

DOCUMENTATION OF RESIDENCY AND NON-RESIDENT STUDENTS

I. Purpose and Intent

The principal obligation of the Berlin Central School District Board of Education pursuant to the Education Law is the provision of a free public education to each school-age resident of the District.

II. Residency

The Board of Education establishes that, at the time a student is presented for enrollment in the District, the person in parental relation to the student or, if the student is emancipated, the student, may be asked to present evidence of the student's residency in the District.

Because of the comparable responsibility imposed by law on every other school district in New York State and the limitations on the District's resources, the Board establishes that non-resident students will be admitted to the District's schools only when:

- A. such admission is provided for in the collective bargaining agreements of the District.
- B. a student whose parent is a non-resident of the District becomes a resident by moving into a household located in the District, where a member of that household has assumed legal custody of the student.
- C. a non-resident student is a foreign national and:
 - 1. is associated with a well-established and officially recognized pupil exchange program, such as American Field Service, International Fellowship, Inc., Rotary Exchange Students, and Experiment in International Living, and
 - 2. the student's "host" family resides in the District, and
 - 3. prior written approval for the student's school attendance in the District has been obtained from the Superintendent of School.
- D. a family has made a binding financial commitment to move into the District, but the move will not occur until after the start of the school year, so long as:
 - 1. the family's move into the District is scheduled to occur within six (6) weeks of the date of requested admission, and

2. the student's parent or guardian assumes full responsibility for transporting the student.
- E. a student's family has moved out of the District, and less than half the number of days in the regularly scheduled school year remains in the school year, but with the condition that the parent or guardian assumes full responsibility for transporting the student.
 - F. there is a State mandate.

III. Tuition

No tuition shall be charged to non-resident students identified in paragraphs I through 5, above. Tuition shall be charged to all other non-resident students. The rate of tuition charged shall be set by the Board and shall not exceed the amount that is prescribed by State formula. Nothing herein shall preclude the school District from levying charges on other school Districts or government agencies for services to non-resident students where permitted by law.

The provisions of the 1996 Illegal Immigration Reform and Immigrant Responsibility Act, which requires payment of tuition by any foreign student attending school in the District on an F-i non-immigrant classification, shall be strictly adhered to.

IV. Implementation, Rules and Regulations

The Superintendent of Schools shall be responsible for the implementation of this policy and shall develop rules and procedures accordingly.

In making determinations under the authority granted to her/him in this policy, the Superintendent shall make a timely report to the Board of her/his determination(s) in such matter(s). The District shall not discriminate in its determination of whom to admit on the basis of race, religion, sex, national origin, or disability.

References

P.L. 104-208
Education Law Secs. 2040, 2045, 3202, 3205
8 NYCRR Part 174