

Students

Non-Resident Attendance

Children residing within the school district with either relatives or non-relatives, where it is the intention of such relative(s), non-relative(s) and the child or the intention of the child's parent(s) that such residence is to be permanent, provided without pay and not for the sole purpose of obtaining school accommodations, are entitled to attend school without charge.

A. Non-Resident Students who Attend the Hamden Public Schools

The Board of Education does not allow attendance in the public school of non-resident students except under the following circumstances:

1. A student may be placed into the district for special education by a Planning and Placement Team (PPT) of another school district.
2. A student, whose family moves out of Hamden after February 1, may be allowed to finish that school year in the Hamden Public Schools. A kindergartner, 6th, 8th, or 12th grader, whose family moves out at any time during the school year, may be allowed to finish the school year. Parental written request and approval by the Superintendent of Schools are required.
3. A student whose family is in the process of moving into Hamden may be allowed to enroll in the Hamden Public Schools in September. Parental written request and approval by the Superintendent of Schools are required.
4. Participation by non-resident students in interscholastic sports will be determined by the transfer policy of the Connecticut Interscholastic Athletic Conference. The Director of Athletics shall be notified of the registration of non-resident students immediately.

Transportation for non-resident students allowed to attend the Hamden Public Schools will be the responsibility of the individual student or the sending school district and not the Hamden Board of Education.

B. Denial of School Accommodations Based on Residency for Students Whose Stated Residence is in Hamden

1. The Superintendent may require documentation that the residence is to be permanent, provided without pay and not for the sole purpose of obtaining school accommodations. Prior to any request for documentation, the Superintendent shall provide a written statement specifying the basis upon which he/she believes that such child is not entitled to free school accommodations.

Students

Non-Resident Attendance (continued)

B. Denial of School Accommodations Based on Residency for Students Whose Stated Residence is in Hamden (continued)

This may occur:

- a. When a Principal suspects that a student enrolled in his/her school does not live in Hamden.
 - b. When school staff, during the registration process, learns that a student is living in Hamden with someone other than his/her parents.
2. If the Superintendent denies school accommodations to a child, he/she shall, in writing, inform the parent(s), guardian(s) or emancipated minor, of their right to request a hearing before the Board.
 - a. When the Superintendent denies school accommodations to a child, he/she shall advise the Board of Education under whose jurisdiction he/she believes such child should be attending school of the denial.
 3. The parent(s), guardian(s) or emancipated minor may, in writing, request a hearing by the Board concerning the decision to deny accommodations.
 - a. The Board shall give such person a hearing within ten (10) days after receipt of the written request.
 - b. The hearing will be a formal hearing before the Board. The requesting party shall be given a statement of the time, place and nature of the hearing. Both sides have the right to be represented by counsel, to present evidence and to cross-examine witnesses. The hearing will be conducted in accordance with all applicable statutes (Connecticut General Statutes Sections 4-176e to 4-180a, inclusive, and section 4-181a.
 - c. The Board shall make stenographic record or tape recording of the hearing.
 - d. The Board shall issue its finding within ten (10) days after the hearing.
 - e. Any enrolled child denied accommodations on the basis of residency by the Board upon request may continue in attendance in the school system pending a further hearing before the State Board of Education.

Students

Non-Resident Attendance (continued)

B. Denial of School Accommodations Based on Residency for Students Whose Stated Residence is in Hamden (continued)

- f. Any parent, guardian or emancipated minor denied school accommodations and aggrieved by the Board's finding may request a transcript of the hearing. The Board shall provide such transcript within thirty (30) days of the request.
- g. If an appeal to the State Board of Education of the Hamden Board's decision is not requested within twenty (20) days of the mailing of the decision, the decision of the Hamden Board shall be final. If an appeal is requested, the Hamden Board shall, within ten (10) days after receipt of the notice of appeal, forward the record of the hearing to the State Board of Education.
- h. If after the hearing before the Hearing Board of the State Board of Education, it is determined that the child was incorrectly denied school accommodations, the Hearing Board shall order the Hamden Board to make such arrangements as necessary to enable the child to attend school. Such arrangements shall be completed no later than fifteen (15) days after the receipt of the order.
 - 1. If the Hearing Board of the State Board of Education determines that the child was not entitled to school accommodations, the Hamden Board may assess tuition against the parent, guardian, or emancipated minor based on a statutory formula, (see Public Act §6-303) for the time spent attending school in the district.
 - 2. The Hamden Board of Education may seek to recover the amount of any assessment through civil remedies if such payments are not forthcoming.

Legal Reference: Connecticut General Statutes

10-4a Educational interests of state defined (amended by PA 97-290, An Act Enhancing Educational Choices and Opportunities)

10-33 Tuition in towns in which no high school is maintained.

Students

Non-Resident Attendance (continued)

Legal Reference: Connecticut General Statutes (continued)

10-35 Notice of discontinuance of high school service to nonresidents.

10-55 Students to attend regional school.

10-253 School privileges for children in certain placements, nonresident children and children in temporary shelters.