

- ( ) Required  
 (X) Local  
 ( ) Notice

### 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.

A non-resident student is defined as a child who does not actually reside in this School District pursuant to Policy 5130, Student Enrollment and Residency. A non-resident student may be admitted to district schools upon payment to the district of the Board-adopted tuition charge and upon submission of a written application to the Superintendent, if and only if, in the judgment of the Superintendent:

1. there is sufficient space to accommodate the non-resident student;
2. no increase in the size of faculty or staff will be necessary to accommodate them;
3. the non-resident student meets the district's criteria for admission; and
4. the admission of such non-resident student is and continues during the enrollment period to be in the best interests of the district.

All admissions will be for one (1) school year only and will be considered annually for readmission. The district reserves the right to terminate educational services to a nonresident student if he/she fails to follow laws or district policies.

#### Future Residents

Under limited circumstances, children of future residents will be permitted to attend district schools prior to the date on which their parent or person in parental relation becomes a legal domiciliary of the district. Where a non-resident presents documentary evidence of intent to acquire a domicile within the district by no later than October 31st of the school year, the district may admit the child in September of that school year. The parent or person in parental relation to the child must furnish an executed contract for the acquisition of a domicile within the district with a closing date not later than October 31st, or an executed lease with an occupancy date not later than October 31st. In each such instance, the non-resident must demonstrate a present intention to occupy the leased or acquired premises as his/her principal domicile by no later than October 31st.

In addition, the non-resident must agree to pay pro-rated non-resident tuition for the period of time when such individual is not legally domiciled within the district but the child attends a district school as a future resident. Tuition rates

are based upon the formula established in the regulations of the Commissioner. If the parent or person in parental relation actually establishes his/her principal domicile within the district on or before October 31st, all tuition paid hereunder shall be refunded within thirty (30) days from the date on which the district is furnished with written proof that the student has become a domiciliary. If the parent or person in parental relation fails to actually relocate by October 31st, the district may in its sole discretion summarily exclude the student as a non-resident and not refund tuition paid or may institute a new tuition payment schedule.

"Purchase", as used in this Policy, shall mean the actual taking of title to a house, condominium or cooperative dwelling. (If the deed is being recorded and is not currently available, an attorney's closing statement will be accepted as a temporary substitute, but the deed must be submitted within 30 days.) "Lease", as used in this Policy, shall mean to have a fully executed agreement to lease the subject premises for the period of time included within a school year. "Imminent" is defined as about to reside in a house or apartment that is already owned or leased, that is not ready for occupancy, but is expected to be ready for occupancy within three months' time.

Non-resident families who have purchased or leased a house or an apartment in this School District during the Summer, but who do not actually live in such dwelling, shall be entitled to enroll their child or children in this School District for the months of September and October on a tuition-free basis, under the condition that occupation of said house or apartment is imminent and provided that the parent or guardian signs a statement to that effect, also indicating a commitment to pay tuition effective November 1st (as outlined below) for the privilege of sending their child or children to the Dobbs Ferry Schools at the beginning of the school year.

Non-resident families who purchase or lease a house or apartment in this School District during the months of September through June, but who do not inhabit such dwelling, shall be entitled to enroll their child or children in this School District for 60 days tuition-free, under the condition that occupation of said house or apartment is imminent and provided the parent or guardian signs a statement to that effect and is willing to pay tuition effective the first day following the tuition-free period (as outlined below) for the privilege of educating their child or children in the Dobbs Ferry Schools.

Non-resident families obligated to pay tuition as defined above and who are not residents of this School District after the tuition-free period expires, shall petition the Board of Education within 30 days for an extension of time or shall remove their children from the School District effective that day. Tuition for successive months for children of non-residents approved by the Board shall continue to be due and payable on the first of each month.

Non-residents who have paid school taxes in this School District and whose children have been accepted on a tuition basis shall be entitled to deduct such paid school taxes from monthly tuition payments on a pro-rated basis; (i.e., total annual tuition less total taxes paid divided by 10 months).

The condition of being a taxpayer in this District does not automatically entitle the taxpayer to register a child in this School District unless the residency requirement in Policy 5130, Student Enrollment and Residency is met.

Non-resident children who are in the District for brief periods of time such as while on vacation, on holiday or while in route to another permanent domicile, shall not be accepted for enrollment in this School District, nor shall they be entitled to transportation or any other services from the District.

#### Transportation

Transportation will not be provided for nonresident students

#### School Staff

The enrollment of children of employees residing outside the district is determined by agreements in labor contracts and compensation packages

#### Former Residents

Parents or persons in parental relation moving from the district after the start of the school year will be charged a prorated share of the full tuition rate from the date of departure to the end of that school year, if they wish to have their child finish the school year in a district school.

High school seniors whose parents change their place of residence after October 31st may be permitted, at the discretion of the Superintendent, to matriculate for the remainder of that school year without payment of tuition. Permission will be considered only upon the written request of the parent or guardian. If the student will subsequently reside outside of the district, no transportation will be provided by the district.

#### Exchange Students

Foreign exchange students participating in a recognized foreign student exchange program may attend District schools. 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. The

parents of the exchange student may be required to pay any costs associated with requirements of federal, state, or local laws and regulations, including any mandated monitoring. {DISCUSS}

#### Failure to Pay Tuition

Failure to pay tuition in a timely fashion as defined above shall be sufficient cause to require parents or guardians to remove their children from the rolls of this School District immediately on notification that they are in default.

#### Right to Appeal

Whenever a child is to be denied admission to the schools in this District or is requested to discontinue matriculation in the District for the reason of not being a resident as defined in Policy 5130, Student Enrollment and Residency, the procedures set forth in Commissioner's Regulations shall be followed. Pursuant to that Regulation, the Board shall determine matters of residency. Appeals of decisions rendered by a designee of the Board of Education may be made to the Board. The decision of the Board of Education shall be subject to appeal to the Commissioner of Education.

NOTE: The policy should specify whether the district will provide transportation to non-resident students and, if so, under what conditions.

Ref: Education Law §3202(2)

Adoption date: November 5, 2009