

Residency and School Attendance**Page 1**

The Board may approve requests for school attendance in the district for children living outside the district only for the reasons specifically listed herein:

1. Child care in the district (parents, relative, sitter).
2. Mental or physical health of the child as certified by a physician, school psychologist, or other appropriate school personnel.
3. To complete a school year when the parents have moved out of the district during the school year.
4. On a student-for-student basis when equal numbers of students transfer between two districts.
5. When the district of origin agrees to pay the cost per student of education in the district for the past year less state and federal apportionments.
6. When the class enrollments in the district will permit the addition of out-of-district students, on a space available basis, in order to improve academic achievement and to reduce racial, ethnic and economic isolation or preserve racial and ethnic balance.

Transportation beyond that normally provided for students living in the district shall not be provided for students attending on an inter-district attendance agreement.

Nonresident Students**Definition**

A nonresident student is a student who:

1. resides outside of the school district; or
2. resides within the school district on a temporary basis; or
3. resides within the school district on a permanent basis but with pay to the person(s) with whom the student is living; or
4. resides within the school district for the sole purpose of obtaining school accommodations; or is
5. a child placed by the Commissioner of Children and Youth Services or by other agencies in a private residential facility. However, under this circumstance, children may attend local schools with tuition paid by the home district unless special education considerations make attendance in local schools and programs inappropriate. Children not requiring special education who live in town as a result of placement by a public agency (other than another Board of Education and except as provided otherwise in this paragraph) are resident students; those requiring special education may attend local schools (with special education cost reimbursements in accordance with statutes) unless special education considerations make attendance in local schools and programs inappropriate.

Residency and School Attendance**Nonresident Attendance Without Tuition**

Upon written parental request, nonresident students may be allowed by the Superintendent to attend district schools without tuition under one or more of the following conditions:

1. A family moves from the district after January 1st of the school year; however, if parents so request, a child may complete the marking period regardless of when the family moves from town;
2. A family residing outside of a district has firm plans to move into the school district within the current school year as evidenced by a contract to buy, build, rent, or lease;
3. Children reside temporarily within the district because of family changes or children attending local schools residing temporarily outside of the district because of family circumstances. Approval shall not exceed three (3) calendar months; if subsequent approval is necessary, it shall be considered based upon information available at that time.
4. Necessary child care in the district by grandparents or other relatives.
5. Mental or physical health of the child as certified by a physician, school psychologist, or other appropriate school personnel.

Exchange Students

No tuition is required for foreign students living within the district under the American Field Service Program or under other programs or circumstances approved by the Board. Exchange students will be accorded all the rights and privileges of a resident student during the period of enrollment.

Nonresident Attendance With Tuition

Nonresident students who do not meet one or more criteria under previous sections of this policy, may attend local schools only with tuition payment. The Superintendent may approve nonresident student attendance with tuition if class size, transportation, and other considerations permit, and shall notify the Board of all tuition approvals. Nonresident approval with tuition shall be for one (1) school year or less. Tuition rates shall be established by the Board annually.

Attendance by a nonresident tuition student may be terminated by Board action, upon recommendation of the Superintendent, if the Board deems such termination in the best interest of the school district. An adjustment of tuition on a per diem basis will be made in this instance.

Evidence of Residency

The Superintendent or his/her designee may require documentation of family and/or student residency, including affidavits, provided that prior to a request for evidence of residency the parent or guardian, relative or non-relative, emancipated minor, or student eighteen (18) years of age or older shall be provided with a written statement of why there is reason to believe such student's may not be entitled to attend school in the district. An affidavit may require a statement or statements with documentation that there is bona fide student residence in the district, that the residence is intended to be permanent, that it is provided without pay, and that it is not for the sole purpose of obtaining school accommodations.

Residency and School Attendance**Page 3****Removal of Nonresident Student From District Schools**

If after a careful review of affidavits and other available evidence, the Superintendent or his/her designee believes a student is not entitled to attend local schools, the parent or guardian, the student if an emancipated minor, or a student eighteen (18) years of age or older shall be informed in writing that, as of a particular date, the student may no longer attend local schools, and the Superintendent shall notify the Board (if known) where the child should attend school. If after review district residency is established by the evidence, the parent or guardian, the student if an emancipated minor, or a student eighteen (18) years of age or older shall be so informed.

If a student is removed from a district school for residency reasons the Superintendent or his/her designee shall: 1) inform the parent, guardian, emancipated minor, or student eighteen (18) years of age or older of hearing rights before the Board of Education and that the student/s may continue in local schools pending a hearing before the Board of Education if requested in writing by the parent, guardian, emancipated minor, or student eighteen (18) years of age or older, 2) that upon request, a transcript of the hearing will be provided, 3) that a local Board decision may be appealed to the State Board and that the student/s may continue in local schools pending a hearing before the State Board if requested in writing by the parent, guardian, emancipated minor, or student eighteen (18) years of age or older, 4) that if the appeal to the State Board of Education is lost, a per diem tuition will be assessed for each day a student attended local schools when not eligible to attend.

Board of Education Hearing

Upon written request, the Board shall provide a hearing within ten (10) days after receipt of such request. If there is a hearing, the Board shall make a stenographic record or tape recording of the hearing; shall make a decision on student eligibility to attend local schools within ten (10) days after the hearing; and shall notify the parent, guardian, emancipated minor, or student eighteen (18) years of age or older of its findings. Hearings shall be conducted in accordance with the provisions of Sections 4-177 to 4-180 inclusive of Connecticut General Statutes.

The Board shall, within ten (10) days after receipt of notice of an appeal, forward the hearing record to the State Board of Education.

Legal Reference:

Connecticut General Statutes
10-4a Educational interests of state defined (amended by PA 97-290, An Act Enhancing Educational Choices and Opportunities.
10-33 Tuition in towns in which no high school is maintained.
10-35 Notice of discontinuance of high school service to nonresidents.
10-55 Pupils to attend regional school.
10-253 School privileges for children in certain placements, nonresident children and children in temporary shelters.
4-176e through 4-185 Uniform Administrative Procedure Act.
10-186 Duties of local and regional Boards of education re school attendance.
Hearings.
Appeals to state Board. Establishment of hearing Board.

Board Adopted: November 13, 2013