

## SCHOOL ADMISSIONS REGULATION

### *Registering Students*

#### Definitions

As used in this policy and regulation, “parent” or “parents” shall mean only the child’s natural or adoptive (pursuant to court order) parents or the particular parent having legal custody of the child pursuant to duly executed, written agreement or court order.

“Guardian” shall mean only a child’s guardian duly appointed by order of a court of competent jurisdiction.

“Resident student” shall mean only:

1. Every unemancipated child of school age who resides with a person of parental relation as defined by section 3212 of the Education Law, where such person in parental relation is a resident of this district; and
2. Every duly emancipated child of school age who maintains his or her only actual bona fide residence within this district; and
3. Every child deemed to be a resident of this district pursuant to the express mandate of section 3202 of the Education Law, or pursuant to the express mandate of any other statute the State of New York.

All other students shall be deemed “nonresident students.”

#### Evidence of Residence in the District

Prior to enrolling children in school, the parents or those in parental relationship to the child or children shall provide the Superintendent of Schools with convincing proof of actual and current residence in the district, unless they are admitted under the “Future Residents” provision cited below.

- Proof of residence in the case of homeowners must consist of copies of real estate tax bills or deeds showing ownership of the house at the address shown, together with additional documents such as telephone bills, copies of driver’s licenses, portions of income tax forms showing address, and any similar documentary evidence. Further, if the residents are not already registered as voters in the school district, they will be afforded the opportunity to do so at that time, thereby swearing to their residence in the district. Residents seeking to enroll students may be required to complete a notarized statement of residence on a form provided by the district.

- Proof of residence in the case of those renting property must consist of a signed lease, together with the completion of a notarized affidavit from the landlord stating the landlord's assurance that the party is in fact living in the quarters on a full-time basis as their sole legal residence, and further describing the extent of the quarters rented (i.e., number of square feet, number of bedrooms, etc.). Non-owner residents will also be expected to supply further documentary evidence in the form of telephone bills, portions of income tax forms showing address, copies of driver's licenses, etc. Further, if the residents are not already registered as voters in the school district, they will be afforded the opportunity to do so at that time, thereby swearing to their residence in the district.
- In cases where the parents are living in the district in the home of their relatives, friends, or in combination with other families, documentary proof shall consist of a sworn affidavit setting forth the circumstances and affirming that this is their sole and only legal residence. They must also provide other documentation similar to that of the other categories of residence.

#### Follow-up Residence Determinations

In the event a question is raised as to whether persons enrolling students are in fact continuing to be residents, that matter shall be referred to the Superintendent of Schools for investigation.

If it is determined that the persons are not residents, the Superintendent, or his/her designee shall immediately exclude the students from attendance, in accord with the provisions of the Education Law and procedures of the Regulations of the Commissioner of Education. Further, the families shall be required to pay back tuition for the period when they had illegally enrolled students, although not residents of the district.

Finally, the Superintendent is directed to regularly publicize a summary of the above provisions in district publications.

#### *Visitors*

In rare cases, students who are enrolled or graduates of secondary schools in other countries may be enrolled in the high school as Visitors, upon the approval of the Board of Education and the Superintendent. Such Visitors (or their host family) will be charged a fee according to the following schedule: 50 percent of regular tuition if enrolled in three or fewer classes, 100 percent if enrolled in more than three classes. Permission to attend on Visitor status will be limited to a period not to exceed one year.

*Foreign Exchange*

Students enrolled in an accredited foreign exchange program and residing with a district family may be admitted on a tuition free basis, not to exceed a period of one year upon the approval of the Board of Education. **Notification to the school district regarding the intent to enroll a foreign exchange student must be made no later than May 1st prior to the start of the school year the student wishes to attend.**

*Former Students*

Every student who, when first registered for a particular school year was a resident student, and whose parents or guardian have moved out of this district on or after January 31 of that particular school year, may complete that particular school year without the payment of tuition.

A regularly enrolled student who has completed the entire 10<sup>th</sup> and 11<sup>th</sup> grade in the Cold Spring Harbor District and whose family has moved from the school district, may complete grade 12 without payment of tuition upon the approval of the Superintendent.

*Future Residents*

In the discretion of the Board, a nonresident student may be enrolled in the district's schools, as a "future resident" upon the following conditions:

1. The nonresident student's parents or guardians must furnish clear and convincing documentary proof that within 120 calendar days of the requested date of admission, the parent or guardian and the student will be residents of the district. For the purposes of this policy a "resident of the district" is one who occupies a completed dwelling within the district, as a permanent resident.
2. The nonresident student's parents or guardians must deliver a certified or bank check for four months' tuition for the student to be enrolled in the district. The tuition shall be at the rate established for nonresident tuition students.
3. The nonresident student's parents or guardians must submit a written application, on a form provided by the district, agreeing to the following terms:
  - (a) Until such time as the parents or guardians and student become residents of the district, the student shall be deemed a nonresident student.
  - (b) In the event the parents or guardians and student become residents of the district within 90 days of the student's admission into the district's schools, the sum deposited as tuition shall be returned.

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- (c) In the event the parents or guardians and student do not become residents of the district within 90 calendar days of the student's admission into the district's schools, the district shall deduct daily tuition for such child from the sum deposited, commencing with the 91st calendar day after admission.
  - (d) In the event the parents or guardians and student do not become residents of the district within 120 calendar days of the student's admission, the parents or guardian shall forfeit the remaining deposit; and the student shall be excluded from enrollment in the district schools. The parent or guardian shall also agree to waive any requirements pursuant to law, rule or regulation that the Board or district conduct proceedings to determine whether the student is a resident entitled to attend its schools. The parents or guardian may request to continue the registration of a student according to the applicable nonresident tuition policy or may withdraw the student from attendance.
4. After consideration and careful investigation, the Superintendent may recommend an alternative for the payment of tuition as stated above for the nonresident student, which shall be subject to the discretion of the Board.
  5. A tax offset may be used, if applicable.
  6. The Superintendent is authorized to recommend to the Board of Education the acceptance of nonresident students as "future residents."

### *Nonresident Tuition Students*

Generally, the school district will not accept nonresident tuition students, however, under extraordinary situations tThe Superintendent of Schools is authorized to recommend to the Board the acceptance of nonresident students on a tuition basis. Such admissions are dependent upon classroom space availability and must not require additional staff or facilities.

Such admission also requires the affirmative recommendation of the Building Principal following a personal interview and review of academic and behavior records. Assignment to a particular school shall be determined by the Superintendent. Unless otherwise authorized by the Board, attendance by nonresident tuition students will be limited to 20 students. Normally, students must be admitted prior to the senior year. In order to maintain compliance with the above conditions, all requests for admission must be approved annually. It is the intent of the district to maintain continuity in enrollment for these students, whenever practical.

### *Payment of Tuition*

All resident students of this district shall be entitled to attend school without payment of tuition.

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Nonresident students shall pay tuition in accordance with the established schedule and tuition rates, as determined by the formula adopted by the State Education Department, shall be increased each year by the percentage increase, if any, of the budget. One quarter of the tuition is due on or before September 1st; one quarter by December 1st, and the remaining half is due on or before February 1st. Failure to pay by those dates will result in suspension of student attendance until the bills are paid.

All other costs normally required of resident students will be over and above tuition charges (i.e., field trips, lunch, etc.).

In the rare cases of class limits, priority for enrollment will be given to resident students over nonresident students.

The tuition student is responsible for transportation to and from school. Should space permit, a nonresident tuition student may board a district bus at one of its established stops within the district.

This policy is not applicable to homeless students entitled to attend district schools under federal and state law and regulations, who may not be currently residing in the district (see policy 5151, Homeless Children). Homeless students who are not entitled to attend district schools under federal and state laws may be considered for non-resident enrollment under this policy. This policy is also not intended to cover students who are placed in district programs by agreement with, and paid for by, another school district.

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