

1 Joint School District No. 2, Meridian
2 Meridian Technical Charter High School, Inc. has adopted West Ada's (Joint School District No. 2) policy.
3 EDUCATIONAL PROGRAM

4
5 Series 600

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7 Policy Title: Out-of-State Students in Residential Facilities Code No. 602.65
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9 For school-age special education students from outside the state of Idaho who, due
10 to the nature and severity of their disabilities, are residing in licensed public or
11 private residential facilities within the state of Idaho, Joint School District No. 2 will
12 provide education services to such students if requested by the licensed public or
13 private residential facility and an agreement is entered into with the residential
14 facility. The district will be given the opportunity to provide input on any federally
15 required education *programs or plans* for any such students.
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17 For school-age non-special education students from outside the state of Idaho who
18 are residing in licensed public or private residential facilities within the state of
19 Idaho this District may provide education services to such students if requested by
20 the licensed public or private residential facility and an agreement is entered into
21 with the residential facility.
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23 In determining whether a student is from outside the state of Idaho, the District will
24 determine the primary residency of the student's parent or guardian. In no event
25 will a guardianship established for the purpose of avoiding the provisions of this
26 policy and Idaho Code § 33-1002B be considered as establishing residency for any
27 student from outside the state of Idaho. In the event the District is unable to
28 determine the student's residency, it will be presumed the student's residency is
29 outside the state of Idaho.
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31 Proof of Idaho residency of a student's parent or guardian will be established by
32 showing an Idaho motor vehicle driver's license, payment of Idaho state income
33 taxes, or other documentation definitely establishing the residency within the State
34 of Idaho. In the event a guardianship of an out-of-state student is established with
35 an individual residing in Idaho it will be presumed that the residency was
36 established for the purpose of avoiding the provisions of this policy and Idaho Code
37 § 33-1002B, and that student will be considered an out of state student, unless it can
38 be established to the School District's satisfaction that the guardianship was not
39 established in order to circumvent this policy or the provisions of Idaho Code § 33-
40 1002B.
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42 If this District is asked to provide special education services for students from
43 outside the state of Idaho residing at a residential facility, this District will sign a
44 contract with the residential facility. If the residential facility refuses to sign a
45 contract agreeing to pay the full cost of providing the educational services as
46 determined by the District, the students' placement will be considered a unilateral

47 change in placement by the parents, and the District will not be responsible for
48 providing the students with special education services.

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50 If this District is requested to provide education services which do not include
51 special education services, this District may elect to sign a contract with the
52 residential facility. In the event the District elects not to sign a contract with the
53 residential facility, or the residential facility refuses to sign a contract, the District
54 will not be responsible for providing any educational services to the out-of-state
55 students residing at the residential facility.

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57 The contract with a residential facility will include the following provisions:

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59 1. The education services to be provided by the local school district.
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61 2. The amount to be paid by the licensed public or private residential facility.

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63 The amount paid will be equal to this District's full cost of providing the education
64 services delineated by the contract, as determined by the District. Such students
65 will be excluded from all average daily attendance and other reports provided to the
66 state that would result in the distribution of state funding to the District.

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Date of Adoption:
8/13/13

Legal Reference:
IC 33-1002B