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3 **STUDENTS**

4
5 Student Enrollment, Exceptional Circumstances Meriting Waiver of Age Requirements for
6 Students

7
8 The Administration shall ensure admission, enrollment and assignment of all qualifying children
9 referenced in this policy. The administration shall place children enrolled pursuant to this policy
10 in either a half-time or full-time transitional kindergarten program as an integral part of the
11 elementary school program. The administration shall also ensure provision of a free appropriate
12 public education in the least restrictive environment possible, pursuant to terms of each student’s
13 individualized education program, for all children enrolled under this policy who are qualified
14 for services under the Individuals with Disabilities Education Act.

15
16 The administration shall include children enrolled pursuant to this policy in the District’s
17 calculation of average number belonging (ANB) as reported to the Office of Public Instruction
18 (OPI)

19
20 The Board of Trustees declares the following to be qualifying “exceptional circumstances”
21 within the meaning of that term as used in 20-5-101(3), that merit waiving the age provisions of
22 20-5-101(1), MCA for qualifying children under six (6) years of age:

23
24 A Child at least three (3) years of age with a disability qualifying the child for services under the
25 federal Individuals with Disabilities Education Act.

- 26 1. A child who is four (4) years of age or older on or before September 10 of the school year
27 in which enrollment is to occur who:
 - 28 a. Meets the income eligibility guidelines for free or reduced price meals under the
29 National School Lunch Program;
 - 30 b. Is Limited English Proficient within the meaning of Title III of the federal
31 Elementary and Secondary Education Act;
 - 32 c. Is Gifted and Talented within the meaning of that term as used in 20-7-901,
33 MCA;
 - 34 d. Is an enrolled member of a federally recognized American Indian Tribe;
 - 35 e. Is homeless as defined in 42 U.S. Code § 11302, or, as determined by the
36 administration, exhibits other characteristics or lives in circumstance that are
37 uncommon, unusual, atypical, rare or otherwise distinguished from ordinary or
38 typical which place the child at risk of failing to achieve at adequate levels.

39
40 Cross Reference:

41 Policy 3100P	Student Enrollment, Exceptional Circumstances Meriting Waiver of Age 42 Requirements for Students
43 Policy 3110	Entrance, Placement, Transfer
44 Policy 3110R	Early Entrance

1 Legal References:
2 §20-5-101, MCA Admittance of child to school
3 §20-6-501, MCA Definition of various schools
4 §20-7-117, MCA Kindergarten and preschool programs
5 §20-9-309, MCA Basic system of free quality public elementary and secondary schools
6 defined
7 Individual with Disabilities Act
8 Federal Rehabilitation Act of 1973
9 National School Lunch Act (Public Law 396, 79th Congress, Chapter 281, 2nd Session)
10 Title III, ESEA (English Language Acquisition, Language Enhancement, and Academic
11 Achievement Act)
12 McKinney-Vento Homeless Assistance Act of 1987 (Pub. L. 100-77, July 22, 1987, 101 Stat.
13 482, U.S.C. § 11301 et seq.)
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15 Policy History

16 Adopted on: January 27, 2019
17 Revised on:
18 Revised on:
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