

Niles Elementary School District No. 71

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7.60

Residency of Students

In order to attend District 71 schools on a tuition free basis, a student must be a legal resident of District 71. Only resident students of District 71 may attend District 71 schools without payment of the tuition required to be charged under Section 10-20.12a of the Illinois School Code. In determining residency, the residence of the person who has legal custody of a student is deemed to be the residence of the student. The residency of a homeless student or students for purpose of determining what school the student will attend on a tuition free basis shall be determined in accordance with the Education for Homeless Children Act. The residency of students eligible for special education and related services shall be determined consistent with Article 14 of the Illinois School Code.

Where a student's change of residence is due to the military service obligation of the student's legal custodian, the student's residence will be deemed to be the same as that immediately prior to the military service obligation, for the duration of the custodian's military service obligation, so long as the student's custodian makes a written request to District 71 prior to his or her military service obligation or as soon thereafter as practicable. District 71 is not responsible for transportation of the student to or from school. Additionally, if at the time of enrollment, a student who is the dependent child of military personnel is housed in temporary housing located outside of District 71 but will be moving into District 71 within 60 days of the time of enrollment, the student must be permitted to enroll and must not be charged tuition.

Proof of Legal Custody and Residency

At the time of enrollment, the adult enrolling the child must establish that he/she has legal custody of the child and that he/she is a resident of District 71. The determination of legal custody and residency shall be made in accordance with District Administrative Procedure 7.60 E1 and 7.60 E2.

Students Determined to be Nonresident

If the Superintendent or designee determines that a student who is attending school in District 71 on a tuition free basis is a nonresident of District 71 for whom tuition is required to be charged, the Superintendent or designee shall notify the individual who enrolled the student of the amount of tuition due and owing. The individual may request a hearing to review the determination of the Superintendent or designee in accordance with District Administrative Procedure

Tuition for Nonresident Students

Resident parents/custodians of students who become nonresidents of District 71 during a school term will not be charged a tuition fee for the remainder of the school term during which they become nonresidents.

Parents/custodians who are purchasing or having residences constructed within the District's boundaries but who are not as yet official residents shall pay tuition at the time they wish to enroll their child (children). Tuition shall be reimbursed to these parents/custodians if they close on the purchase of their residence and take occupancy within sixty (60) days of registering their child (children) in the District. Should their closing and occupancy occur sixty-one (61) days or more after registration of the child (children), no tuition payments shall be reimbursed. They shall, however, not make any further tuition payments once they have closed and have taken occupancy of their home within the District's boundaries.

Fraudulent Enrollment

A person who knowingly enrolls or attempts to enroll in District 71 schools on a tuition free basis a student known by that person to be a nonresident of District 71 shall be subject to prosecution for said offense.

A person who knowingly or willfully presents to District 71 any false information regarding the residency of a student for the purpose of enabling that pupil to attend any school in District 71 without the payment of a nonresident tuition charge shall be subject to prosecution for said offense.

LEGAL REF.: 105 ILCS 5/10-20.12; 5/10-20.12a; 5/10-20.12b; 5/14-1.11; 5/14-1.11a;
Illinois Education for Homeless Children Act, 105 ILCS 45/1-1, et seq.;
McKinney-Vento Homeless Assistance Act, 42 U.S.C. Sec. 11431, et seq.
ADOPTED: June 20, 1995
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