

## STUDENTS

### **7:60 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. If the District knows the current address of the child's natural or adoptive parent, the District shall request in writing that the person complete a signed statement or affidavit 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.

If, at the time of enrollment, a dependent child of military personnel is housed in temporary housing located outside of the District, but will be living within the District within six months after the time of initial enrollment, the child is allowed to enroll, subject to the requirements of State law, and must not be charged tuition.

#### Residence of Students with Disabilities

The residence of a child with a disability is determined in accordance with [105 ILCS 5/14-1.11](#), [5.14-1.11a](#), and [5/14-1.11b](#).

### Requests for Nonresident Student Admission

Non-resident students may not attend District schools unless parents/guardians who are purchasing or having residences constructed within the District's boundaries but who are not as yet official residents shall pay tuition, the maximum amount as allowed by State law, in the form of a certified check at the time they wish to enroll their child (children). Tuition shall be reimbursed to these parents/guardians if they close on the purchase of their residence and take occupancy within sixty (60) calendar days of registering their child (children) in the District. Should their closing and occupancy occur sixty-one (61) days or more after the initial day of student attendance of the child (children), no tuition payments shall be reimbursed. The District will direct the parents/guardians to enroll their child (children) in their current district of residence. The non-resident student, at that time, may no longer attend a District school.

### 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.

### Challenging a Student's Residence Status

If the Superintendent or designee determines that a student attending school on a tuition-free basis is a non-resident of the District for whom tuition is required to be charged, he or she on behalf of the Board shall notify the person who enrolled the student of the tuition amount that is due. The notice shall detail the specific reasons why the Board believes that the student is a nonresident of the District and shall be given by certified mail, return receipt requested. The person who enrolled the student may challenge this determination and request a hearing as provided by the School Code, [105 ILCS 5/10-20.12b](#).

### LEGAL REF.:

[42 U.S.C. §11431](#) *et seq.*, McKinney-Vento Homeless Assistance Act.

[105 ILCS 5/10-20.12a](#), [5/10-20.12b](#), [5/10-22.5](#), [5/10-22.5a](#), [5/14-1.11](#), [5/14-](#)

[1.11a](#), and [5/14-1.11b](#).

[105 ILCS 45/](#), Education for Homeless Children Act.

[105 ILCS 70/](#), Educational Opportunity for Military Children Act.

[23 Ill.Admin.Code §1.240](#).

*Israel S. by Owens v. Bd. of Educ. of Oak Park and River Forest High Sch. Dist. 200*, 235 Ill.App.3d 652 (5th Dist. 1992).

*Joel R. v. Board of Education of Manheim School District 83*, 292 Ill.App.3d 607 (1st Dist. 1997).

*Kraut v. Rachford*, 51 Ill.App.3d 206 (1st Dist. 1977).

CROSS REF.: 6:140 (Education of Homeless Children), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:70 (Attendance and Truancy)

---