ADMISSION OF NON-RESIDENT STUDENTS

The Board of Education affirms that its primary responsibility is to provide the best possible educational opportunities for the children who are legal district residents and who are of legal age to attend school. Normally, no student may attend a school in this district unless the parents or the legal guardians reside within the boundaries of the district. Non-resident students are, therefore, not accepted into the schools of the district except by specific action by the Board as specified in this policy. All residency determinations will be made by the Superintendent or her/his designee.

Should a bona fide resident student successfully complete the 11th grade in the Somers Central School District, and then his/her parent or guardian changes residence so that the student would no longer be considered a resident of the district, that student will be allowed to complete the 12th grade, without a charge for tuition. It is expressly understood that transportation for any non-resident 12th grader will be provided by the student's parent or guardian. The privilege of attending the Somers Central School District as a non-resident senior may be rescinded for disciplinary reasons by the Superintendent.

The children of families who have signed a contract to buy or build a residence in the school district may be enrolled prior to their expected date of residency if the parent/guardian certifies, through sworn affidavit, that the house in which they will reside within the district will be completed within 60 calendar days of the date upon which the commencement of non-resident status is sought and if either of the following conditions are met:

1. The parent/guardian has closed on the property and owns the title to said property; and
2. The parent/guardian has obtained a building permit for the construction of the home from the appropriate municipality and construction has actually commenced.
3. A one month tuition payment is paid for each student's enrollment for each month until residency has been taken up. If, after 60 calendar days, parents have taken up residency, such payment will be refunded. If residency has not been taken up within 60 days, tuition payment must continue to be made for each month until residency has been taken up and tuition payments will not be refunded. There will be no proration of payment if residency is taken up prior to the end of the month that tuition was collected for.

At the discretion of the Superintendent or her/his designee, students who are enrolled within the district but move out of the district prior to the end of a given school year may remain in the district as a non-resident, for a period not to exceed two months.

A non-resident student may be admitted to district schools upon payment to the district of the Board-adopted tuition charge, if and only if, in the judgment of the Superintendent of Schools:

1. there is sufficient space to accommodate the non-resident student;
2. no increase in the size of faculty or staff will be necessary to accommodate them;
3. the non-resident student meets the district's criteria for admission; and
4. the admission of such non-resident student is and continues during the enrollment period to be in the best interests of the district.
the student complies with the District’s Code of Conduct in every respect. The privilege of attending the Somers Central School District as a non-resident student may be rescinded for disciplinary reasons by the Superintendent at any time.

For the purposes of this policy, the tuition rate will be determined based upon the Department of Education's formula for determining tuition.

It is expressly understood that transportation for any non-resident child(ren) will be provided by the parent/guardian.

This policy is not applicable to homeless students entitled to attend district schools under federal and state law 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 federal and state 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.

Cross-ref: 5151, Homeless Children

Ref: Education Law §3202(2)
     8 NYCRR Part 174

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