

NONRESIDENT STUDENTS

The District exists to provide publicly supported education to District residents. The District will not enroll nonresident students unless required by the New York State Education Law, policies of the School District, or collective bargaining agreements.

The District does not accept nonresident students.

Notwithstanding the foregoing, nonresidents who are the children of District employees, or are the children of former District employees whose job duties and functions have been transferred to Broome-Tioga BOCES, are exempt from this policy and will be permitted to attend in accordance with this policy as nonresident students. Nonresident students shall only be admitted on a tuition basis. All tuition must be paid in full prior to the enrollment of students for the school year or partial year. The Board of Education will determine the tuition at each annual reorganization meeting.

Nonresidents meeting the above criteria and desiring to enroll students in the School District must complete the "Nonresident Student Application." The Superintendent shall review the application to become a nonresident student of the School District. The Superintendent shall determine whether there are programs and facilities to assist the particular applicant, and whether the applicant will benefit from course of instruction that is currently being offered at the School District.

Prior to enrollment of a nonresident student, the parent or student must sign the "Nonresident Elementary Student Agreement" or the "Nonresident High School Student Agreement."

The Superintendent, at least annually, shall review whether the student should continue in the School District. If it is determined that it is not in the best interest of the School District for the student to continue, the student and his or her parents will be so notified by the Superintendent at least 30 days before commencement of the next school year. If the Superintendent, during the school year, determines that the student is not adhering to the code of conduct of the School District, the Superintendent may, in addition to other remedies, advise the student and the student's parents that the student's status at the School District is terminated. It is understood that the nonresident student is not entitled to Education Law 3214 due process in connection with such revocation. In such a case, there will be no refund of any applicable tuition charges.

Parents are responsible for the transportation of the student to and from school.

The following exceptions will be made to the policy of charging tuition to nonresident students:

- a) Nonresident children of a family which had children enrolled in the district on June 24, 1997.
- b) Future residents who anticipate availability of living quarters within 90 days of enrollment and can show proof of:
 - ..a residence under construction;
 - ..a contract for purchase of an existing structure; or
 - ..a lease for premises within the district.
- c) Children of parents who move out of the district during the school year will be permitted to complete the current semester. Students who have attended the Harpursville Central School District for three consecutive years immediately prior to their senior year will be permitted to complete their senior year. Additionally, a senior in the school system who is a resident through the first ten-week marking period may complete the entire year.
- d) Implementation of an applicable collective bargaining agreement.

The School District will not be responsible for providing home instruction to the nonresident student. If home instruction is needed, the parents shall arrange for such instruction.

Determination of Residency: For the purposes of this policy, residence is defined as the domicile of the individual. Domicile is defined as the true, fixed and permanent home and principal establishment of an individual to which they have the intention of returning whenever they are absent.

The law presumes that the residence of a minor would be that of their parents. The student has the burden of overcoming this presumption.

The Superintendent of Schools is hereby appointed as the designee of the Board of Education under provisions of the Commissioner's Regulation, Section 100.2(7) to make, on behalf of the Board, determinations regarding whether a student is a nonresident of the District.

The Board of Education recognizes that there might be instances that arise with regard to tuition payments that might require special consideration. Such instances will be reviewed by the Superintendent on a case by case basis. The Superintendent will bring each case before the Board with his or her recommendations for Board of Education action.

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