

## Students

### Residence

#### Resident Students

Only students who are residents of the District may attend a District school without a tuition charge, except as otherwise provided below or in State law. A student's residence is the same as the person who has legal custody of the student.

A person asserting legal custody over a student, who is not the child's natural or adoptive parent, shall complete a signed statement, stating: (a) that he or she has assumed and exercises legal responsibility for the child, (b) the reason the child lives with him or her, other than to receive an education in the District, and (c) that he or she exercises full control over the child regarding daily educational and medical decisions in case of emergency. In addition, the child's natural or adoptive parent, if available, shall complete a signed statement or Power of Attorney stating: (a) the role and responsibility of the person with whom their child is living, and (b) that the person with whom the child is living has full control over the child regarding daily educational and medical decisions in case of emergency.

A student whose family moves out of the District during the school year will be permitted to attend school for the remainder of the year without payment of tuition.

When a student's change of residence is due to the military service obligation of the student's legal custodian, the student's residence is deemed to be unchanged for the duration of the custodian's military service obligation if the student's custodian made a written request. The District, however, is not responsible for the student's transportation to or from school.

#### Non-Resident Students

Non-resident students may attend District schools:

1. Upon the approval of a request submitted by a student's parent(s)/guardian(s) for non-resident admission. The Superintendent may approve the request subject to the following:
  - a. The student will attend on a year-to-year basis. Approval for any one year is not authorization to attend a following year.
  - b. The student will attend the school designated by the Superintendent or designee.
  - c. The student will be accepted only if there is sufficient room.
  - d. The student's parent(s)/guardian(s) will be charged 100% of tuition as allowed by State law.
  - e. Transportation to and from school shall be the responsibility of the parent(s)/guardian(s).
2. According an intergovernmental agreement to accept non-resident students under the No Child Left Behind Act's school choice provisions.
3. Whenever any State or federal law or a court order mandates the acceptance of a non-resident student.

#### Homeless Children

Any homeless child shall be immediately admitted, even if the child or child's parent/guardian is unable to produce records normally required to establish residency. Board policy 6:140, *Education of Homeless Children*, and its implementing administrative procedure, govern the enrollment of homeless children.

### Special Ed Students

In the event that any special education student is determined to be a non-resident student, the status of such student shall be referred to the Assistant Superintendent for Special Services who shall review the determination of District residence and establish tuition rates.

### Challenging a Student's Residence Status

If the Superintendent or designee, including the Assistant Superintendent for Special Services, determines that a student attending school on a tuition-free basis is a non-resident of the District, he or she shall refer the case to the Assistant Superintendent for School Operations who shall follow procedures as provided by The School Code, 105 ILCS 5/10-20.12b.

LEGAL REF.: McKinney Homeless Assistance Act, 42 U.S.C. § 11431 et seq.  
30 ILCS 220/11.  
105 ILCS 5/10-20.12a, 5/10-20.12b, and 5/10-22.5.  
105 ILCS 45/1-5.  
23 Ill. Admin. Code § 1.240(e).  
Israel S. by Owens v. Board of Educ. of Oak Park and River Forest High School  
Dist. 200, 601 N.E.2d 1264 (Ill. App. 1992).  
Joel R. v. Board of Education of Manheim School District 83, 686 N.E.2d 650 (Ill.  
App. 1st Dist. 1997).  
Kraut v. Rachford, 366 N.E.2d 497 (Ill. App. 1st Dist. 1977).

CROSS REF.: 6:15 (School Accountability *containing* School Choice for Students Enrolled in a  
School Identified for Improvement, Corrective Action, or Restructuring), 6:140  
(Education of Homeless Children)

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