applicable law.
8. If accepted to enroll in school in the district, applicant shall not be exempt from the requirements of the Kansas State High School Activities Association (hereafter "KSHSAA") regarding eligibility to participate in KSHSAA activities.
9. This application process and the board policy authorizing it does not apply to any virtual school run by the district or any school located on a military installation.

By signing below, I attest that all information provided in this application is true and accurate, to the best of my knowledge.

_____

Parent/Guardian Signature

_____

Applicant Signature

_ _

Date Application Received: _____

Administrative Determination and Reasoning:

☐ Approved (applicant is a homeless student either residing in district or for whom the district is the school of origin [Priority Enrollment Criteria Question 1])

☐ Approved (applicant meets Priority Enrollment Criteria regardless of capacity and is in good standing [Priority Enrollment Criteria Question 2 or 3])

☐ Approved (applicant meets Priority Enrollment Criteria, is in good standing, and capacity is available [Priority Enrollment Criteria Question 4 or 5])

☐ Approved (capacity is greater than number of applications, and applicant is in good standing)

☐ Approved (capacity is less than number of applications, applicant is in good standing, and applicant was randomly selected in lottery)

☐ Denied due to lack of capacity

☐ Denied due to ineligibility to attend school in Kansas pursuant to K.S.A 72-3118 (age of eligibility)

☐ Denied due to lack of good standing

☐ Denied due to residency outside of the state of Kansas

JBCC - Enrollment of Nonresident Students

(See JBC, JBCA, JBCB, and JQKA)

Kansas law requires the board to allow nonresident students to enroll in and attend the schools of the district if the board's capacity determination finds there are open seats for such students. In order to determine the district's capacity to accept nonresident students at each grade level in each district school, the board has adopted this policy.

Details concerning the nonresident enrollment and continued enrollment processes for nonresident students may be found in this policy, while general processes on enrollment documentation, assignment to buildings and classes, etc., may be found in board policy JBC.

This policy does not apply to any virtual school, as defined by Kansas law, or to any school located on a military installation.

Any child who is experiencing homelessness shall be permitted to enroll in and attend the school district of origin or the school district of residence without application and acceptance through this policy.

Definitions

For the purposes of this policy, the following definitions apply.

"Homeless child" means a child who lacks a fixed, regular and adequate nighttime residence and whose primary nighttime residence is:

A. A supervised publicly or privately operated shelter designed to provide temporary living accommodations, including welfare hotels, congregate shelters and transitional housing for the mentally ill;

B. an institution that provides a temporary residence for individuals intended to be institutionalized; or

C. a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for humans.

"Nonresident student" means a child of school age, pursuant to Kansas law, who resides in Kansas and is enrolled and in attendance at or seeking to enroll and attend a school located in a district where such student is not a resident.

"Parent" means and includes natural parents, adoptive parents, stepparents, and foster parents.

"Person acting as parent" means:

A. A guardian or conservator; or

B. a person, other than a parent, who:

   i. Is liable by law to maintain, care for or support the child;

ii. has actual care and control of the child and is contributing the major portion of the cost of support of the child;

iii. has actual care and control of the child with the written consent of a person who has legal custody of the child; or

iv. has been granted custody of the child by a court of competent jurisdiction.

"Receiving school district" means a school district of nonresidence of a student who attends school in such school district.

"Sibling" means a brother or sister of the whole or half blood, adoptive brother or sister, a stepbrother or stepsister or a foster brother or foster sister.

Determining Capacity for Nonresident Enrollment

The superintendent or designee has the responsibility for studying capacity in each school of the school district and at each grade level within each school and for making recommendations to the board regarding the district's capacity to accept nonresident students. To make recommendations to the board to assist with determining capacity, the superintendent or the superintendent's designee(s) shall do the following.

The superintendent or designee shall develop recommendations on capacity and classroom student-to-teacher ratios in each grade level in each school serving kindergarten students and students in grades one through eight. Such recommendations may be based on, but not be limited to, the following factors:

- Present classroom student-teacher ratios in each grade level in each school;
- projected enrollment shifts based on the resident student population, which may include a percentage adjustment for anticipated growth or decline based on documented enrollment trends; and
- maximum capacity of the classroom and associated learning, activity, and common area spaces.

The superintendent or designee shall develop recommendations on capacity and student-to-teacher ratios for each school building or program serving students in grades nine through twelve. Such recommendations may be based on, but not be limited to, the following factors:

- Present building or program student-teacher ratios;
- projected enrollment shifts based on the resident student population, which may include a percentage adjustment for anticipated growth or decline based on documented enrollment trends;
- anticipated demand for particular courses or programming; and

- maximum capacity of the classroom and associated learning, activity, and common area spaces.

On or before May 1st of each year, the superintendent shall present the recommendations concerning capacity and student-to-teacher ratios to the board for adoption or modification, and the board shall determine, for each grade level in each school building of the school district for the next succeeding school year, the following:

- Capacity based on the study conducted by the superintendent or the superintendent's designee;
- the number of students expected to attend school in the school district; and
- the number of open seats available to nonresidents at each grade, building, or program level.

On or before June 1st of each year, the district shall publish the number of open seats available to nonresident students in each grade level for each school building of the district for the next succeeding school year on the school district's website.

From January 1st through June 15th, district administration shall accept applications from nonresident students seeking to enroll in and attend the district in the next school year.

If the number of applications for a grade level in a school building is less than the number of available seats for that grade level in the school building, the nonresident students shall be accepted for enrollment and attendance at the school district, unless the nonresident student is deemed not in good standing.

If the number of applications for a grade level in a school building is greater than the number of available seats for the grade level in the school building, district administration shall randomly select nonresident students deemed in good standing using a confidential lottery process. This process shall be completed on or before July 15th of each year.

The district shall provide to the parent or person acting as a parent of a nonresident student who was not accepted for or denied enrollment at such school district the reason for the nonacceptance or denial and an explanation of the nonresident student selection process on or before July 30th of each year.

Priority in Filling Open Seats

Regardless of capacity determinations, the following categories of students shall be allowed to enroll as if resident students if they are deemed to be in good standing by district administration:

- any child who is in the custody of the Department for Children and Families and who is living in the home of a nonresident student who transfers to the district; or

- any nonresident student who has a parent or person acting as parent employed by the district, while the parent or person acting as a parent remains employed by the district.

Subject to having capacity to enroll nonresident students, the district shall give priority in enrollment to the following nonresident students deemed in good standing to enroll. These students shall receive open seats without necessity of being selected through any open-seat lottery:

- Any sibling of a nonresident student who is enrolled in and attending school in the district or who is accepted to enroll in and attend school in the district, with priority given when the nonresident student is first accepted and, if necessary, at any other time the district considers transfer applications; and
- any nonresident student who is a military student as defined in K.S.A. 72-5139, with priority given when the student is first accepted and, if necessary, at any other time the district considers transfer applications.

If one of these exceptions no longer applies to the student, the student's enrollment status would be subject to review based upon the considerations for determining good standing in this policy.

Prohibitions Regarding Open Enrollment Provisions of this Policy

The district shall not:

- Charge tuition or fees to any nonresident student who transfers to the district pursuant to this policy, except fees that are otherwise charged to every student enrolled in and attending school in the district; or
- accept or deny a nonresident student transfer based on ethnicity; national origin; gender; income level; disabling condition; proficiency in the English language; or measure of achievement, aptitude, or athletic ability.

Except for a child in the custody of the Department for Children and Families or a child who is experiencing homelessness, a nonresident student shall not transfer more than once per school year to one or more receiving school districts pursuant to the provisions of this policy or authorizing Kansas law.

Transportation of Students

Neither a resident school district nor a receiving school district shall be required to provide transportation to nonresident students unless otherwise required by applicable law. If space is available on district transportation vehicles, the district may assign nonresident students an in-district bus stop to and from which transportation may be provided by the district for nonresident students. The receiving district may provide transportation from the student's residence by notifying the sending district of the receiving district's intent to provide transportation. The district shall ensure that transportation for nonresident homeless students is provided comparably to that of housed students.

KSHSAA Eligibility

Nothing in this policy or state law shall exempt a nonresident student who transfers into the district from the requirements of the Kansas State High School Activities Association ("KSHSAA") regarding eligibility to participate in KSHSAA activities.

Information Share with the Kansas State Department of Education

The superintendent shall annually submit, or have submitted, to the Kansas State Department of Education this policy, the number of nonresident student transfers approved and denied in each grade level, and whether the denials were based on capacity or in accordance with the policy's terms.

Nonresident Student Continued Enrollment

A nonresident student who has been accepted for enrollment and attendance at a district school shall be permitted to continue enrollment and attendance in the district until such student graduates from high school, reaches the age of 21 (if the student is a student with an exceptionality, not solely eligible for gifted services under an individualized education program), or receives a G.E.D., unless such student is no longer deemed by district administration to be in good standing.

Except as otherwise specified herein, nonresident students who were enrolled in and attending the district during school year 2023-2024, who were attending the district as a resident student in 2023-2024 but have since moved out of the district, or who have been accepted for enrollment by the school district on or after June 1, 2024, will be allowed to continue enrollment in the district as specified above. The district will not require parents of such students or adult or emancipated students to resubmit a new application each school year.

Determining Good Standing

Regardless of capacity to accept nonresident students at a nonresident student's grade level or in the student's designated school or program, an individual student may be denied enrollment or continued enrollment for not being in good standing. Nonresident student applicants for enrollment and nonresident students already enrolled in and attending school in the district shall be evaluated by district administration to determine standing for enrollment or continued enrollment.

Students may be denied enrollment or continued enrollment for the next school year based on the results of these evaluations. However, if the student has a disability, the student's ability to meet these expectations shall be considered prior to denying continued enrollment in the district. Similarly, administration shall consider the adverse impact of homelessness on a student's attendance and any resulting suspensions or expulsions before making a determination on the enrollment or continued enrollment of a student who is homeless. As part of this reflection, administration shall consider the obstacles a homeless student faces to arrive at school on time or each day due to housing instability, lack of transportation, or lack of other basic resources that can hinder consistent attendance.

A student meeting one or more of the following criteria shall automatically be deemed not in good standing and may be denied enrollment or continued enrollment based solely thereon.

- The nonresident student failed to maintain a 90% attendance rate in the last school year, excluding excused absences under board policy JBD and/or any relevant student handbook language;
- the nonresident student or the student's parent or person acting as a parent provided false or fraudulent information in the application process;
- the nonresident student is not a Kansas resident;
- the student is currently under a period of suspension or expulsion from any Kansas school district, and such suspension or expulsion will not expire until after the next school year has begun.
- the student has had three or more out-of-school suspensions in the current school year, excluding suspensions determined to be a manifestation of the student's disability or a failure on the part of school staff to implement an individualized education program, Section 504 plan, or behavior intervention plan; or
- the student has been given a long-term suspension or expulsion by a school district in the current school year.

Parents shall be informed of any administrative decision not to enroll or to discontinue enrollment of a nonresident student.

If district administration denies the enrollment application of a nonresident student due to the school district deeming the nonresident student as not in good standing, the parent or person acting as a parent of such student may appeal the decision to the board. A current nonresident student who is determined not to be in good standing shall not be entitled to the appeal process outlined herein.

Any student who has been denied enrollment or continued enrollment due to being deemed not in good standing may reapply for nonresident enrollment in subsequent school years.

Appeal Process

If a nonresident student's application for enrollment is denied because the student is determined not to be in good standing, the parent or person acting as a parent may appeal the administrative decision to the board.

If a parent or person acting as a parent wishes to appeal this decision, a written request for an appeal must be submitted to the clerk of the board within 10 days of receiving notice the student's application has been denied for lack of good standing. Such request shall include the individual's reasons for disagreeing with the administration's decision.

The board shall consider any appeal of these decisions and any supplemental documentation provided therewith at the next regularly scheduled board meeting following receipt of the request for appeal, and the board's designee shall notify the requestor of the result of the appeal in writing within 10 days of the board's decision thereon.

Enrollment of Out-of-State Students

If capacity for nonresident student enrollment remains after the aforementioned application, enrollment, and the disenrollment process has concluded, district administration may consider applications for enrollment submitted by students who are not Kansas residents. However, priority in enrollment shall be given to Kansas residents.

If a student who is an out-of-state resident is in good standing and has a parent or a person acting as a parent who is employed by the district, district administration may allow the student to enroll in and attend school in the district as if they were a resident of the district.

Approved: 1/26;

KASB Recommendation – 6/23; 10/23; 5/24; 12/25