

**Students – Attendance**

**Admission of Non-Resident Students**

The Board of Education affirms that its primary responsibility is to provide the best possible educational opportunities for the children who are legal district residents and who are of legal age to attend school. The will accept non-resident students into the Tuxedo School District as follows:

**1. Future Residents**

The children of families who have signed a contract to rent, buy or build a residence in the School District may be enrolled during the semester in which they expect to become residents. At the end of the current school year the Superintendent or designee must be provided with documentation confirming that the family has established residency in the School District.

Such families shall be required to pay the prescribed tuition per semester, in advance. The tuition shall be refunded to any such family for the semester in which the family provides proof of residency in the School Districts.

**2. Former Residents**

All students who move out of the School District in the middle of either semester of any school year may be allowed to remain in the District until the end of that semester without the payment of tuition. Upon the recommendation of the High School Principal, a student in the twelfth grade may be allowed to complete his/her senior year within the School District.

**3. Agency Placements**

Children placed in the School District and maintained by a social services agency shall be admitted on a tuition basis, to be paid by the home school district.

**4. Other School Districts**

A. Students from other school districts placed in special education programs in this School District by their Committee on Special Education, on a tuition basis, to be paid by the sending school district.

B. Students from other school districts without a high school, on a tuition basis, to be paid by the sending school district.

## **5. Students in Temporary Housing**

Homeless students and students in foster care in accordance with law.

## **6. Non-Resident Students upon Parent/Guardian Request and Payment of Tuition**

The Board of Education may decide to provide educational services for a fee (tuition) to students in good standing from outside the geographic boundaries of the School District (“Non-Resident Students”) on a space-available basis. For purposes of this Policy, the term, “student in good standing” shall mean a student who has not, within the preceding 12 months, received any disciplinary referrals from the current school of attendance that would be a violation of the Tuxedo Union Free School District Code of Conduct (“District Code of Conduct”) and/or engaged in conduct (either on or off District property) that would be violative of the District Code of Conduct if committed on District property. When making such determinations, the Board shall give consideration to present and future enrollment projections (on a school-by-school, grade-by-grade and class-by-class basis), District class size guidelines, staffing requirements, the school’s physical facilities, and the economic and school climate effects (both positive and negative) of admitting out-of-District applicants to the School District as non-resident, tuition-paying students.

It is the District’s intent that all non-resident, tuition-paying students in good standing be treated in the same manner as resident children with respect to educational services and opportunities, including participation in co-curricular, extra-curricular and inter-scholastic activities, and with respect to rights and responsibilities under Board policies, the Code of Conduct and individual school rules. Non-resident tuition students shall not receive transportation services from the District.

### **Terms and Conditions Governing the Admission of Non-Resident Students**

The Superintendent of School shall be authorized to admit a non-resident student upon his/her determination that:

- The student’s educational needs can be met by existing staff;
- Such admission shall not require the expenditure of additional local funds or the hiring of additional staff;
- The student’s admission shall not cause a classroom or a building to exceed student capacity as defined by law, regulation or Board policy;
- The student is determined to be a student in good standing in his/her current school (i.e., is not on academic probation, has not been the subject of any out-of-school

suspensions in the past school year, has not been the subject of discipline for a violent infraction of the District Code of Conduct during the last two school years); and

- The needs of the student can be met within the District's existing programs.

The responsibility for school and grade placement of new non-resident, tuition-paying students rests exclusively with the District, which will consult with the student's parent(s)/guardian and former school (if necessary) concerning such placement and review the student's prior educational record.

### **Application Guidelines**

New applicants for admission will be considered upon submission of a pre-registration application form accompanied by payment of a non-refundable application (if pre-registration application is submitted by April 1<sup>st</sup> preceding school year of enrollment, the non-refundable application fee will be reduced by half per student registered) and upon an interview. In order to be considered for admission, a student's parent must give written consent to permit the District to contact the student's former school district for transfer of records, including discipline records, and for information from the school/school district as to whether or not the student is in good standing. In the event that there are fewer spaces than applications, applications will be considered in the order in which they are received. Tuition will be discounted based upon number of children enrolled and will be as follows: (2) two children enrolled-10% reduction of total tuition (exclusive of scholarship awards if applicable,) (3) three or more students enrolled-15% reduction of total tuition (exclusive of scholarship awards if applicable0).

Previously enrolled non-resident, tuition-paying students must annually (by June 1) apply for re-enrollment with the District. Previously enrolled non-resident, tuition-paying students will be allowed to re-enroll until withdrawal from the District, or high school graduation, whichever comes first, for as long as the student remains in good standing and tuition is timely paid.

The District, however, reserves the right to discontinue enrollment or deny re-enrollment to any student if his/her continued attendance is not deemed to be in the best interest of the district and/or the student (e.g., the student is not attending school on a regular basis, the student commits a violent act or serious infraction of the District Code of Conduct). If a student's enrollment is discontinued on this basis, tuition will not be refunded. If a parent(s) wishes to submit an application for enrollment of a sibling of a currently enrolled, non-resident, tuition-paying student, the application must be filed by May 15 in order to receive preference, if space is available. If received after May 15, such

application will be considered on a first-come, first-served basis, along with all other new applicants. Nothing in this policy provides for the automatic admission of a non-resident student on the basis that a sibling is admitted.

On or about June 15 of each school year, the Board shall determine whether space is available for new non-resident, tuition-paying students and the administration shall promptly advise the pool of applicants of such determination and their individual acceptance or non-acceptance, as the case may be.

### **Discipline/Suspension From School**

The due process requirements applicable to resident students shall apply to non-resident students prior to disciplinary action, including but not limited to suspension from school. If a non-resident student does not remain in good standing, the Board may, in its sole discretion, refuse to re-enroll the student in the future. The student shall receive notice of the Board decision and the reasons behind it, and the Board will offer the student and the parent the opportunity to discuss the decision with the Superintendent.

### **Transportation**

As a condition of acceptance of a non-resident student, the Parents of such student and the student, as applicable, agree to the following:

- Transportation will be provided for non-resident students if and only if existing bus routing is used, and there is sufficient room on the bus and there is no additional cost to the district.
- Otherwise, the parents shall be responsible for arranging for the transportation of the student to and from the District and shall provide the District with the name of another adult who shall be responsible for the transportation of the student, if the parent is not available, in the event of early dismissal. It is the parent's responsibility to ensure that the child arrives at school on time and is picked up from school on time.
- Failure to make appropriate arrangements for the transportation of a non-resident student, including on days requiring early dismissal due to emergency or otherwise will result in consideration of discontinuing the student and/or refusing to re-enroll the student in the future.

### **Student Conduct**

- The student shall be subject to the same rules governing student attendance, performance and discipline as resident students and shall be required to comply with the same rules. Any violation of the District Code of Conduct, Board policy and/or school rules, including, but not limited to, excessive tardiness, truancy or other infractions that

would result in the suspension of a resident student from school, shall constitute a basis for the student's discipline, including suspension from school, and refusal to re-enroll the student in the future.

Prior to any disciplinary action the District shall provide the parent with due process in accordance with the District Code of Conduct.

- A non-resident student suspended for violent or other serious infractions of the District Code of Conduct, or otherwise not following the rules set forth in Board policy and/or school rules, shall not be readmitted under this policy.

### **Extra Curricular Activities**

- To the extent otherwise eligible, all non-resident students admitted pursuant to this policy shall be allowed to participate in all activities/sports to the same extent as resident students of the District, except that the parents of such students shall be responsible for transportation of the student from any after school activities to their home.

### **Special Education Services**

As a condition of enrollment of a non-resident student by another school district in the Tuxedo Union Free School District on a tuition basis, such school district understands and acknowledges that the student's district of residence shall retain all child find and other responsibilities consistent with the Individuals with Disabilities Education Act and New York State Education Laws and Regulations in regard to providing a free appropriate public education. The student's district of residence remains responsible for evaluation, classification and development of any individualized education programs (IEPs) and for recommending appropriate services.

### **Tuition**

The Board shall establish its tuition rates annually by June 1. The maximum tuition will be calculated based upon a modified Seneca Falls formula that reflects proposed budget, the projected revenue and student enrollment. Methods of payment (e.g., monthly by the 1<sup>st</sup> day of each month preceding attendance) may be arranged in the District Office and be approved by the Superintendent. Non-resident status and continued attendance in the

District is contingent upon timely payment of tuition fees as established and is non-refundable.

In the event that the Board permits the attendance on a tuition basis of a non-resident student whose parent/guardian owns real property in the District and who pays school tax on such property, the Board will deduct the amount of such school tax from the tuition fee.

### **Miscellaneous**

Nothing in this policy shall require the District to assume responsibilities for the education of a non-resident student beyond those specifically outlined above. In the case of another school district seeking to enroll a non-resident student in Tuxedo Union Free School District, all services not specifically referred to herein shall remain the obligation of the student's district of residence, including, but not limited to kindergarten screening, any referrals, evaluations and program reviews by the committee on special education, there provision of any special services to which the student may otherwise be entitled which are not available within the District in a manner consistent with the terms and conditions of the policy set forth herein.

### **Policy Review**

This policy shall remain in effect for a period one year from the date of approval, and shall sunset one year from the date of approval unless the Board acts to extend the policy resolution.

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