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| Book         | Policy Manual  |
| Section      | Policies for the Board                               |
| Title        | Copy of ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS |
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#### 5111 - **ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS**

The Board of Education establishes the following residency policy for determining eligibility to attend the schools of this District.

The Board shall provide tuition-free education for the benefit of children at least five (5) but under twenty-two (22) years of age whose parents reside in the District and such others as may be eligible pursuant to Federal and/or State law and the policies of the Board, including handicapped preschool children who are at least three (3) years of age but not of compulsory school age and who are not currently enrolled in kindergarten, regardless of their citizenship or immigration status. The Board shall meaningfully communicate material information about enrollment requirements and procedures with parents, including parents who have limited proficiency in English. Access to information regarding enrollment requirements and procedures shall be available on the District's web site.

In addition, the Board shall provide tuition-free education for the benefit of a child whose grandparent(s) resides in the District and who is the subject of a:

- A. power of attorney designating the grandparent as the attorney-in-fact; or
- B. caretaker authorization affidavit executed by the grandparent that provides the grandparent with authority over the care, physical custody, and control of the child, including the ability to enroll the child in school, consent in all school related matters, and discuss with the District the child's educational progress.

In accordance with State law, the grandparent shall be considered the "parent" of the child who is the subject of the power of attorney (Form 5111 F7) or caretaker authorization affidavit (Form 5111 F8). The child may attend the schools of this District (Form 5111 F9) unless the power of attorney or caretaker authorization form was created for the sole purpose of enrolling the child in the District so that the child may participate in the academic or interscholastic programs of this District or another reason exists to exclude the child under State law. Additionally, the child may attend the schools of the District until the power of attorney or caretaker authorization affidavit terminates upon the occurrence of one (1) of the following events:

- A. the child ceases to reside with the grandparent(s);
- B. the document is terminated by court order; or
- C. either the child who is the subject of the document or the grandparent dies.

Additionally, the power of attorney terminates if it is revoked in writing by the person who created it and that person gives written notice of the revocation to the grandparent and the juvenile court with which the power of attorney was filed. Further, the caretaker authorization affidavit terminates if the parent, guardian, or custodian of the child acts to negate, reverse, or otherwise disapprove of an action or decision of the grandparent(s) who signed the affidavit with respect to the child, and the grandparent either voluntarily returns the child to the physical custody of the parent, guardian or custodian or fails to file a complaint to seek custody within fourteen days after delivery of the written notice of negation, revocation or other disapproval. It is the responsibility of the grandparent(s) to notify the District within one (1) week of the termination of the power of attorney or caretaker authorization affidavit.

The Board reserves the right to verify each student's residency and other conditions of eligibility for tuition-free education as well as the validity of the claim of any student to an education in the District. In addition, if a student has recently been discharged or released from the custody of the Department of Youth Services (DYS) and is seeking admittance or re-admittance into the District, such students will not be admitted until the records required to be released by DHS to the Superintendent have been received (see AG 5111 for listing of required records). Within twenty-four (24) hours of admission into the District, the Superintendent shall request a copy of the student's school records from the school the student most recently attended.

### **Students Suspended or Expelled from Other District**

After offering an opportunity for a hearing, the Superintendent, at **the Superintendent's his/her** discretion, may deny admission to a student who has been suspended or expelled from another public school for the period of unexpired time of the suspension or expulsion. If the expulsion is from an out-of-state public school, the lesser of the period of such expulsion or the period of expulsion which would have been applied had the student committed the offense in this District will be imposed. When the suspension or expulsion from the other district has expired, the student is to be admitted providing, providing all other eligibility requirements have been met. This provision also applies to a student who is the subject of **a** power of attorney designating the child's grandparent as the attorney-in-fact or caretaker authorization affidavit executed by the child's grandparent.

### **Mandatory Admission/Payment of Tuition**

The Board shall admit students who reside in the District, but **their his/her** parents do not reside in the District, and tuition payments shall be assessed pursuant to State law if:

- A. the student is in the legal or permanent custody of a governmental agency or a person other than **the student's his/her** natural or adoptive parents;
- B. the student resides in a home as defined by State law;
- C. the student requires special education;
- D. the child resides in the District and the child's parent is in a residential facility, correctional facility, or juvenile placement, and the other parent, if living and not in such a facility or placement, is not known to reside in this State.

If the District admits a student to the District who is not otherwise entitled to attend or whose attendance tuition is not an obligation of another district, the Board shall collect tuition from the student's parents.

The Superintendent shall develop administrative guidelines for the enrollment of nonresident children which:

- A. admit such children only on the proper application of the parent or guardian; release by the board of education of residency, if required; and the approval of the Board;
- B. do not exclude any child, otherwise eligible, on the basis of such child's race, creed, color, national origin, sex (including sexual orientation and transgender identity), ancestry, or disability;
- C. verify claims of residency;
- D. deny admission where the educational program maintained for the children of this District is inadequate to meet the needs of the applicant;
- E. make continued enrollment of any nonmandatory nonresident, regular-education student contingent upon maintaining good standards of citizenship and discipline.

The Superintendent shall:

- A. recommend to the Board for their approval the admission of qualified applicants;
- B. ~~report to the Board at each regular meeting for its information and consent the enrollment of each nonresident student.~~

Tuition rates shall be determined as required by Ohio Statutes.

Tuition shall be charged monthly, in advance of attendance.

### **Safe at Home/Address Confidentiality**

If a parent (or adult student) presents **to the District a valid program authorization card issued by the Secretary of State certifying that the parent (or adult student), the parent's information to the District certifying that the parent (or adult student), his/her** child, or a member of the parent's household is a participant in the Safe at Home/Address

Confidentiality Program, ~~administered by the Secretary of State,~~ the Board shall use the address designated by the Secretary of State to serve as the student's address for enrollment purposes. The District shall place a copy of any certification provided by the parent in the enrollment files.

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R.C. 111.41, 111.42, 111.43, 111.46, 111.47, 111.99  
R.C. 3313.48, 3313.64, 3313.645, 3313.65, 3313.66, 3313.90, 3313.97, 3313.98  
R.C. 3317.08, 3317.081, 3321.01(B), 3321.03, 3323.141  
R.C. 3327.04, 3327.05, 3327.06  
A.C. 3301-42-01  
42 U.S.C. 11431 et seq.