

GENERAL ADMINISTRATION DIVISION

Report No. 2

OGDENSBURG CITY SCHOOL DISTRICT
OGDENSBURG, NEW YORK

SUBJECT: Board Review and Discussion re: Student Tuition and Residency

DATE: October 21, 2019

REASON FOR BOARD CONSIDERATION:

The Board of Education must review and approve all policies and regulations of the Ogdensburg City School District.

FACTS AND ANALYSIS:

Tuition policy and Residency requirements for students to attend the public school maintained in the district in which said person resides in.

RECOMMENDED ACTION:

No action necessary - discussion only.

APPROVED FOR PRESENTATION TO THE BOARD:



Superintendent

KK/alf
Attachment

Ogdensburg City School District
 Thoughts on Non Resident Students/Aid/Tuition
 10/21/2019

- * Although the State Aid Formula does not run, its enrollment counts are still used for other (aid) purposes.
- * Non-Resident Students do not count in the formula.
- * The following aids are available for Non Resident Students:
 - Library: 6.25 per student
 - Software: 14.98 per student
 - Hardware: 24.20 per student
 - Textbook: No Aid
- * Tuition Rates must be the same for Regular Education and Special Education Students. Although K-6 & 7-12 can have different rates.
- * The rates established by the State for Non-Resident Students are below. Although rates for tuition purposes can not be set higher than the Regular Education Rates for both K-6 & 7-12.

Rates	NRT Report 18-19					
		Reg Ed k-6	Sp Ed k-6	Reg Ed 7-12	Sp Ed 7-12	
		\$ 1,585	\$ 20,635	\$ 3,018	\$ 22,068	
- * It is understood that you can not discriminate when allowing children into the School System... you can not pick and choose.
- * Special Education Students can be claimed for Excess Cost Aid, only after the threshold of current \$42,396 of expense has been reached. Any expense above that amount is aidable at the current aid ratio of 82.8%.

example:

A \$100,000 cost student	\$ 100,000.00
	<u>\$ 42,396.00</u> less threshold
	\$ 57,604.00
	x .828 Aid Ratio
	<u>\$ 47,696.11</u> Possible aid to receive
	\$ 52,303.89 District cost after aid

POLICY

2003 7132.1

Students

SUBJECT:NON-RESIDENT STUDENTS

The following guidelines will be followed *for tuition students in the Ogdensburg City School District:*

- a) Parents/guardians must work out transfer conditions with home school district.
- b) There is sufficient space to accommodate the non-resident student;
- c) No increase in the size of faculty or staff will be necessary to accommodate them;
- d) All rules and regulations in effect for District students will be applicable to non-District students.
- e) Foreign students participating in a recognized Student Exchange Program may attend District schools. The administration is authorized to file with the U.S. Immigration and Naturalization Service the forms necessary for such students to obtain a student visa. The District will neither sponsor nor accept for admission students whose permanent residence is outside of the United States who are not participating in a recognized foreign student exchange program.
- f) In all cases described above and any unusual circumstances not covered above, a written request must be submitted to the Superintendent.
- g) Effective 7/1/07 Non-resident tuition-paying students will no longer be admitted entrance into the Ogdensburg City School District.
- h) Non-resident tuition-paying students who were enrolled prior to and including the 2006-2007 school year in grades K-12 will continue to be enrolled
- i) All tuition payments must be made prior to entrance of school for the year.

Non-resident families must provide their own transportation.

Tuition may be charged to families of non-resident students in accordance with formulas approved by the State Education Department.

Education Law Sections 1709(13), 2045 and 3202
8 New York Code of Rules and Regulations

Adopted: 8/18/03
Revised Adopted 7/16/07

(NYCRR) Section 174.2

SUBJECT: ENTITLEMENT TO ATTEND -- AGE AND RESIDENCY

Entitlement to Attend

All persons residing within the District who are between the ages of five (5) years and twenty-one (21) years and who have not obtained a high school diploma are entitled to enroll in the District.

A student who becomes six (6) years of age on or before the first of December in any school year shall be required to attend full-time instruction from the first day that the District schools are in session in September of such school year, and a student who becomes six (6) years of age after the first of December in any school year shall be required to attend full-time instruction from the first day of session in the following September. Each student shall be required to remain in attendance until the last day of session in the school year in which the student becomes sixteen (16) years of age. **Additionally, any student from sixteen (16) to seventeen (17) years of age who is not employed will be required to attend full-time instruction until the end of the school year in which such student turns seventeen (17) years of age.*

Evidence of a prospective student's age and residency must be presented in such form as is permitted by state and federal law and regulation.

Determination of Student Residency

"Residence," for purposes of this policy, is established by a child's physical presence as an inhabitant within the District and his/her intent to reside in the District.

A child's residence is presumed to be that of his/her parents or legal guardians. Where a child's parents live apart, the child can have only one legal residence. In cases where parents have joint custody, the child's time is essentially divided between two (2) households, and both parents assume responsibility for the child, the decision regarding the child's residency lies ultimately with the family. Where parents claim joint custody, but do not produce proof of the child's time being divided between both households, residency will be determined on the basis of the child's physical presence and intent to remain within the District.

The presumption that a child resides with his/her parents or legal guardians may be rebutted upon demonstration that custody of such child has been totally and permanently transferred to another individual. The District will not acknowledge living arrangements with persons other than a child's parents or legal guardians which are made for the sole purpose of taking advantage of the District's schools.

The presumption that a child resides with his/her parents or legal guardians may also be rebutted upon demonstration that such child is an emancipated minor. To establish emancipation, a minor may submit documentation of his/her means of support, proof of residency, and an explanation of the circumstances surrounding the student's emancipation, including a description of the student's relationship with his/her parents or persons in parental relation.

(Continued)

POLICY

2003

7130
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Students

SUBJECT: ENTITLEMENT TO ATTEND -- AGE AND RESIDENCY (Cont'd.)

Notwithstanding the foregoing, all determinations of student residency will be made consistent with applicable state and federal laws and regulations.

Undocumented Children

The District is mindful that undocumented children are entitled to attend the District's schools, provided they meet the age and residency requirements established by state law. Consequently, the District will not request or require on any enrollment or registration form, in any meeting, or in any other form of communication, any documentation and/or information regarding or tending to reveal the immigration status of a child, a child's parent(s) or the person(s) in parental relation. In the event the District is required to collect such information, the District will do so after the child has been enrolled. In no instance will such information be required as a condition of enrollment or continued attendance.

Children of Activated Reserve Military Personnel

Students temporarily residing outside the boundaries of the District, due to relocation necessitated by the call to active military duty of the student's parent or person in parental relation, will be allowed to attend the public school that they attended prior to the relocation. However, the District is not required to provide transportation between a temporary residence located outside the District and the school the child attends.

Homeless Children

Determinations regarding whether a child is entitled to attend the District's schools as a homeless child or youth will be made in accordance with Section 100.2(x) of the Commissioner's Regulations, as well as applicable District policy and regulation.

Education Law Sections 3202, 3205 and 3218
Family Court Act Section 657
8 NYCRR Sections 100.2(x) and (y)

NOTE: Refer also to Policies #7131 -- Education of Homeless Children and Youth
#7132.1 -- Non-Resident Students

Adopted by the Ogdensburg City School District Board of Education: March 23, 2015