

NON-RESIDENT STUDENT TUITION POLICY

The Edinburg Common School District recognizes its primary obligation to provide a free public education to all school age children who reside within the District. When the Superintendent of Schools determines that classroom space is available within the District and the District is able to offer such placement without incurring any additional cost to taxpayers of the Edinburg Common School District it shall be the policy of the Board of Trustees to admit non-resident students to its school upon payment of tuition, as set by the Board of Trustees in accordance with the laws and regulations of the State of New York.

This policy shall have no application to determinations by the Committee on Special Education or a designated screening committee's review and consideration of a student referred to the district on from another public school district's Committee on Special Education for consideration of placement into one of the District's Special Education programs under Education Law §4401 (2); Part 200 of Commissioner's Regulations or the Individuals with Disabilities Education Act.

Nothing in this policy shall authorize the admission or maintenance of a non-resident student whose admission /maintenance as a student in the district requires any additional expenditures to the Board of Trustees, the hiring of additional staff or a waiver of an existing classroom teacher student ratio, as established by law, board policy, contract, or regulation.

Non-resident students shall be admitted to the extent space is available in existing classrooms and upon a determination that the needs of the students can be met within the District's existing programs and by the District's existing staff. Applications for admission must be made annually.

The Superintendent of Schools shall be authorized to admit a non-resident student upon his/her determination that:

1. the student's educational needs can be met by existing staff;
2. such admission shall not require the expenditure of additional local funds or the hiring of additional staff;
3. the non-resident student admission shall not cause a classroom to exceed student capacity as defined by law, regulation or board policy;
4. the student is determined to be a student in good standing in his/her district of residence (i.e. not on academic probation or have any out of school suspension in the

last year). The student's academic and disciplinary record must accompany the student's request for admission.

As a condition of acceptance of a non-resident student, the Parents of such student and the student, as applicable, agree to the following:

1. The parents shall be responsible for arranging the transportation of the student to and from the District and shall provide the District with the name of any other adults responsible for the transportation of the student if the parent is not available, in the event of early dismissal. Failure to make appropriate arrangements for the transportation of a non-resident student, including early dismissal due to emergency or otherwise, shall result in the student's dismissal.
2. The student shall be subject to the same rules governing student attendance and student discipline as resident students and shall be required to comply with the same rules. Any violations of school rules that would result in the suspension of a resident student shall constitute immediate dismissal. In addition excessive tardiness, truancy or absenteeism may also result in the student's dismissal.
3. All non-resident students admitted pursuant to this policy shall be allowed to participate in all activities/sporting opportunities to the same extent as resident students, except that the parents of such students shall be responsible for their transportation from any after school activity to their home.

All non-resident students must apply annually for admission or the continuation of enrollment for their child. Such application must be received in writing by _____ and will be determined by the Superintendent in accordance with the terms of this policy. Previous enrollment does not guarantee continued enrollment.

A non-resident employee's child may be dismissed from attendance for violating school rules or for any conduct which the District determines it is not appropriate for a student of the District.

Prior to such dismissal, the District shall provide the parent with written notice of the basis for its determination and shall notify the parent of the right to request an informal conference with the Superintendent of Schools, which shall provide an opportunity for the parent and student to respond to the District's concerns and present any rebuttal.

The decision of the Superintendent shall be final with the exception that a parent may appeal such decision to the Board of Trustees within 30 days of such determination upon written notice with a statement of the reasons for appeal.

A non-resident employee's child dismissed due to a disciplinary reason or nonattendance pursuant to this policy may not be readmitted under this policy.

This policy does not require the District to assume responsibility for the education of non-resident students as outlined above. All services not specifically referred to herein shall remain the obligation of the student's district of residence, including, but not limited to: Kindergarten screening, any referrals, evaluations and program reviews by the committee on special education, the provision of any special services to which the student may otherwise be entitled which are not available within the District in a manner consistent with the terms and conditions of the policy set forth herein.

This policy does not provide automatic admission of a non-resident student on the basis that a sibling is admitted.

This policy is not acceptable to homeless students entitled to attend district schools under federal and state laws and regulations, who may not be currently residing in the district (see policy 5151, Homeless Children). Homeless students who are not entitled to attend district schools under state and federal laws may be considered for non-resident enrollment under this policy. This policy is also not intended to cover students who are placed in district programs by agreement with, and paid for by, another school district.

Future Residents

The children of families who have signed a contract to buy or build a residence in the school district may be enrolled during the marking period in which they expect to become residents, without payment of tuition. Should the students remain non-resident students at the end of the single marking period the parents must either withdraw the student to place them in their actual district of residence or apply for non-resident student enrollment pursuant to this policy.

Former Residents

Regularly enrolled children of families who have moved out of the school district during the fourth marking period of the school year may complete that school year tuition-free. However students who are no longer district residents due to homelessness are addressed in Policy 5151, Homeless Children.

Transportation

Transportation will be provided for non-resident students as per Policy 8410-R if and only if existing bus routing is used, and there is sufficient room on the bus. A non-resident student is not entitled to transportation based solely on enrollment in the District under this policy.

Closures

The Edinburg Common School, located in Saratoga County, has been classified as part of the Capital Region in regards to the COVID-19 regional map. Therefore the Edinburg Common School District, being part of HFM BOCES, will follow all guidance from and

collaborate as necessary with the Saratoga County Department of Health regarding school closures. This may result in our school closing while neighboring districts remain open.

Ref: Education Law 93202

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