

POLICY

2019

7132

1 of 2

Students

SUBJECT: NON-RESIDENT STUDENTS

Except as provided for in this policy, non-resident families shall not be permitted to enroll children in the Tonawanda City School District.

Non-Tuition Students

Former Residents

A 12th grade student who moves from the District during the course of his/her senior year may be given permission to remain in the Tonawanda City School District until graduation, as long as he/she is eligible to graduate at the end of that school year. All other non-resident students may file a request to the Superintendent, in writing, seeking permission to remain in the district until the end of 10 weeks, 20 weeks, 30 weeks, or the end of the school of the school year in which they became a non-resident student and provided that they meet the conditions as follows:

- a) There is sufficient space to accommodate the non-resident student;
- b) No increase in the size of faculty or staff will be necessary;
- c) Admittance will not result in the establishment of a new section;
- d) Parents/guardians must work out transfer conditions with the home school district and provide their own transportation;
- e) All rules and regulations in effect for District students will be applicable to non-District students;
- f) The non-resident student must continue to physically attend school in the Tonawanda City School District for the entire school day.

Foreign Exchange Students

Only foreign students participating in a recognized Student Exchange Program through the American Field Service under a J-1 Visa may attend District schools without payment of tuition provided that arrangements are made with the District at least thirty (30) days in advance of the first scheduled date of attendance. The supervising family must prove and maintain residence in the district. The Superintendent or designee is authorized to file with the U.S. Department of Homeland Security the forms necessary for the monitoring of non-immigrant foreign students during the course of their stay in the District in accordance with the Student and Exchange Visitor Information System (SEVIS).

(continued)

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7132

2 of 2

Students

SUBJECT: NON-RESIDENT STUDENTS (Cont'd.)

Proof of Residency

Such sworn statements along with documentary evidence as shall be required by the Superintendent, designee, and/or Board of Education must be furnished prior to the admission. The admission of homeless children will be in accordance with law.

Reservation of Claims

Should a material misstatement of fact be made and relied upon by the Superintendent, designee, or the Board in admitting a non-resident student without tuition, the Board shall be entitled to recover the cost of instruction for the time the student was not authorized to attend a school in the District from the person having made the misstatement or from a person in parental relation to the student together with the costs, including any legal fees related to such action.

Tuition Fees

Where applicable, tuition fees are computed according to a formula established by the Commissioner of Education. Tuition of individual non-resident students shall be computed in advance at the time of enrollment. Non-resident status is contingent upon timely payment of tuition fees prior to commencing attendance as established by the Board. Lump sum payment for each semester shall be paid prior to the start of the semester. Failure to make timely payment shall result in the removal of the student from the school. The District reserves the right to seek such payments in a Court of competent jurisdiction and may recover the costs of any action, including, but not limited to tuition, attorney's fees, and other costs.

8 United States Code (USC) Chapter 12

Education Law Sections 1709(13), 2045 and 3202

8 New York Code of Rules and Regulations (NYCRR) Section 174.2

NOTE: Refer also to Policy #7131 -- Education of Homeless Children and Youth

Adoption Date 9/28/10

Revised 12/21/10, 7/9/13, 11/12/19