

**Rossville-Alvin CUSD 7 Administrative Procedures
Implementing Board Policy 7:60, Residence**

I. Definitions

A. General Education Students (105 ILCS 5/10-20.12b)

1. A student may attend school in the District on a tuition-free basis if he/she resides with a person who is a resident within the District's boundaries and who has legal custody of the student. Legal custody means one of the following:
 - a. custody exercised by a parent with whom the student resides.
 - b. custody granted by order of a court of competent jurisdiction to a person with whom the student resides for reasons other than to have access to the educational programs of the District.
 - c. custody exercised under a statutory short-term guardianship, provided that within 60 days of the student's enrollment a court order is entered that establishes a permanent guardianship and grants custody to a person with whom the student resides for reasons other than to have access to the educational programs of the District.
 - d. custody exercised by an adult caretaker relative who is receiving aid under the *Illinois Public Aid Code* for the student who resides with that adult caretaker relative for purposes other than to have access to the educational programs of the District.
 - e. custody exercised by an adult who demonstrates that, in fact, he or she has assumed and exercises legal responsibility for the student and provides the student with a regular fixed nighttime abode for purposes other than to have access to the educational programs of the District.
2. A student also may attend school in this District on a tuition-free basis if the student:
 - a. resides outside the District during a school year in which the student began the school year as a resident of the District; however, the District shall not be liable for transportation; or

- b. has been placed under the temporary custody or guardianship of the Guardianship Administrator of the Department of Children and Family Services and the student was placed by the Department of Children and Family Services with a foster parent or placed in another type of child care facility and the foster parent or child care facility is located in a school district other than the child's former school district and it is determined by the Department of Children and Family Services to be in the child's best interest to maintain attendance at his or her former school district; or
- c. resides within the District and is a foreign exchange student in a foreign or cultural exchange program approved by the Board of Education; or
- d. formerly resided in the District but has changed residence due to the military service obligation of the person who has legal custody of the student, provided that the legal custodian submits a request in writing, that the District shall not be liable to provide transportation to or from school for the student, and that the District shall facilitate re-enrollment when necessary under this provision; or
- e. resides in the District and is 18 years of age or older and no legal guardian has been appointed; or
- f. resides in the District and is legally an emancipated minor.

B. Special Education Students (105 ILCS 5/14-1.11, 14-1.11a)

A student for whom special education services are to be provided by the District shall be considered a resident in accordance with either subsection 1 or 2:

- 1. The student's parent/guardian resides in the District and
 - a. the parent has legal guardianship; or
 - b. an individual guardian has been appointed by the courts; or
 - c. an Illinois public agency has legal guardianship and the student resides either in the home of the parent or within the same district as the parent; or
 - d. an Illinois court orders a residential placement but the parents retain legal guardianship.

In cases of divorced or separated parents, when only one parent has legal guardianship or custody, the district in which the parent having legal guardianship or custody resides is the resident district. When both parents retain legal guardianship or custody, the resident district is the district in which either parent who provides the student's primary regular fixed night-time abode resides; provided that the election of resident district may be made only one time per school year.

2. The student resides in the District and
 - a. the parent has legal guardianship but the location of the parent is unknown; or
 - b. an individual guardian has been appointed but the location of the guardian is unknown; or
 - c. the student is 18 years of age or older and no legal guardian has been appointed; or
 - d. the student is legally an emancipated minor; or
 - e. an Illinois public agency has legal guardianship and has placed the student residentially outside of the school district in which the parent lives.

In cases where an Illinois public agency has legal guardianship and has placed the student residentially outside of Illinois, the last school district of student residence for at least 45 days shall continue to be the district of residence until the student is no longer under guardianship of an Illinois public agency or until the student is returned to Illinois.

II. Initial Enrollment in School

A. Registration Requirements

Prior to enrollment, each student must present evidence that he/she may attend school in the District on a tuition-free basis. At the time of registration, all new or transferring students, and as requested thereafter, must complete a **Certificate of Residence** form (see **Appendix A**). In addition, at least three (3) items of identification from the following list must be presented as evidence of residency:

Category I (One Document)

1. Home ownership title or deed
2. Most recent property tax bill and proof of payment (e.g., cancelled check or Form 1098)
3. Apartment lease (signed and dated with lessee of the unit listed), or affidavit from landlord in lieu of lease, and proof of last month's payment (e.g., cancelled check or receipts)
4. Closing documents/proof of closing date

Category II (Two Documents)

1. Current Illinois driver's license
2. Current Illinois voter registration
3. Current vehicle registration
4. Current home / apartment insurance
5. Current public aid card
6. Most recent gas, electric, and/or water bill (within last 3 months)

Note: P.O. Box address is insufficient as proof of residency.
Telephone and cable bills are not accepted as proof of residency.

These items of identification will be reviewed by the District employee interviewing the parents/guardians at the time of registration, copies will be retained, and notation will be made on the **Student Registration Form** of those items of identification provided by the parents/guardians. The completed **Certificate of Residence** (see **Appendix A**) must be on file at the District office before registration of a student will be considered complete and enrollment allowed. The District may further investigate the residency status of a student as part of the enrollment process.

If a student is living with an individual other than the student's parent(s)/guardian(s), the District may require the parent(s)/guardian(s) of the student to complete **Affidavits of Residency** (see **Appendix B-1 and B-2**) and produce additional proof of legal residency. In situations where the student and his/her parent(s)/guardian(s) reside with a family member, such as a grandparent, or a friend, the person who owns or rents the residence must complete the **Student Residency Affidavit** (see **Appendix C**) at the time of registration.

Homeless Student

If a student registers as a homeless individual, the District shall enroll the student even if the student is unable to produce records normally required for enrollment. The District shall request such information as it deems necessary to determine whether such person meets the indicia of a homeless individual, as set out in these

Administrative Procedures. See Board Policy 6:125, Education of Homeless Children, and accompanying administrative procedures.

III. Hearing & Appeal Procedures for Enrolled Student (Non-Homeless Students)

If the District determines that an enrolled student is non-resident of the District:

1. The District shall notify the person who enrolled the student of the amount of the tuition to be charged for the non-resident student's attendance in the District. The notice must detail the specific reasons why the Board believes the student is a nonresident of the District, and must be given by certified mail, return receipt requested. The notice also should state that, within 10 calendar days after receipt of the notice, the person who enrolled the student may request a hearing to review the residency determination. The notice should further state that the request for a hearing shall be sent to the Superintendent by certified mail, return receipt requested, to the Superintendent.

See **Model Notice Letters in Appendix E and Appendix F.**

2. Within 10 calendar days after receipt of the request for hearing, the District shall notify, by certified mail, return receipt requested, the person requesting the hearing of the time and place of the hearing, which shall be held not less than 10 nor more than 20 calendar days after the notice of hearing is given. See **Model Notice Letter in Appendix H.**
3. At least three (3) calendar days before the hearing, both parties must disclose to each other all written evidence and testimony that it will submit during the hearing and a list of witnesses that it may call to testify during the hearing. A party who does not disclose the required information is to be prohibited from using it at the hearing without consent of the other party.
4. The Board of Education shall conduct the hearing. The Board and the person who enrolled the student may be represented at the hearing by representatives of their choice. At the hearing, the person who enrolled the student shall have the burden of going forward with the evidence concerning the student's residency.
6. Whether the hearing is conducted by the Board or a hearing officer, the Board shall, within 30 calendar days after the conclusion of the hearing, decide whether or not the student is a resident of the District and the amount of any tuition required to be charged under Section 10-20.12a of

the *School Code* as a result of the student's attendance in the schools of the District. The Board shall send a copy of its decision, within five (5) calendar days of its decision, to the person who enrolled the student. The decision also must inform the person who enrolled the student that he/she may, within five (5) calendar days after receipt of the decision of the Board, petition the Regional Superintendent of Schools to review the Board's decision, by certified mail, return receipt requested, to the Regional Superintendent of Schools and the Superintendent. The decision also must include notification that, at the request of the person who enrolled the pupil, the pupil may continue attending school in the district pending the regional superintendent of schools' review of the board's decision but that tuition shall continue to be assessed under Section 10-20.12a of the *School Code* during the review period and become due upon a final determination of the Regional Superintendent of Schools that the student is a nonresident. See **Model Decision in Appendix I.**

7. Within five (5) calendar days after receipt of the petition, the Board must deliver to the Regional Superintendent of Schools the written decision of the Board, any written evidence and testimony that was submitted by the parties during the hearing, a list of all witnesses that testified during the hearing, and any existing written minutes or transcript of the hearing or verbatim record of the hearing in the form of an audio or video recording documenting the hearing. The Board also may provide the Regional Superintendent of Schools and the petitioner a written response to the petition. See **Model Letter in Appendix J.**
8. Within 10 calendar days after receipt of the documentation from the District, the Regional Superintendent of Schools shall issue a written decision as to whether or not there is clear or convincing evidence that the student is a resident of the District and eligibility to attend school in the District on a tuition-free basis. The Regional Superintendent of Schools' decision is limited to the documentation submitted to the Regional Superintendent of Schools. The Regional Superintendent of Schools' decision shall be sent to the Board and the person who enrolled the student and must, with specificity, detail the rationale behind the decision. The Regional Superintendent of Schools' decision shall be final.

IV. Continued Attendance

A. Currently Enrolled Students

If a hearing is requested under Section III, the person who enrolled the student may request that the student continue attending school in the District pending a

decision of the Board following the hearing. In addition, if the person who enrolled the student petitions the Regional Superintendent of Schools to review the Board's decision, that person may request that the student continue attending school in the District pending a final decision of the Regional Superintendent of Schools.

However, attendance of that student in the schools of the District as set forth above shall not relieve any person who enrolled the student of the obligation to pay the tuition charged for that attendance under Section 10-20.12a of the *School Code* if the final decision of the Board or the Regional Superintendent of Schools is that the student is a non-resident of the District. If a student is determined to be a non-resident of the District for whom tuition is required to be charged, the Board shall refuse to permit the student to continue attending the schools of the District unless the required tuition is paid for the student.

B. Students Not Currently Enrolled

If the District denies enrollment to a student on the basis of non-residency and the student requests an appeal of such a determination, the student shall not be allowed to enroll in the District on a tuition-free basis during the pendency of any appeal.

V. Homeless Students

See Board Policy 6:125, Education of Homeless Children.

A. Definitions

1. The term "homeless children and youths" means individuals who lack a fixed, regular, and adequate nighttime residence and includes:
 - a. children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
 - b. children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

- c. children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
 - d. migratory children who qualify as homeless because they are living in circumstances described in paragraphs “a” through “c” above.
2. The District is the “school of origin” if the homeless student attended school in the District when last permanently housed or when last enrolled in school.

B. Enrollment

A child who is homeless shall be considered a resident of the District if he or she is physically living within the District boundaries. In addition, pursuant to the *Education for Homeless Children Act* (105 ILCS 45/1-1 *et seq.*), a homeless child will be considered a resident of the District if the child attended a school in the District when he/she was last permanently housed or the child was last enrolled in a school in the District. Accordingly, the parent/guardian of a homeless child may choose to enroll their child in the District if a school within the District is in the area where the child is actually living or if the District is the child’s school of origin. The District may require the child’s parent/guardian to complete an **Affidavit Verifying Homelessness** (see **Appendix D-1**) and the individual who owns the residence where the child and the parent(s)/guardian(s) are residing to complete a **Homeless Verification Affidavit** (see **Appendix D-2**).

Whenever a child and his or her parent or guardian who initially share the housing of another person due to loss of housing, economic hardship, or a similar hardship continue to share the housing, the District may, after the passage of 18 months and annually thereafter, conduct a review as to whether such hardship continues to exist.

The District may, at the time of review, request information from the parent or guardian to reasonably establish the hardship, and sworn affidavits or declarations may be sought and provided. If, upon review, the District determines that the family no longer suffers such hardship, it may notify the family in writing and begin the process of dispute resolution as set forth below. Any change required as a result of this review and determination shall be effective solely at the close of the school year.

C. Transportation

1. If a homeless student continues to live in the area where the school of origin is located, upon the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), the District shall transport a student to and from school. If a homeless child, formerly attending school in the District but currently living in the attendance area of another school district, elects to attend school in the District as the “school of origin,” the student’s parents also may request that transportation be provided between the student’s residence and the school of origin. The District shall work with the school district in which the homeless child is currently living to apportion responsibility for transporting the homeless child to and from school, subject to paragraph 2 below. If the districts are unable to reach an agreement on the child’s transportation, the responsibility and costs for such transportation will be shared equally by the districts.
2. If a homeless child, formerly attending school in the District but currently living in the attendance area of another school district, elects to attend school in the District as the “school of origin,” the District or the student’s parents/guardian may request a meeting of the school principal or designee, a teacher of the student, and the parents/guardian, to evaluate whether travel to and from the District is in the best interest of the student and the student’s family. Such a meeting shall be required if travel to school will be greater than one (1) hour each way. If the child is eligible for special education services, every effort shall be made by the District to avoid a travel time of greater than one (1) hour each way.

D. Homeless Liaison

The District’s Homeless Liaison is Liz Braddock and may be contacted at 217-748-6666 or braddocke@rossville.k12.il.us. The following are the responsibilities of the Homeless Liaison:

1. Ensure that homeless children and youths are identified by school personnel and through coordination activities with other entities and agencies;
2. Ensure that homeless children and youths enroll in, and have a full and equal opportunity to succeed in, schools of the District;
3. Ensure that homeless families, children, and youths receive educational services for which such families, children, and youths are eligible, including any Head Start and Even Start programs and preschool programs

administered by the District, and referrals to health care services, dental services, mental health services, and other appropriate services;

4. Ensure that the parents or guardians of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
5. Ensure that public notice of the educational rights of homeless children and youths is disseminated where such children and youths receive services under this Act, such as schools, family shelters, and soup kitchens;
6. Ensure the proper mediation of enrollment disputes; and
7. Ensure that the parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin, and is assisted in accessing transportation to the school.

E. Appeals Procedures

In the event that the District denies enrollment to a homeless child as defined herein (see **Model Notice Letter** in **Appendix G**), such student may appeal the decision to the Homeless Liaison, who is responsible for carrying out dispute resolution. The Homeless Liaison shall immediately refer the student or parents to the ombudsperson for homeless children appointed by the Regional Superintendent of Schools and provide the child or his or her parent or guardian with a written statement of the basis for the denial. The child shall be admitted and transported to the school chosen by the parent or guardian until final resolution of the dispute. The ombudsperson shall convene a meeting of all parties and attempt to resolve the dispute within five (5) school days after receiving notice of the dispute, if possible.

VI. Criminal Liability

Under Illinois law, a person who knowingly enrolls or attempts to enroll in the schools of the District on a tuition-free basis a student known by that person to be a non-resident of the District is guilty of a Class C misdemeanor. This criminal penalty does not apply to a person enrolling a foreign exchange student or the Guardianship Administrator of the Department of Children and Family Services.

In accordance with Illinois law, a person who knowingly or willfully presents to any school district any false information regarding the residency of a student for the purpose

of enabling that student to attend any school in that district without the payment of a non-resident tuition charge is guilty of a Class C misdemeanor.

The administrator shall refer to the appropriate criminal justice office any instances of suspected violations of the above provisions.

APPENDIX A

CERTIFICATE OF RESIDENCE

To be completed by all parents/guardians who are enrolling their student in the District.

NAME OF STUDENT: _____

Date of Birth: _____ Grade Level: _____

Address: _____

Father's Name: _____

Father's Address: _____

Phone: _____ Email: _____

Mother's Name: _____

Mother's Address: _____

Phone: _____ Email: _____

Please answer the following questions:

1. Are the student's parents divorced or separated? Yes _____ No _____
- a) Who has custody of the student? Mother _____ Father _____ Joint _____
- b) If custody is jointly held, which parent provides the student's primary regular fixed night-time abode? (i.e., at which parent's residence does the student sleep on a regular basis?)
- _____

2. Does the student reside with a person other than his/her parents?
- Yes _____ No _____

If the answer to Question 2 is "no," please move on to Question 4. If the answer to Question 2 is "yes," please answer the following questions:

3. What is the name and address of the adult with whom the student now resides?
- _____
- _____
- b) Is this person a relative of the student? Yes _____ No _____
- c) If "yes," what relation is (s)he to the student? _____
- d) Is the person with whom the student resides the legal guardian or custodian of the student? Yes _____ No _____
- e) If "yes," please attach a copy of the guardianship or custody order.

- f) Has the military service obligation of the individual who has legal custody of the student caused a change in the student's residence such that the student now resides outside the District? Yes _____ No _____
4. Is the student eligible for special education or other special services?
Yes _____ No _____
- If the answer to the above question is "yes", please provide a copy of the student's most recent Individualized Education Program (IEP) or Section 504 Plan and provide us with the name and address of the student's most recent prior school district of attendance. If the student is already enrolled in the District, you do not need to provide copies of the student's most recent IEP or Section 504 Plan.*
5. Does an Illinois public agency have legal guardianship of the student?
Yes _____ No _____
- If "yes," please attach proof of that agency's legal guardianship.*
6. Has a court ordered a residential placement for the student? Yes _____ No _____
- If "yes," please attach a copy of the court order.*
7. Is the student homeless? Yes _____ No _____
- If "yes":
- a) Is the student currently living in the School District? Yes _____ No _____
- b) In what school district was the student last enrolled? _____
- c) In what school district was the student enrolled when last permanently housed?

I certify that I am the parent(s)/legal guardian(s) of the above-named student and that this child's residence has not been established solely for the purpose of attending District schools. I further certify that the above information is correct to the best of my knowledge.

Parent(s)/Guardian(s) Signature

Date

NOTE: It is contrary to the policy of the Board of Education to admit students who do not legally reside with their parents or legal guardians within the District boundaries. The information you provide will be used by school officials to help establish the eligibility of each applicant for admission. Falsification of information on this form or otherwise submitted to the District may result in your child being excluded from school, and may expose you to monetary liability under Illinois law for payment of tuition for such time as your child was illegally enrolled in the District. Further, any person who knowingly enrolls or attempts to enroll a non-resident student in the District or presents to the District any false information regarding the residency of a student commits a Class C misdemeanor.

[NOTE: Appendix B-1 and Appendix B-2 are to be used if the District needs additional information from the parent/guardian and/or other person with whom the student is residing to establish residency in the District.]

APPENDIX B-1

STUDENT RESIDENCY AFFIDAVIT

*To Be Completed by Parent/Guardian of Student Who Is Living
with Another Person Residing in the District*

NAME OF STUDENT: _____

Date of Birth: _____ Grade Level: _____

1. Your name: _____

2. Are you a parent of the above-named student? _____

3. Your present address _____

4. Does the student live with you? _____ Full time? _____ Part time? _____

If part time:

a) What portion of the time does the student live with you? _____

b) How many nights per week or month? _____

c) What days of the week or month? _____

d) What months of the year? _____

e) Does the student live with you during school holidays and breaks? _____

f) For the times the student is not living you, where and with whom is the student living? _____

5. If the student is not living with you:

a) How long has he/she not lived with you? _____

b) With whom and at what address does the student live? _____

c) How long in the future do you intend the student to live at that address? _____

d) State the reasons why the student is not living with you: _____

e) Who else resides with you and what is each person's relationship to the student?

f) Describe the student's typical morning routine on school days *[including where and when student wakes up and how the student gets to school]*: _____

g) Describe the student's typical after school/evening routine *[including where the student goes after school, how the student gets there, and when and where the student eats dinner and sleeps]*: _____

h) At what address(es) are the student's clothes kept? _____

i) At what address(es) are the student's other belongings kept? _____

j) Indicate below the times the student has visited you at your present address during the past year:

- Number of nights (approximately) including weekends: _____
- Number of weekends (approx.): _____
- Winter vacation _____
- Spring vacation: _____
- Number of school holidays (approx.): _____
- Summer vacation: _____
- Other: _____

k) Indicate below the times you have visited the student during the past year at the address where the student lives:

- Number of nights (approximately) including weekends: _____
- How often at mealtimes (approx.) including weekends: _____
- How often on weekdays (approx.): _____
- How often on weekends (approx.): _____

- Winter vacation: _____
- Spring vacation: _____
- Number of school holidays (approx.): _____
- Summer vacation: _____
- Other: _____

6. Give each address at which the student has resided during the last five (5) years and periods of time the student has resided at each address:

<u>Address</u>	<u>Dates Resided at Address</u>	<u>Reasons for Leaving</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

7. Do you currently own or rent your place of residence? ___ Own ___ Rent ___ Other

a) If you own your home, please give address: _____

b) If you are renting, please provide the name and address of your landlord: _____

c) If you neither own nor rent your place of residence, please explain: _____

(Note: The person with whom you live will need to complete additional documentation.)

8. If you reside at your current place of residence outside the District due to a military service obligation, please explain the nature and expected duration of the military service obligation: _____

9. Who provides the student's living expenses and costs? _____

a) If living expenses and costs are shared, please indicate the arrangements for sharing such expenses: _____

- _____
- _____
10. Who is responsible for the discipline and control of the student? _____
- _____
11. Who is financially responsible for any damages caused by the student? _____
- _____
12. In the event of an accident or other emergency, who may direct and consent to medical treatment and sign any releases required? _____
- _____
13. Who makes decisions regarding the student's medical needs and treatment? _____
- _____
14. Who makes decisions regarding the student's education? _____
- _____
15. Briefly state who enrolled the student in the District and the reasons why the student was enrolled in this District: _____
- _____
- _____
- _____
16. Do you have legal custody of the student? _____
- a) If not, please state the name and address of the person(s) having legal custody: _____
- _____
- b) State the reasons why you do not have legal custody: _____
- _____
17. Who claims the student as a dependent on their federal income tax return? _____
- _____
18. Attach copies of any agreements, judgments, decrees or other documents awarding or giving custody of the named student to any person. If to your knowledge there are no such documents, please check this box.
- [] No Such Document

19. Does anyone receive Illinois public aid payments for the student? If so, who? _____

20. Provide any additional information which may help to establish the student's residency or which is otherwise relevant to the question of the student's residency: _____

AFFIDAVIT

STATE OF ILLINOIS)
) ss.
COUNTY OF _____)

The undersigned, being duly sworn, states that the answers to the above and foregoing questionnaire are true and correct.

Signature

SUBSCRIBED AND SWORN to
before me this ____ day
of _____, 20__.

Notary Public

NOTE: It is contrary to the policy of the Board of Education to admit students who do not legally reside with their parents or legal guardians within the District boundaries. The information you provide will be used by school officials to help establish the eligibility of each applicant for admission. Falsification of information on this form or otherwise submitted to the District may result in your child being excluded from school, and may expose you to monetary liability under Illinois law for payment of tuition for such time as your child was illegally enrolled in the District. Further, any person who knowingly enrolls or attempts to enroll a non-resident student in the District or presents to the District any false information regarding the residency of a student commits a Class C misdemeanor.

APPENDIX B-2

STUDENT RESIDENCY AFFIDAVIT

To Be Completed by Person (Non-Parent/Guardian) with Whom Student Lives in District

NAME OF STUDENT: _____

Date of Birth: _____ Grade Level: _____

1. Your name: _____

2. What is your relationship to the student? _____

3. Your present address: _____

4. Does the student live with you? _____ Full time? _____ Part time? _____

If part time:

a) What portion of the time does the student live with you? _____

b) How many nights per week or month? _____

c) What days of the week or month? _____

d) What months of the year? _____

e) Does the student live with you during school holidays and breaks? _____

f) For the times the student is not living you, where and with whom is the student living? _____

g) How long with the student be living with you? _____

5. a) Indicate below the times the student has visited his or her parents at their present address during the past year:

- Number of nights (approximately) including weekends: _____
- Number of weekends (approximately): _____
- Winter vacation: _____
- Spring vacation: _____
- Number of school holidays (Approx.): _____
- Summer vacation: _____
- Other: _____

b) Indicate below the times the parents have visited the student during the past year at the address where the student lives:

- Number of nights (approximately) including weekends: _____
- How often at mealtimes (approx.) including weekends: _____
- How often on weekdays (approx.): _____
- How often on weekends (approx.): _____
- Winter vacation: _____
- Spring vacation: _____
- Number of school holidays (approx.) _____
- Summer vacation _____
- Other _____

6. State the reasons why the student is living with you: _____

7. Who else resides with you and what is each person's relationship to the student? _____

8. Describe the student's typical morning routine on school days *[including where and when student wakes up and how the student gets to school]*: _____

9. Describe the student's typical after school/evening routine *[including where the student goes after school, how the student gets there, and when and where the student eats dinner and sleeps]*: _____

10. At what address(es) are the student's clothes kept? _____

11. At what address(es) are the student's other belongings kept? _____

12. Do you currently own or rent your place of residence? ____ Own ____ Rent ____ Other (if other, explain): _____

8. Who provides the student's living expenses and costs? _____

- a) If living expenses and costs are shared, please indicate the arrangements for sharing such expenses: _____

9. Who is responsible for the discipline and control of the student? _____

10. Who is financially responsible for any damages caused by the student? _____

11. If the event of an accident or other emergency, who may direct and consent to medical treatment and sign any releases required? _____

12. Who makes decisions regarding the student's medical needs and treatment? _____

13. Who makes decisions regarding the student's education? _____

14. Briefly state who enrolled the student in the District and the reasons why the student was enrolled in the District: _____

10. Do you have legal custody of the student? _____
- a) If not, state the name and address of the person who does: _____

- b) State the reasons why you do not have legal custody of the student: _____

11. Attach copies of any agreements, judgments, decrees or other documents awarding or giving custody of the named student to any person. If to your knowledge there are no such documents, please indicate in the space below.
 [] No such documents
12. Does anyone receive Illinois public aid payments for the student? If so, who? _____

13. Provide any additional information which may help to establish the student's residency or which is otherwise relevant to the question of the student's residency: _____

AFFIDAVIT

STATE OF ILLINOIS)
)
COUNTY OF _____) ss.

The undersigned, being duly sworn, states that the answers to the above and foregoing questionnaire are true and correct.

Signature

SUBSCRIBED AND SWORN to
before me this _____ day
of _____, 20____

Notary Public

NOTE: It is contrary to the policy of the Board of Education to admit students who do not legally reside with their parents or legal guardians within the District boundaries. The information you provide will be used by school officials to help establish the eligibility of each applicant for admission. Falsification of information on this form or otherwise submitted to the District may result in your child being excluded from school, and may expose you to monetary liability under Illinois law for payment of tuition for such time as your child was illegally enrolled in the District. Further, any person who knowingly enrolls or attempts to enroll a non-resident student in the District or presents to the District any false information regarding the residency of a student commits a Class C misdemeanor.

[NOTE: Appendix C is to be used in situations where the student AND parent/guardian are residing with another family member, such as a grandparent. The family member is to complete this appendix at the time of registration.]

APPENDIX C

STUDENT RESIDENCY AFFIDAVIT

To Be Completed by Person Who Owns the Residence

STATE OF ILLINOIS)
) ss.
COUNTY OF _____)

The undersigned, _____, being duly sworn, states that he/she is the owner
(insert name)
of the residence located at _____, and that
(insert address)

_____ resided with me at the above address since _____,
(insert name of student and parent(s)) (insert date)

for the following reasons: _____.

Signature

SUBSCRIBED AND SWORN to
before me this ____ day
of _____, 20__

Notary Public

NOTE: It is contrary to the policy of the Board of Education to admit students who do not legally reside with their parents or legal guardians within the District boundaries. The information you provide will be used by school officials to help establish the eligibility of each applicant for admission. Falsification of information on this form or otherwise submitted to the District may result in your child being excluded from school, and may expose you to monetary liability under Illinois law for payment of tuition for such time as your child was illegally enrolled in the District. Further, any person who knowingly enrolls or attempts to enroll a non-resident student in the District or presents to the District any false information regarding the residency of a student commits a Class C misdemeanor.

[NOTE: Appendix D-1 and Appendix D-2 are to be used if the District needs additional information from the parent/guardian and/or other person with whom the student and parent/guardian is residing to establish homelessness and residency in the District.]

APPENDIX D-1

AFFIDAVIT VERIFYING HOMELESSNESS

To Be Completed by Parent or Guardian of Student Claiming Homelessness

NAME OF STUDENT: _____

Date of Birth: _____ Grade Level: _____

1. Your name: _____

2. Your present address: _____

3. a) Does the student live at this address full-time? Yes _____ No _____

b) If part-time, state what portion of time the student lives with you and where and with whom he or she lives during the remainder of the time: _____

6. State the reasons why you began living at this address: _____

7. Do the same reasons still apply? Explain. _____

AFFIDAVIT

STATE OF ILLINOIS)
) SS
COUNTY OF _____)

The undersigned, being duly sworn, states that the answers to the above and foregoing questionnaire are true and correct.

Signature

SUBSCRIBED AND SWORN to
before me this _____ day
of _____, 20____

Notary Public

NOTE: It is contrary to the policy of the Board of Education to admit students who do not legally reside with their parents or legal guardians within the District boundaries. The information you provide will be used by school officials to help establish the eligibility of each applicant for admission. Falsification of information on this form or otherwise submitted to the District may result in your child being excluded from school, and may expose you to monetary liability under Illinois law for payment of tuition for such time as your child was illegally enrolled in the District. Further, any person who knowingly enrolls or attempts to enroll a non-resident student in the District or presents to the District any false information regarding the residency of a student commits a Class C misdemeanor, punishable by a \$500.00 fine and up to 30 days in jail.

APPENDIX E

**MODEL LETTER PRELIMINARY NOTICE OF NON-RESIDENCY
STUDENT ENROLLED**

**Via Certified Mail, Return Receipt Requested
and First Class Mail**

[Date]

[Parent/Guardian Name(s)]

[Street Address]

[City, State Zip Code]

RE: Official Notice of Non-Residency

Dear *[Parent/Guardian Name(s)]*:

This letter is to inform you that *[District name]* has determined that *[name of student]* is not a resident of our District. This determination is based on *[insert specific reasons why the Board believes the student is a non-resident of the District.]* Therefore, by law, *[name of student]* cannot attend school in the District on a tuition-free basis.

Legally, the District must charge you tuition for the time your child has attended school in the District as a non-resident pursuant to Section 10-20.12a and 10-20.12b of the *School Code* (105 ILCS 5/10-20.12a, 10-20.12b). As of the date of this letter, tuition currently due and owing is *[insert \$ amount of tuition currently due]* based on annual tuition charges of *[insert \$ amount of tuition charged on annual basis]* per student. Tuition will continue to accrue on a daily basis in the amount of *[insert \$ amount]*.

You may request a hearing before *[the Board of Education OR a hearing officer designated by the Board of Education]* to review this preliminary determination of non-residency. As required by Illinois law, your request for a hearing must be mailed within 10 calendar days of your receipt of this notice letter and must be sent by certified mail, return receipt requested, to the Superintendent, at *[insert address]*. After receipt of a hearing request, the District will notify you of the time and place of the hearing.

At the hearing, you and the student may be represented by representatives of your choice, and you will need to present evidence substantiating that the student is a resident of the District. If you request a hearing, you also may request that the student continue attending school in the District pending the Board of Education's decision following the hearing. However, please be advised that if the decision of the Board is that the student is non-resident, you will be obligated to pay tuition for the student's attendance during this period.

If you do not request a hearing, the District no longer will allow your child to attend school in the District effective *[insert date or time period (e.g., 14 calendar days from the date of this letter)]*. The District will then calculate and notify you via mail of the tuition charges due and owing for the time your child was a non-resident attending school in the District.

Finally, under Illinois law, it is a crime, punishable by imprisonment and fine, to knowingly or willfully present any false information regarding the residency of a student for purposes of enabling that student to attend school in a district on a tuition-free basis or to attempt to enroll a student on a tuition-free basis when the student is known to be a non-resident of the District. **[Optional:** Prosecution to the full extent of the law may be sought against any person who has committed a residency-related crime. Civil proceedings may also be initiated.]

Sincerely,

[Name]
[Position]

APPENDIX F

**PRELIMINARY NOTICE OF NON-RESIDENCY
STUDENT NOT ENROLLED**

**Via Certified Mail, Return Receipt Requested
and First Class Mail**

[Date]

[Parent/Guardian Name(s)]

[Street Address]

[City, State Zip Code]

RE: Official Notice of Non-Residency

Dear *[Parent/Guardian Name(s)]*:

This letter is to inform you that *[District name]* has determined that *[name of child]* is not a resident of our District because *[choose applicable option]*:

_____ the parent/guardian does not reside within District boundaries.

_____ the non-parent guardian with whom the child resides does not have sole care, custody, and control of the child, for a reason other than to attend the District's schools.

This determination is based on *[insert specific reasons why the Board believes the student is a non-resident of the District.]* Therefore, by law, *[name of child]* cannot attend school in the District on a tuition-free basis, and the District must deny enrollment pursuant to Board Policy *[insert policy number, policy name; e.g., 7:60, Residence]* and Section 10-20.12a and 10-20.12b of the *School Code* (105 ILCS 5/10-20.12a, 10-20.12b).

Under Illinois law it is a crime, punishable by imprisonment and fine, to knowingly or willfully present any false information regarding the residency of a student for purposes of enabling that student to attend school in a district on a tuition-free basis or to attempt to enroll a student on a tuition-free basis when the student is known to be a non-resident of the District. ***[Optional: Prosecution to the full extent of the law may be sought against any person who has committed a residency-related crime. Civil proceedings may also be initiated.]***

If you would like to discuss this determination, please contact *[name, position, and contact information]* to schedule a meeting.

Sincerely,

[Name]
[Position]

APPENDIX G

**PRELIMINARY NOTICE OF NON-RESIDENCY
HOMELESS STUDENT**

**Via Certified Mail, Return Receipt Requested
and First Class Mail**

[Date]

[Parent/Guardian Name(s)]

[Street Address]

[City, State Zip Code]

RE: Official Notice of Non-Residency

Dear *[Parent/Guardian Name(s)]*:

This letter is to inform you that *[District name]* has completed its review of the enrollment and homeless/residency verification forms you submitted for *[name of student]*. In order to enroll *[name of student]* as homeless, the District must ensure that *[he/she]* meets the definition of homelessness on a continuing basis. In order to meet the definition of homelessness pursuant to the *McKinney Vento Homeless Assistance Act*, a student has to be without a fixed, regular, nighttime abode.

This letter is to inform you the District respectfully disputes your claim that *[name of student]* qualifies as a homeless child under the law. Furthermore, the District has made a preliminary determination that *[name of student]* is not a resident of our District and, therefore, by law cannot attend school on a tuition-free basis.

We have, as required by law, referred this matter to the *[insert county]* Regional Office of Education and the Illinois Coordinator for the Education of Homeless Children and Youth for further investigation and dispute resolution. The Regional Superintendent of Schools will appoint an impartial ombudsperson for further action.

Within five (5) school days, if possible, the ombudsperson will convene a meeting and attempt to resolve this dispute. During this process, *[name of student]* will be allowed to immediately enroll in the District and fully participate in all school activities on a tuition-free basis until a final resolution of the residency issue is achieved. Depending on the outcome of this meeting, the District may *[charge you tuition] or [deny enrollment]* pursuant to Section 10-20.12a of the *School Code*, 105 ILCS 5/10-20.12a. Please be advised that if you do not wish to appeal to the ombudsperson, we expect you to enroll *[name of student]* in the school district of proper residence.

Please contact me or the *[insert county]* Regional Office of Education with questions regarding this letter or your rights under federal and state law governing students asserting homeless status.

Sincerely,

[Name]

District Homeless Liaison

APPENDIX H

MODEL LETTER NOTICE OF RESIDENCY HEARING

Via Certified Mail, Return Receipt Requested
and First Class Mail

[Date]

[Parent/Guardian Name(s)]

[Street Address]

[City, State Zip Code]

RE: Residency Hearing Notice

Dear *[Parent/Guardian Name(s)]*:

On *[insert date]*, the District received your letter requesting for a residency hearing regarding the Administration's determination that your *[son/daughter]*, *[student's name]*, is not a resident of the District.

The purpose of this letter is to give you official notice that a residency hearing before *[the Board of Education OR a hearing officer designated by the Board of Education]* has been scheduled for *[insert date]* at *[insert time]*. The hearing will be held at the *[insert location]*.

You and the student have the right to be represented at the residency hearing by an attorney or other representative, at your own expense. Please inform me *[by [insert date] OR no later than [insert time frame, such as 48 hours before the scheduled hearing]]* if you will be represented at the hearing and, if so, the name of your representative. At the hearing, you will need to present evidence substantiating that the student is a resident of the District. *[Optional sentence:]* The District reserves the right to have counsel present at the residency hearing regardless of whether or not you have a representative present.

At least three (3) calendar days before the hearing, both parties must disclose to each other all written evidence and testimony that it will submit during the hearing and a list of witnesses that it may call to testify during the hearing. A party who does not disclose the required information is to be prohibited from using it at the hearing without consent of the other party.

Please contact me if you have any questions.

Sincerely,

[Name]

[Position]

APPENDIX I

MODEL LETTER BOARD OF EDUCATION DECISION

Via Certified Mail, Return Receipt Requested
and First Class Mail

[Date]

[Parent/Guardian Name(s)]

[Street Address]

[City, State Zip Code]

RE: **Residency Hearing Decision**
[Student Name]

Dear *[Parent/Guardian Name(s)]*:

Pursuant to the powers of the Board of Education of *[District name]*, *[county name]*, Illinois, to take action in the above-designated residency hearing, the *[Board of Education OR Hearing Officer designed by the Board of Education]* convened an evidentiary hearing on *[insert date]* at *[insert time]* to hear testimony and receive documents concerning the residency of *[student's name]*.

[NOTE - Include only one of the two following paragraphs depending on whether the hearing was before the Board of Education or a Hearing Officer. Remove the italics, bold, and the brackets.]

*[In accordance with the requirements of Section 10-20.12b of the School Code (105 ILCS 5/10-20.12b), the Board of Education heard evidence in *[student's first name]*'s residency hearing at its meeting on *[date]*. The Board of Education may take such action as it deems appropriate based upon the evidence presented at *[student's first name]*'s residency hearing as to whether *[student's first name]* is a resident of the District or not, and the amount of tuition required to be charged under Section 10-20.12a of the School Code (105 ILCS 5/10-20.12a) as a result of the student attending school in the District.]*

OR

*[In accordance with the requirements of Section 10-20.12b of the School Code (105 ILCS 5/10-20.12b), the Hearing Officer submitted a written report dated *[date]* of *[student's first name]*'s residency hearing to the Board of Education on *[date]*. The Board of Education considered the Hearing Officer's residency hearing report at its Board meeting on *[date]*. The Board of Education may take such action as it deems appropriate based upon the evidence presented at *[student's first name]*'s residency hearing as to whether *[student's first name]* is a resident of the District or not, and the amount of tuition required to be charged under Section 10-*

20.12a of the *School Code* (105 ILCS 5/10-20.12a) as a result of the student attending school in the District.]

[Insert summary of the evidence.]

[Insert decision as to whether the student's parent/guardian met the burden of proof that the student is a resident of the District.]

You may petition the *[insert county]* Regional Superintendent of Schools to review the Board of Education's decision. As required by Illinois law, your request for a hearing must be mailed within five (5) calendar days after your receipt this decision of the Board, and must be sent by certified mail, return receipt requested, to the Regional Superintendent of Schools at *[insert address]* and District Superintendent at *[insert address]*. If you submit a petition to the Regional Superintendent of Schools, you may request that *[student's first name]* continue in attending school in the District pending the final decision of the Regional Superintendent of Schools. However, please be advised that if the final decision of the Regional Superintendent of Schools is that the student is not a resident of the District, you will be obligated to pay tuition for the student's attendance during this period.

[NOTE - Include only one of the two following paragraphs depending on whether the student is found to be a resident of the District or not.. Remove the italics, bold, and the brackets.]

*[If you do not submit a petition to the Regional Superintendent of Schools, with a copy to the District Superintendent, because the Board of Education found *[student's first name]* to be a non-resident of the District, *[student's first name]* no longer may attend school in the District effective *[insert date or time period (e.g., 14 calendar days from the date of this letter)]*. The District will calculate and notify you via mail of the tuition charges due and owing for the time *[student's first name]* was a non-resident attending school in the District.]*

OR

*[Since *[student's first name]* was found to be a resident of the District, *[student's first name]* may continue to attend school in the District and you do not owe any tuition for the time the student attended school in the District.]*

Sincerely,

Board of Education of *[District name]*

APPENDIX J

LETTER TO REGIONAL SUPERINTENDENT OF SCHOOLS

Via Certified Mail, Return Receipt Requested
and First Class Mail

[Date]

[Name], Regional Superintendent of Schools
[Insert County] [Regional Office of Education]
[Street Address]
[City, State Zip Code]

RE: Petition for Review of Residency Decision by Board of Education of *[District Name]*
[Student Name]

Dear *[Name]*:

On *[date]*, the Board of Education of *[District name]* determined that *[student's name]* is not a resident of the District. On *[date]*, the District received the *[insert name]*'s petition requesting you review the Board's decision.

Pursuant to Illinois law, enclosed please find a copy of the Board's written decision, a copy of all written evidence and testimony that was submitted by the parties during the hearing, a list of all witnesses that testified during the hearing, and *[the written minutes of the hearing OR the transcript of the hearing OR a verbatim recording of the hearing]*. *[If applicable also include:]* Also enclosed is the District's written response to the petition.

The District looks forward to receiving your decision, which is to be limited to the documentation submitted to you with this letter, as to whether there is clear and convincing evidence that *[student's name]* is a resident of the District and eligible to attend school in the District on a tuition-free basis.

Please contact me if you have any questions.

Sincerely,

[Name]
[Position]

cc: *[Name of person who submitted the petition]*