



Policy Committee

Exhibits

Policies for Review, Second Reading:

- Library Collection Development and Maintenance, Library Displays and Programs, and Library Material Review and Reconsideration (NEW) – repeal and replace policy 6144.2
Reevaluation of Challenged Instructional Materials and Library Media Center Resources
- 5060.1.2 Nonresidents

Policy Summary

March 24, 2026

Policies for Review, Second Reading:

Library Collection Development and Maintenance, Library Displays and Programs, and Library Material Review and Reconsideration (NEW) – repeal and replace policy 6144.2 Reevaluation of Challenged Instructional Materials and Library Media Center Resources

Section 321 of Public Act 25-168 requires boards of education to adopt three policies related to school libraries: (1) a library collection development and maintenance policy; (2) a library display and program policy; and (3) a library material review and reconsideration policy governing school library materials, displays, and programming. These policies must be created in consultation with the superintendent of schools, the director of curriculum, and a school librarian and reviewed and updated, as necessary, every five years. The policies must include a number of provisions outlined in the statute and ensure, among other things, that all library materials are evaluated and made accessible in accordance with state non-discrimination laws. We have drafted one comprehensive model policy that encompasses the new statutory requirements in all three areas.

5060.1.2 Nonresidents

S&G recommend that Policy 5060.1.2 be repealed because it overlaps with Policy 3240 (Non-Resident Admission and Tuition Fees), which Madison adopted in 2019 after review and revision by S&G. The administration wanted to keep a residency policy and asked shipman to draft one to replace current policy 5060.1.2



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February 27, 2026

TO: Madison Board of Education

FROM: Craig A. Cooke, Ph.D., Superintendent of Schools

SUBJECT: Library Collection Policy

I asked Tom Mooney to provide answers to the three questions that arose at Policy Committee on Feb. 10 regarding the Library Collection Development and Maintenance, Library Displays and Programs, and Library Material Review and Reconsideration Policy. Tom worked with attorney Dori Antonetti to provide these answers. Please find the answers below.

We have reviewed Section 321 of P.A. 25-168, and we can answer your questions as follows:

1. Can a Board of Education member be an individual with a vested interest?

The definition of “individual with a vested interest: in Section 321 of Public Act 25-168 is detailed and does not include a Board member:

(3) "Individual with a vested interest" means any school staff member employed by a local or regional board of education, parent or guardian of a student currently enrolled in a school at the time a reconsideration form is filed under subsection (e) of this section and any student currently enrolled in a school at the time a reconsideration form is filed under subsection (e) of this section.

That said, a Board member could also be a parent of a student currently enrolled in the school and, as such, could be an “individual with a vested interest.”

1a. Then can we include board members as someone who can require a review of library materials?

The statute already lays out the role of Board members in this process: 1) first, the Superintendent must appoint one Board member to the review committee when reconsideration is requested, and 2) once the reconsideration process is finalized, and if the challenging party wishes to appeal the Review Committee’s decision, the Board must determine whether the process was followed. In short, we are concerned about having the Board at both the front end and back end of the process and therefore do not recommend that.

2. If the answer is no to the above, could the Board have a process where a board member brought their concern to the Board and then the Board voted on whether to send their concern to the process. Majority would prevail.

As shared above, the Board already has a role in the Library material review process. If a Board member has a concern with library materials, he or she could bring the concern forward in a manner similar to how Board members bring other concerns forward.

4 **Library Collection Development and Maintenance, Library Displays and**

5 **Programs, and Library Material review and Reconsideration**

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7 The Madison Board of Education (the “Board”), having consulted with the Superintendent of Schools for

8 the Madison Public Schools (the “District”), the District’s director of curriculum or a person in an

9 equivalent position, and a librarian employed by the Board, adopts this Policy Regarding Library

10 Collection Development and Maintenance, Library Displays and Programs, and Library Material Review

11 and Reconsideration in accordance with Connecticut law.

12

13 It is the policy of the Board to ensure that all District library materials maintained by the District are

14 evaluated and made accessible in accordance with the protections against discrimination set forth in

15 Connecticut law, including, but not limited to, discrimination based on race, color, sex, gender identity,

16 religion, national origin, sexual orientation, or disability.

17

18 Any school library media specialist or school library staff member who, in good faith, implements this

19 policy shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed

20 and shall have the same immunity with respect to any judicial proceeding that results from such

21 implementation.

22

23 The Board shall review this policy, and update it as necessary, every five years.

24

25 **I. Definitions**

26 For the purposes of this policy:

- 27
- 28 • **“Individual with a vested interest”** means any school staff member employed by the
 - 29 Board, the parent or guardian of a student currently enrolled in a school operated by the
 - 30 Board at the time a request for reconsideration is filed, and any student currently enrolled
 - 31 in a school operated by the Board at the time a request for reconsideration is filed.
 - 32
 - 33 • **“Library and other educational material”** means any material belonging to, on loan to
 - 34 or otherwise in the custody of a District school library media center, including, but not
 - 35 limited to, nonfiction and fiction books, magazines, reference books, supplementary
 - 36 titles, multimedia and digital material, software and other material not required as part of
 - 37 classroom instruction.
 - 38
 - 39 • **“Remove”** means deliberately taking library material out of a library's collection. The
 - 40 term **“remove”** does not include the process of clearing such collection of any materials
 - 41 that are no longer useful.
 - 42
 - 43 • **“School library staff member”** means a school library media specialist, school librarian,
 - 44 any certificated or noncertificated staff member whose assignment is in the school
 - 45 library, or any individual carrying out or assisting with the functions of a school library
 - 46 media specialist or school librarian.
 - 47

48 **II. Library Collection Development and Maintenance**

49
50 The Board recognizes that library and other educational material should be provided for the interest,
51 information, and enlightenment of all students and should represent a wide range of varied and diverging
52 viewpoints in the collection as a whole.

53
54 The Board requires that students have access to age-appropriate and grade-level-appropriate material and
55 shall provide access to library and other educational material that is relevant to the research, independent
56 reading interests, and educational needs of students based on a student’s age, development, or grade
57 level. The Board also recognizes the importance of the school library media center as a place for
58 voluntary inquiry, the dissemination of information and ideas, and the promotion of free expression and
59 free access to ideas by students.

60
61 The Board acknowledges that the District shall employ a school library media specialist who is
62 professionally trained to curate and develop a collection that provides students with access to the widest
63 array of age-appropriate and grade-level-appropriate library and other educational material.

64
65 The Board directs the Superintendent to establish a procedure by which a certified school library
66 specialist will continually review library and other educational material within a school library media
67 center using professionally accepted standards, which shall include, but need not be limited to, the
68 material’s relevance, the physical condition of the material, the availability of duplicates or copies of the
69 material, the availability of more recent age-appropriate or grade-level-appropriate material, and
70 continued demand for the material (the “Library Review Procedure”). The Library Review Procedure is
71 outlined in the administrative regulations associated with this policy.

72
73 **III. Library Displays and Programs**

74
75 The Board recognizes that displays should be provided for the interest, information and enlightenment of
76 all students; represent a wide range of varied and diverging viewpoints; require student access to age-
77 appropriate and grade-level-appropriate content; and provide access to content that is relevant to the
78 research, independent interests, and educational needs of students.

79
80 The Board further recognizes the importance of library displays and student programs as resources for
81 voluntary inquiry and the dissemination of information and ideas and to promote free expression and free
82 access to ideas by students.

83
84 The Board acknowledges that the District shall employ a school library media specialist who is
85 professionally trained to curate and develop displays and programs that provide students with access to
86 the widest array of age-appropriate and grade-level-appropriate library and other educational material.

87
88 **IV. Library Material Review and Reconsideration**

89
90 The purpose of this policy section regarding library material review and reconsideration is to establish a
91 process for individuals with a vested interest to challenge any District library and other educational
92 material, display, or student program, as well as a process for the District to respond to any such
93 challenges and related parameters.

94
95 ***A. Standards for Reviewing Challenges to Library and Other Educational Material, Display,***
96 ***or Student Program***

- 98 1. All library materials shall be evaluated and made accessible in accordance with the protections
99 against discrimination set forth in Connecticut law, including, but not limited to, discrimination
100 based on race, color, sex, gender identity, religion, national origin, sexual orientation, or
101 disability.
102
- 103 2. Library and other educational material, displays, and student programs shall only be excluded for
104 legitimate pedagogical purposes or for professionally accepted standards of collection
105 maintenance practices, as adopted in this policy and/or any accompanying procedure for the
106 continual review of library and educational material within a school library.
107
- 108 3. No library and other educational material, display, or program shall be removed from library
109 media centers, or programs be cancelled, because of the origin, background or viewpoints
110 expressed in such material, display, or program, or because of the origin, background, or
111 viewpoints of the creator of such material, display, or program.
112
- 113 4. The removal, exclusion, or censoring of any book on the sole basis that a person with a vested
114 interest finds such book offensive is prohibited.
115
- 116 5. Any process for an individual with a vested interest to challenge any library and other
117 educational material, display, or student program shall neither favor nor disfavor any group based
118 on protected characteristics.
119

120 ***B. Process for Challenging Library and Other Educational Material, Display,***
121 ***or Student Program***
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123 The Board establishes the following process for individuals with a vested interest to challenge any library
124 and other educational material, display, or student program, as well as a process for the District to
125 respond to any such challenges:
126

- 127 1. An individual with a vested interest may submit a Request for Reconsideration of Library
128 Material Form (the "Request Form") to the principal of the school in which the library and other
129 educational material, display, or student program is being challenged to initiate a review of such
130 material. The Request Form is included in the administrative regulations associated with this
131 policy.
132

133 Using the Request Form, an individual shall specify which portion or portions of such material
134 the individual objects to and provide an explanation of the reasons for such objection. The
135 individual submitting the Request Form must include the individual's full legal name, address,
136 and telephone number. If the individual who has submitted a Request Form is a parent or
137 guardian, consideration of requests to reconsider and remove material, displays, or student
138 programs shall be limited to the parents and guardians of students and eligible students currently
139 enrolled in the school or District.
140

- 141 2. Upon receipt, the principal or the principal's designee shall promptly forward the Request Form
142 to the Superintendent or Superintendent's designee.
143
- 144 3. The administration may consolidate any requests for review and reconsideration of the same
145 challenged library and other educational material.
146

- 147 4. For each challenged library and other educational material, the Superintendent, or the
148 Superintendent's designee, shall appoint a Review Committee consisting of:
- 149 a. the Superintendent, or the Superintendent's designee;
 - 150 b. the principal of the school in which the library and other educational material is being
151 challenged, or the principal's designee;
 - 152 c. the director of curriculum, or a person in an equivalent position, employed by the Board;
 - 153 d. a representative from the Board;
 - 154 e. at least one grade-level-appropriate teacher familiar with the library material, provided
155 the teacher selected is not the individual who submitted the Request Form;
 - 156 f. a parent or guardian of a student age thirteen years or younger enrolled in the District,
157 provided the parent or guardian selected is not the individual who submitted the Request
158 Form;
 - 159 g. a parent or guardian of a student age fourteen years or older enrolled in the District,
160 provided the parent or guardian selected is not the individual who submitted the Request
161 Form; and
 - 162 h. a certified school librarian employed by the Board or employed by another board of
163 education in the state.
- 164

165 In cases where the request is submitted by a student enrolled in grades nine through twelve, and
166 when appropriate and at the discretion of the Superintendent, a student enrolled in grades nine
167 through twelve may serve on the Review Committee, provided the student selected is not the
168 individual who submitted the Request for Reconsideration and the Superintendent consults with
169 the principal of the school involved in such reconsideration request prior to making the
170 determination whether to include the student on the Review Committee.

171

- 172 5. Any library and other educational material being challenged shall remain available in the school
173 library media center according to such material's catalog record and be available for a student to
174 reserve, check out, or access until a final decision is made by the Review Committee.
- 175
- 176 6. The Review Committee must evaluate the Request Form; read the challenged material in its
177 entirety; evaluate the challenged material against this policy; and make a written decision on
178 whether or not to remove the challenged material not later than sixty (60) school days from the
179 date the Request Form was received by the principal or the principal's designee. The Review
180 Committee shall provide a copy of the committee's decision and report to the individual with a
181 vested interest who submitted the Request Form and to the principal of the school.
- 182
- 183 7. The individual with a vested interest who submitted the Request Form may appeal the Review
184 Committee's decision to the Board. The Board shall determine whether the reconsideration
185 process was followed and publish its decision on the Internet web site of the District.
- 186
- 187 8. Once a decision has been made by the Review Committee on any library and other educational
188 material, such material cannot be subject to a new request for review and reconsideration for a
189 period of three (3) years.
- 190

191 Legal References:

192
193 Conn. Gen. Stat. § 10-15c
194

195 Public Act No. 25-168, “An Act Concerning the State Budget for the Biennium Ending June 30,
196 2027, and Making Appropriations Therefor, and Provisions Related to Revenue and Other
197 Items Implementing the State Budget.”
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199
200 First Reading: March 10, 2026
201 Second Reading: March 24, 2026

#6144 Regulation

Library Collection Development and Maintenance, Library Displays and Programs, and Library Material review and Reconsideration

A. LIBRARY REVIEW PROCEDURE

The Library Review Procedure is conducted regularly as the certified Library Media staff audit their collections. This process is designed to weed out outdated materials and maintain a current collection. When collections are moved or condensed across the district, these procedures may involve outside library companies that serve as additional experts in collection updating and procurement.

The following methods and resources are used to develop and maintain the library collections:

- Analyze the collection using collection analysis tools from the library management system.
Running reports that:
 - Assess current publications and specific areas of dated materials
 - Assess the diversity of subjects and genres.
- Review grade-level curriculum to update resources that support curricular needs
- Analyze circulation statistics
- Determine the current demand for the material
- Gather information about student interests and reading trends
- Review professional publications that provide information on library resources, such as: *School Library Journal, Booklist, Kirkus*
- Utilize book vendor collection analysis development tools
- Identify gaps in the collection that limit response to student queries
- Review publication dates and determine the availability of more recent material
- Examine the physical condition of the material in the collection

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B. REQUEST FOR RECONSIDERATION OF LIBRARY MATERIAL

This form may be used by an individual with a vested interest to challenge any library or other educational material, display, or student program in accordance with the Board’s Library Collection Development and Maintenance, Library Displays and Programs, and Library Material Review and Reconsideration policy. The form should be completed in its entirety and submitted to the principal of the school in which the library and other educational material is being challenged to initiate a review of such material.

Full Legal Name of Person Submitting Request:

Please note that the process for challenging any library and other educational material, display, or student program is available only to the following “individuals with a vested interest” as defined in the Board’s Library Collection Development and Maintenance, Library Displays and Programs, and Library Material Review and Reconsideration policy:

- *any school staff member employed by the Board (“Staff Member”),*
- *the parent or guardian of a student currently enrolled in a school operated by the Board at the time a request for reconsideration is filed (“Parent/Guardian”), and*
- *any student currently enrolled in a school operated by the Board at the time a request for reconsideration is filed (“Student”).*

Referring to the definitions immediately above, please indicate your role by checking any or all of the following that apply. I am a:

Staff Member Parent/Guardian Student

Address:

Telephone Number:

Email Address:

I have read the Board’s Library Collection Development and Maintenance, Library Displays and Programs, and Library Material Review and Reconsideration Policy: (check one)

Yes
 No

I am requesting that the following library material(s), display(s), and/or student program(s) be reviewed:

#6144.2**Reevaluation of Challenged Instructional Materials
and Library Media Center Resources**

The following procedure is required by the Board of Education of the Madison Public Schools for use in requesting the reevaluation of instructional materials and library media center resources:

The person(s) requesting the reevaluation of materials should ...

1. Contact the building principal who will explain the original selection procedure and provide proper forms for the request for reevaluation, plus copies of reviews of the material in question, when appropriate.
2. When completed forms are returned to the building principal, the material(s) in question will be reviewed by the district's Reevaluation of Challenged Materials Committee, broadly representative of teachers competent in the area of the content covered by the print or nonprint materials, and administrators, directors, and supervisors appropriate to the level and / or subject for which the material is used. A report of its review will be sent to the person requesting reevaluation, the appropriate school principal(s), appropriate library media specialist(s), and the Superintendent of Schools.
3. The building principal's action shall be taken no later than 20 school days after receipt of the request. The requester will be notified of the date of the review at least 10 days before the review.
4. The requesting person may submit a request to the building principal to make an oral presentation of 15 minutes or less to the committee charged with reevaluating the material.
5. A written report from the committee shall be submitted by chairperson of the committee to the person(s) requesting the reevaluation.
6. If the person requesting reevaluation is not satisfied, a written request may be made to the Superintendent of Schools. This request must include copies of the completed request form and the Reevaluation of Challenged Materials Committee's reply, and should indicate the areas of dissatisfaction.
7. Should the decision of the Superintendent not satisfy the person requesting the reevaluation, the Board of Education may hold a special hearing to review the Superintendent's decision. The Board of Education makes the final decision regarding the removal of instructional materials and library media center resources.
8. Once instructional materials have been adopted and reevaluated, the material cannot be subject to further review without special authorization by the Board of Education. Challenged instructional materials shall remain in use in the school pending final decision.

Instruction

6144.2 (Continued)

Do you see any instructional value in the use of this material? _____

In the place of this material would you care to recommend other material which you consider to be of superior quality? _____

Person making request represents: _____ (Individual) _____ (Group or Organization)

Signature

Date

Date of Adoption: October 4, 1994

**REQUEST TO REEVALUATE INSTRUCTIONAL
AND LIBRARY MEDIA MATERIALS**

Print Materials

Author _____

Publisher _____

Date of Publication _____

Nonprint Materials

Title _____

Producer _____

Audiovisual Software _____ Computer Software _____

Request initiated by _____

Address _____

City _____ Telephone _____

School(s) in which material is used _____

To what in the material do you object (Please be specific) _____

In your opinion, what harmful effects upon pupils might result from use of this material?

Did you review or examine the material in its entirety? _____

If not, what selections? _____

The Madison Board of Education (“Board”) shall furnish, by transportation or otherwise, school accommodations in accordance with federal and state law.

The Board shall provide school accommodations to any child (or eligible individual over the age of eighteen) who, in accordance with Connecticut law, resides in Madison, Connecticut, meets the state’s age requirements, and has not graduated from high school. The Board’s commitment to providing school accommodations to all children (and eligible adults) who reside in Madison includes those who are not citizens and/or whose parents are not citizens. In addition, the Board shall provide school accommodations to children who are homeless and unaccompanied youth in accordance with state and federal law and the Board’s policy regarding Homeless Students, and in any other circumstances required by law.

The procedures set forth in the policy, shall be used for all students enrolled in, or seeking to enroll in, the Madison Public Schools (the “District”), unless a student is entitled to attend District schools in accordance with the Board’s Non-Resident Admission and Tuition Fees policy. Notwithstanding the foregoing, if any procedure or form described herein conflicts with the procedures described in the Board’s Policy regarding Homeless Students, the provisions of that policy shall control.

In addition, prior to attending school, in accordance with state law and Board policy, the District will require proof of age and adequate proof of health assessments and immunizations.

RESIDENCY

For a student to be considered a resident of the Town of Madison, the student must live in Madison full time. Full time is defined as no less than five days a week.

PROOF OF RESIDENCY

Prior to Enrollment

In order for a student to enroll in the District, the student’s parent or legal guardian, or the student if the student is eighteen years or older or an emancipated minor (an “adult student”), must show proof of residency.

For children who live in Madison with their parents, or for adult students, the District shall require of the parent/guardian or adult student one of the following forms of documentation to establish residency:

- Driver's License issued with Madison address on the front of the license (not the sticker on the back).
- Copy of a Purchase and Sales Agreement showing purchaser’s names, address of property in Madison and closing date. Additional information may be required by the Superintendent.

- 46 • Monthly bills from three (3) different Utilities delivered to your address in Madison.

47 Copy of signed rental lease agreement showing date rental begins and ends, name of parties renting
48 property and name of owner.

49
50 The District reserves the right to request additional documentation if deemed necessary to establish
51 residency.

52
53 For children or adult students whose parents do not reside in Madison, parents, guardians, and/or adult
54 students must demonstrate that the student has established residency in Madison with “another person”
55 under the following conditions:

- 56
57 1. Residency with another person is intended to be permanent.
58 2. Residency is provided without pay from the student or the student’s family.
59 3. Residency is not for the sole purpose of obtaining school accommodations in Madison Public
60 Schools.

61
62 In such circumstances, the parent or adult student shall submit a notarized Residency Affidavit and
63 Parent’s or Adult Student’s Statement, and the other person shall sign a notarized affidavit, the Host’s
64 Statement, indicating that the student is residing with them.

65
66 The District shall carefully review affidavits, documentation, and other available evidence and inform
67 the parent, guardian, or adult student of the results of such review.

68
69 A. When There Is Reason to Believe an Enrolled Student Is No Longer Entitled to School
70 Accommodations in the District

71
72 The District recognizes that there may be circumstances in which there is reason to believe that a student
73 attending school in the District is not entitled to school accommodations based on residency. In such
74 instances, the District shall seek additional information and documentation from the student’s parent or
75 legal guardian, the individual with whom the student lives, and/or the adult student. Depending on the
76 particular facts and circumstances, the District may direct the parent, guardian, other responsible adult
77 and/or adult student to submit and/or complete relevant documentation, including but not limited to
78 documents described in Section I.A of these regulations.

79
80 The District shall carefully review affidavits, documentation, and other available evidence and inform
81 the parent, guardian, or adult student of the results of such review.

82 **I. DENIAL OF SCHOOL ACCOMMODATIONS ON THE BASIS OF RESIDENCY**

83 If a student is denied school accommodations for residency reasons, the District shall inform the parent,
84 guardian, or adult student of the right to request a hearing before the Board, in writing within ten (10)
85 school days of receiving notice of denial of school accommodations. A copy of the Board’s Residency
86 policy and these regulations shall also be provided.

87 The Board shall provide a hearing within ten (10) days after receipt of such request. The Board may (A)
88 conduct the hearing, (B) designate a subcommittee of the board composed of three board members to

89 conduct the hearing, or (C) establish a local impartial hearing board of one or more persons not members
90 of the Board to conduct the hearing. After such hearing is held, the Board shall (1) make a stenographic
91 record or ~~audio-tape~~ recording of the hearing; (2) make a decision on student eligibility to attend District
92 schools within ten (10) days after the hearing; and (3) notify the parent, guardian, or adult student of its
93 findings. Hearings shall be conducted in accordance with the provisions of Section 10-186 of the
94 Connecticut General Statutes.

95 Any parent, guardian, or adult student aggrieved by the Board’s finding shall, upon request, be provided
96 with a transcript of the hearing within thirty (30) days of such request and may take an appeal from the
97 finding to the State Board of Education (“State Board”). If an appeal is not taken to the State Board of
98 Education within twenty (20) days of the mailing of the finding to the aggrieved party, the decision of
99 the Board, subcommittee or local impartial hearing board shall be final.

100 If a State Board hearing is requested in writing, the student has the right to attend District schools
101 pending a hearing before the State Board. In addition, the Board shall, within ten (10) days after receipt
102 of notice of an appeal, forward the hearing record to the State Board.

103 If the State Board determines that the student was not a resident of the District and therefore not entitled
104 to school accommodations in the District, a per diem tuition (equal to the District expenditure per
105 student divided by 180) will be assessed for each day the student attended District schools when not
106 eligible to attend.

107
108 Legal References:

109
110 Federal Law:

111
112 The McKinney-Vento Homeless Education Assistance Act, 42 U.S.C. §§ 11431 et seq., as
113 amended by Every Student Succeeds Act, Pub. L. 114-95.

114
115 *Martinez v. Bynum*, 461 U.S. 321, 328 (1983)

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117 *Plyler v. Doe*, 457 U.S. 202 (1982)

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119 U.S. Department of Justice and U.S. Department of Education, Dear Colleague Letter, May 8,
120 2014

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122 State Law:

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124 Connecticut General Statutes

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126 10-15f **Interstate Compact on Educational Opportunity for Military**
127 **Children**

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Nonresident Student 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 student placed by the Commissioner of Children and Family Services or by other agencies in a private residential facility. However, under this circumstance, students may attend local schools with tuition paid by the home district unless special education considerations make attendance in local schools and programs inappropriate. Students not requiring special education who live in town as a result of placement by a public agency (other than another Board and except as provided otherwise in this paragraph) are resident students. Those students requiring special education services may attend Madison schools (with special education cost reimbursements in accordance with statutes) unless the required special education services make attendance in Madison schools inappropriate.

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 on or prior to February 1st of the school year and the parents request that a student complete the marking period;

5060.1.2 (Continued)

2. A family moves from the district after February 1st of the school year;
3. A family residing outside of the district has firm plans to move into the school district before February 1st as evidenced by a contract to buy, build, rent, or lease a residential dwelling;
4. A twelfth-grade student wishes to complete his/her education in the district;
5. Children reside temporarily within the district because of family circumstances or students attend even though they are residing temporarily outside of the district because of family circumstances. Approval must be granted by the Superintendent and shall not exceed three (3) calendar months.
6. Necessary student care in the district by grandparents or other relatives. Approval must be granted by the Superintendent and shall not exceed three (3) calendar months.
7. Mental or physical health of the student, as certified by a physician, school psychologist, or other appropriate school personnel, warrants attendance. Approval must be granted by the Superintendent and shall not exceed three (3) calendar months.

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.

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

5060.1.2 (Continued)

eighteen (18) years of age or older shall be provided with a written statement of why there is reason to believe such students 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.

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 student 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 and that the students may continue in local schools pending a hearing before the Board 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 of education 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 (equal to the district expenditure per student divided by 180) will be assessed for each day a student attended local schools when not eligible to attend.

5060.1.2 (Continued)**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.

(cf 5060 Madison Public Schools – Registration for School)

Legal Reference: Connecticut General Statutes
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.
10-253 School privileges for students in certain placements...and temporary shelters.

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