

**Instruction**

**Exhibit - Resolution Declining Requests to Accept Non-Resident Choice Students**

**WHEREAS**, schools identified for school improvement, corrective action, or restructuring under Section 1116 of the federal Elementary and Secondary Education Act, as added by the No Child Left Behind Act of 2001, must offer their students the choice of attending other schools that have not been so identified (so-called “choice students”);

**WHEREAS**, this School District may be requested by other school districts to accept and enroll students currently attending a school identified for school improvement, corrective action, or restructuring;

**WHEREAS**, no school in this School District has adequate resources, capacity, and/or staffing that would make it a candidate for accepting non-resident choice students from non-district schools without harming the educational program it currently offers.

**THEREFORE, BE IT RESOLVED THAT:**

1. The District will not enter into intergovernmental agreement to accept non-resident students from non-District schools identified for school improvement, corrective action, or restructuring;
2. The District will not accept non-resident choice students for enrollment, other than pursuant to: (1) an intergovernmental or cooperative agreement that pre-existed this Resolution; (2) a binding order from a court having appropriate jurisdiction; (3) foreign exchange students accepted pursuant to District policy; or (4) State or federal law requiring the District to accept a non-resident students.
3. The Superintendent shall keep the School Board apprised of any change in conditions that might cause the Board to reconsider this Resolution.

**ADOPTED THIS 16TH DAY OF NOVEMBER, 2009, BY THE FOLLOWING VOTE:**

**AYES: 6      NAYS: 0      ABSENT: 1**

**ATTEST:**

**CHARLES E. FOSTER**

**PAMELA OTTENGHEIME**

**PRESIDENT, BOARD OF EDUCATION**

**SECRETARY, BOARD OF EDUCATION**

Adopted: May 17, 2004

Approved: April 16, 2007

Revised: November 16, 2009