

## **Students**

### **Nonresident Students**

#### **Definition**

A nonresident student is a student who:

1. Resides outside of the Orange School District; or
2. Resides within the Orange School District on a temporary basis; or
3. Resides within the Orange School District on a permanent basis, but with pay to the person(s) with whom the student is living; or
4. Resides within the Orange School District for the sole purpose of obtaining school accommodations.

#### **Nonresident Attendance Without Tuition**

Upon written parental request to the Superintendent, nonresident students may be allowed by the Superintendent of Schools to attend district schools without tuition under one or more of the following conditions:

1. A family moves from the Orange School District after January 1st of the school year; however, if parents so request, a child may complete the marking period regardless of when the family moves from town;
2. A family residing outside of the Orange School District has firm plans to move into the district within the current school year as evidenced by a contract to buy, build, rent, or lease;
3. Children residing temporarily within the Orange School District because of family changes or children residing temporarily outside of the district because of family circumstances. Approval shall not exceed three (3) calendar months; if subsequent approval is necessary, it shall be considered based upon information available at that time.
4. Mental or physical health of the child as certified by a physician, school psychologist, or other appropriate school personnel.

#### **Nonresident Attendance With Tuition**

Nonresident students who do not meet one or more criteria under previous sections of this policy, may attend local schools only with tuition payment. The Superintendent may approve nonresident student attendance with tuition if class size, and other considerations permit, and shall notify the Orange Board of Education of all tuition approvals. Nonresident approval with tuition shall be for one (1) school year or less. Tuition rates shall be established by the Orange Board annually.

Attendance by a nonresident tuition student may be terminated by Orange Board of Education action, upon recommendation of the Superintendent of Schools, if the Board deems such termination in the best interest of the school district. An adjustment of tuition on a per diem basis will be made in this instance.

**5118(b)**

## **Students**

### **Nonresident Students** (continued)

#### **Evidence of Residency**

The Superintendent shall require that parents or guardians of a child provide appropriate proof of residency in Orange prior to enrollment of their child in the Orange Public Schools.

The Superintendent of Schools or his/her designee may require documentation of family and/or student residency, including affidavits. An affidavit may require a statement with documentation that there is bona fide student residence in the district, that the residence is intended to be permanent, that it is provided without pay, and that it is not for the sole purpose of obtaining school accommodations.

The Superintendent shall also require that parents or guardians of a child already enrolled in the Orange Public Schools provide appropriate proof of residency in Orange prior to January 1<sup>st</sup> of the year in which their child is enrolled in Grade 3.

#### **Removal of Nonresident Student From District Schools**

If after a review of affidavits and other available evidence, the Superintendent of Schools or his/her designee believes a student is not entitled to attend local schools, the parent or guardian, shall be informed in writing that, as of a particular date, the student may no longer attend local schools, and the Superintendent shall notify the Orange Board of Education where the child should attend school (if known). If after review, district residency is established by the evidence, the parent or guardian shall be so informed.

#### **Removal of Nonresident Student From District Schools** (continued)

If a student is to be removed from a district school for residency reasons the Superintendent of Schools or his/her designee shall inform the parents/guardian of their rights to:

1. A hearing before the Orange Board of Education if requested in writing within ten (10) days of issuance of the Superintendent's letter.
2. The student's continuance in school pending the outcome of the Orange Board of Education hearing.
3. Receive a transcript of the hearing within thirty (30) days the hearing.
4. Appeal the Orange Board of Education's decision to the State Board of Education within twenty (20) days.
5. The student continuance in the Orange Public Schools pending the outcome of an appeal to the State Board of Education.

#### **Board of Education Hearing**

Upon written request, the Orange Board of Education shall provide a hearing within ten (10) days after receipt of such request. Hearings shall be conducted in accordance with the provisions of Sections 4-177 to 4-180 inclusive of Connecticut General Statutes.

The Board shall, within ten (10) days after receipt of notice of an appeal, forward the hearing record to the State Board of Education.

Orange Board of Education Policy, Regulations, Procedures, and Forms

Legal Reference: Connecticut General Statutes

4-176e through 4-185 Uniform Administrative Procedure Act.

10-186 Duties of local and regional Boards of education re school attendance. Hearings. Appeals to state Board. Establishment of hearing Board.

10-253 School privileges for students in certain placements...and temporary shelters.

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