

Policy JEC-1: SCHOOL ADMISSIONS

Status: DRAFT

Original Adopted Date: Pending

**24B UPDATE
EXPLANATION**

MSBA has updated this policy pursuant to Senate Bill 40 (2023), which requires certain adult students who are not counted for state aid under the district's K-12 program to undergo a background check as a condition of enrollment in courses that:

1. Are on school property;
2. Are held during school hours; and
3. Include K-12 students in the course.

Please note that this is not the same kind of background check required of district employees. The law requires only an "open records" check through the Missouri Highway Patrol, not a fingerprint check that is run through the FBI. The new law requires the district to deny enrollment to students who are convicted of crimes listed in § 168.071.6, RSMo., or similar offenses under prior Missouri law or in other states, the U.S., or other countries. MSBA has included a list of those crimes in the supplemental materials provided with this update.

(K-12 Districts)

Persons seeking admission to the district and its instructional programs must satisfactorily meet all legal requirements to be enrolled. In addition, the district requests additional information from parents/guardians so that the district may better serve the student.

The district encourages parents/guardians to preregister their children in the spring prior to initial enrollment or register their children prior to the beginning of school so that the district can hire the appropriate staff and adequately prepare for the school year. In accordance with law, students enrolling in the district whose parents/guardians are transferring to Missouri under military orders will be allowed to register remotely without the parent/guardian or student being physically present.

Students who are homeless, in foster care, or are otherwise entitled to admission will be admitted in accordance with board policy and law.

Immunizations

Unless otherwise required by law or board policy, the district will not allow a student to attend school, including a district-sponsored preschool, daycare, or nursery school, until the district has satisfactory evidence on file demonstrating that the student has been immunized, that the immunization process has begun and satisfactory progress is being accomplished, or that the student is exempted from obtaining immunizations in accordance with law.

Residency or Eligibility to Enroll

For admission into the district, students must reside in the district or otherwise be entitled to enrollment in accordance with law and policy JECA.

Proof of Age

During the admission process, the district may require the parent/guardian to provide documentation of the student's age for the purpose of determining whether the student satisfies state entrance age requirements. Such documentation may include, but is not limited to, a birth certificate, immunization records, a baptism certificate, any government-issued identification, or an affidavit sworn by the parent/guardian in the presence of a district official.

Entrance Ages

In general, students between the ages of 5 and 21 years old who do not have a high school diploma may attend the district's K-12 program. Any senior qualifying for graduation at the end of the school semester and attaining age 21 during the course of the semester may complete that particular semester tuition free.

In accordance with law, a student is eligible for admission to attend the Smithville R-II School District, and is eligible for admission to summer school the summer prior to entering kindergarten, if they student:

1. Reaches the age of five before August 1 of the school year in which he or she they plans to enroll;
2. Has/Have attended school, or the summer school prior to a kindergarten school term, in the St. Louis City School District or the Kansas City 33 School District, regardless of the age of the student; or
3. Is/Are a child in the household of an active duty member of the military, including some veterans who are deceased or injured as defined by law, who has successfully completed an accredited prekindergarten program or has attended an accredited kindergarten in another state, regardless of the age of the student.

A student who meets one of the entrance age requirements in this subsection and has previously attended a kindergarten program or otherwise demonstrates to the district's satisfaction that he or she is they are socially and academically ready to progress may be placed in a class, grade, or program that would best meet their student's educational needs, after consultation with their student's parents/guardians. Likewise, a student who demonstrates that he or she is they are not socially or academically ready to enter kindergarten or the grade in which he or she they would otherwise be placed may be placed in a preschool or other appropriate class or program offered by the district, after consultation with their student's parents/guardians.

Preschool and Prekindergarten Entrance Ages

In accordance with law, if the district maintains a preschool or prekindergarten program for which state aid is collected, a child is children are eligible for admission to attend the preschool or prekindergarten program if they child reaches the age of three before August 1 of the school year in which he or she they plans to enroll.

Special Education Entrance Ages

Federal law requires the district to provide special education services to qualifying resident students as well as qualifying nonresident students attending private schools located in the district who are between the ages of 3 and 21.

Requests for Student Records

Within two business days of enrolling a student, the school official enrolling the student shall request those records required by district policy for student transfer, including discipline records, from all schools previously attended by the student within the last 12 months.

Within 48 hours of enrolling a nonresident student placed in the district via foster homes, residential care facilities, or child-placing agencies pursuant to law, the school official enrolling the student shall request those records required by district policy for student transfer, including discipline records, from all schools and facilities previously attended by the student; the Department of Social Services; the Department of Mental Health; the Department of Elementary and Secondary Education; and any entity involved with the placement of the student within the last 24 months.

The district will accept hand-carried or unofficial records for the purpose of enrolling a student transferring from another state who is in the household of an active duty member of the military, including some veterans who are deceased or injured as defined by law, but will request official records in accordance with this policy.

Statement of Prior Suspension, Expulsion, or Criminal Offense

The board of education requires the parent, guardian, or other person having control or charge of a child of school age to provide upon enrollment a signed statement indicating whether the student has been suspended or expelled from a public or private school in this state or any other state for an offense in violation of board policies. In addition, the person enrolling the student must affirm that the student has not been convicted of or charged with an act listed in the "Admission Restrictions" section of this policy. This registration document shall be maintained as a part of the student's scholastic record.

Students Suspended or Expelled from Another District

Without the superintendent's or designee's permission, no student may enroll in a school in the district during a suspension or expulsion from another in-state or out-of-state school district, including a private, charter, or parochial school or school district, if it is determined upon attempt to enroll that the student's conduct would have resulted in a suspension or expulsion in this district. The parent/guardian or student may request a conference with the superintendent or designee to consider whether the conduct of the student would have resulted in a suspension or expulsion in this district. The superintendent or designee may make such suspension or expulsion from another district effective if it is determined that such conduct would have resulted in a suspension or expulsion in this district. If it is determined that such conduct would not have resulted in a suspension or expulsion in this district, the superintendent or designee shall not make such suspension or expulsion from another school or district effective. The superintendent or designee will consider whether the student has received the due process required by law before making any decision.

A remedial conference will be held in accordance with board policy prior to the enrollment of any student following a suspension or expulsion from another school for an act of school violence as defined in § 160.261.2, RSMo. The remedial conference will be held regardless of whether such act was committed at a public or private school in this state, provided that such act shall have resulted in the suspension or expulsion of such student in the case of a private school.

Admission Restrictions

In accordance with § 167.171, RSMo., no students may not be readmitted or enrolled to a regular program of instruction in the school district if he or she has they have been convicted of or charged with an act that if committed by an adult would be one of the following:

1. First-degree murder under § 565.020, RSMo.
2. Second-degree murder under § 565.021, RSMo.
3. First-degree assault under § 565.050, RSMo.
4. Forcible rape, as it existed prior to August 28, 2013, or rape in the first degree under § 566.030, RSMo.
5. Forcible sodomy, as it existed prior to August 28, 2013, or sodomy in the first degree under § 566.060, RSMo.
6. Statutory rape under § 566.032, RSMo.
7. Statutory sodomy under § 566.062, RSMo.
8. Robbery in the first degree under § 569.020, RSMo., as it existed prior to January 1, 2017, or robbery in the first degree under § 570.023, RSMo.
9. Distribution of drugs to a minor under § 195.212, RSMo., as it existed prior to January 1, 2017, or delivery of a controlled substance under § 579.020, RSMo.
10. Arson in the first degree under § 569.040, RSMo.
11. Kidnapping, or kidnapping in the first degree, when classified as a class A felony under § 565.110, RSMo.

Nothing in this section shall prohibit the readmittance or enrollment of any student if a charge has been dismissed or when a student has been acquitted of any of the above acts. This section does not apply to a student with a disability, as identified under state eligibility criteria, who is convicted as a result of an action related to the student's disability. If the district maintains an alternative education program and the district determines that the placement is appropriate, a student subject to these admission restrictions may be admitted to such an alternative education program.

Social Security Numbers

The district will not require the disclosure of a Social Security number as a condition for registration purposes but may request that a parent/guardian provide a student's Social Security number if the district explains in writing how

the district will use the information and that such disclosure is voluntary.

Documentation

The district seeks to provide a safe learning environment for students and will work with both parents/guardians to meet the student's educational needs. However, the district will not mediate disputes between parents/guardians or enforce or monitor visitation arrangements and parenting plans. The district may request court orders or documentation of custody for the limited purpose of verifying who the legal parents/guardians are and who may have contact with the student.

Adult Learner Admissions

The district may provide education for adult learners who are not eligible under the district's K-12 program. Participating adults may be required to pay tuition and meet other district admissions criteria based on the program.

In accordance with law, individuals must undergo a qualifying criminal history background check through the Missouri Highway Patrol prior to enrollment when:

1. They are 18 or older and not counted by the district for purposes of average daily attendance; and
2. They are requesting to enroll in a course that takes place on district property, occurs during regular school hours, and includes students who are counted for the purposes of average daily attendance.

Individuals requesting enrollment must pay the background check fee. Adult students cannot be admitted to these courses if they have been convicted of any crime listed in § 168.071, RSMo.

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Version JEC-1C.1Q (05/24)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References	Description
§ 160.051, RSMo.	State Statute
§ 160.053, RSMo.	State Statute
§ 160.055, RSMo.	State Statute
§ 160.261, RSMo.	State Statute
§ 167.023, RSMo.	State Statute
§ 167.101, RSMo.	State Statute
§ 167.122, RSMo.	State Statute
§ 167.161, RSMo.	State Statute
§ 167.171, RSMo.	State Statute
§ 168.071, RSMo.	State Statute
§ 171.097, RSMo.	State Statute
§ 210.003, RSMo.	State Statute
§ 43.408, RSMo.	State Statute
§ 565.020, RSMo.	State Statute
§ 565.021, RSMo.	State Statute
§ 565.050, RSMo.	State Statute
§ 565.110, RSMo.	State Statute
§ 566.030, RSMo.	State Statute

State References

§ 566.032, RSMo.
§ 566.060, RSMo.
§ 566.062, RSMo.
§ 569.020, RSMo.
§ 569.040, RSMo.
§ 570.023, RSMo.

Description

[State Statute](#)
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[State Statute](#)

Federal References

42 U.S.C. §§ 11431-11435
5 U.S.C. § 552a

Description

[McKinney - Vento Homeless Children's Assistance Act](#)
[Privacy Act](#)

Cross References

DFI-2
GBEBC
GBEBC-AP(1)
IGBA-1
IGBA-1-AP(1)
IGBA-1-AP(2)
IGBCA
IGBCB
IGBCB-AP(1)
IGBE
IGBE-1-AP(1)

Description

[SETTING TUITION FOR DISTRICT PROGRAMS](#)
[CRIMINAL BACKGROUND CHECKS](#)
[CRIMINAL BACKGROUND CHECKS - \(Security\)](#)
[SPECIAL EDUCATION](#)
[SPECIAL EDUCATION - \(Services for Incarcerated Youth\)](#)
[SPECIAL EDUCATION - \(Evaluation Criteria for District and Independent Evaluations\)](#)
[PROGRAMS FOR HOMELESS STUDENTS](#)
[PROGRAMS FOR MIGRATORY STUDENTS](#)
[PROGRAMS FOR MIGRATORY STUDENTS - \(K-12 Districts\)](#)
[STUDENTS IN FOSTER CARE](#)
[STUDENTS IN FOSTER CARE - \(Dispute Resolution Process\)](#)