**Trout Creek School District**

**STUDENTS** 3100

Page 1 of 3

***Prohibition:*** *This policy cannot be used to provide what is otherwise characterized or referred to as a pre-school, pursuant to20-7-117(2), MCA, which specifically prohibits the use of state equalization aid for preschool. This policy is intended for use to enroll students under the age of 5 when statutory criteria are met.*

Student Enrollment, Exceptional Circumstances Meriting Waiver of Age Requirements for Pupils

*Note: In order to adopt this policy, the board of trustees must select one or more of the characteristics identified in either Option A or Option B.*

The administration shall ensure admission, enrollment and assignment of all qualifying children referenced in this policy. The administration shall place children enrolled pursuant to this policy in either a half-time or full-time kindergarten program as an integral part of the elementary school program. The administration shall also ensure provision of a free appropriate public education in the least restrictive environment possible, pursuant to terms of each student’s individualized education program, for all children enrolled under this policy who are qualified for services under the Individuals with Disabilities Education Act.

The administration shall include children enrolled pursuant to this policy in the district’s calculation of average number belonging (ANB) as reported to OPI.

***Option A, Student-Specific Exceptional Circumstances:******To be used when the board of trustees wants to define exceptional circumstances specific to the individual characteristics of each student or sub-group of students.***

The Board of Trustees declares the following to be qualifying “exceptional circumstances” within the meaning of that term as used in 20-5-101(3), that merit waiving the age provisions of 20-5-101(1), MCA for qualifying children under 6 years of age:

*Note: Each of the below should be considered separately for inclusion or exclusion in the Board’s adopted policy. Note: When enrolling on the basis of an individual student’s characteristics under this Option A, the District must be sure to document each qualifying student’s characteristics to ensure that criteria listed in this portion of the policy can be substantiated.*

1. A child at least 3 years of age with a disability qualifying the child for services under the federal Individuals with Disabilities Education Act.
2. A child who is 4 years of age or older on or before September 10 of the school year in which enrollment is to occur who:

3100

Page 2 of 3

* 1. Meets the income eligibility guidelines for free or reduced price meals under the National School Lunch Program;
  2. Is Limited English Proficient within the meaning of Title III of the federal Elementary and Secondary Education Act;
  3. Is Gifted and Talented within the meaning of that term as used in 20-7-901, MCA;
  4. Is an enrolled member of a federally recognized American Indian Tribe;
  5. Is homeless as defined in 42 U.S. Code § 11302, or, as determined by the administration, exhibits other characteristics or lives in circumstances that are uncommon, unusual, atypical, rare or otherwise distinguished from ordinary or typical which place the child at risk of failing to achieve at adequate levels.

***Option B, Exceptional Circumstances Present in the Community: To be used*** *only for in-district students or homeless students under the McKinney Homeless Assistance Act* ***when the board of trustees wants to define exceptional circumstances applicable to the community’s characteristics, as opposed to the individual characteristics of a particular student or sub-group of students.***

The Board of Trustees declares the following to be qualifying “exceptional circumstances” within the meaning of that term as used in 20-5-101(3), that merit waiving the age provisions of 20-5-101(1), MCA for children under 6 years of age who are either 4 years of age or older on or before September 10 of the school year in which enrollment is to occur or who are at least 3 years of age with a disability qualifying the child for services under Section 504 of the Federal Rehabilitation Act of 1973 or the federal Individuals with Disabilities Education Act.

*Note: Each of the below should be considered separately for inclusion or exclusion in the Board’s adopted policy. When enrolling on the basis of demographic characteristics of the community under this Option B, The District must be sure to research and document all of the criteria incorporated into the school district’s policy that is used to enroll on the basis of exceptional circumstances.*

1. Homeless rates of the district’s pupils in comparison to statewide averages;
2. Percentage of the district’s pupils qualifying for services under The Federal Individuals with Disabilities Education Act in comparison to statewide averages;
3. Percentage of the district’s pupils eligible for free or reduced lunch in comparison to statewide averages;
4. Average performance on standardized tests at the 3rd grade level in comparison to statewide averages;
5. Percentage of the district’s pupils who are enrolled members of a federally recognized American Indian Tribe in comparison to statewide averages.

3100

Page 3 of 3

Legal Reference:

§ 20-5-101, MCA Admittance of child to school

§ 20-6-501, MCA Definition of various schools

§ 20-7-117, MCA Kindergarten and preschool programs

§ 20-9-309, MCA Basic system of free quality public

elementary and secondary schools defined

Individual with Disabilities Act Federal Rehabilitation Act of 1973

National School Lunch Act (Public Law 396, 79th congress, chapter 281, 2nd session)

Title III, ESEA (English language Acquisition, language Enhancement, and Academic Achievement Act)

MicKinney-Vento Homeless Assistance Act of 1987 (Pub. L. 100-77, July 22, 1987, 101 Stat. 482, U.S.C. § 11301 et seq.

Policy History:

Adopted on:

Reviewed on:

Revised on: