

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

ADMINISTRATIVE REGULATION

No. 5118(a)

**RE: Non-Resident Students
 Students**

Adopted: March 21, 2017

Definition

A nonresident student is a student who:

1. resides outside of the school district; or
2. resides within the school district on a temporary basis; or
3. resides within the school district on a permanent basis but with pay to the person(s) with whom the student is living; or
4. resides within the school district for the sole purpose of obtaining school accommodations; or is
5. a child placed by the Commissioner of Children and Youth Services or by other agencies in a private residential facility. However, under this circumstance, children may attend local schools with tuition paid by the home district unless special education considerations make attendance in local schools and programs inappropriate. Children not requiring special education who live in town as a result of placement by a public agency (other than another Board of Education and except as provided otherwise in this paragraph) are resident students; those requiring special education may attend local schools (with special education cost reimbursements in accordance with statutes) unless special education considerations make attendance in local schools and programs inappropriate.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

ADMINISTRATIVE REGULATION

No. 5118(b)

Nonresident Attendance Without Tuition

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

1. A family moves from the 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 a district has firm plans to move into the school district within the current school year as evidenced by a contract to buy, build, rent, or lease;
3. A twelfth grade student wishes to complete his or her education in the district;
4. Children reside temporarily within the district because of family changes or children attending local schools 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.

Exchange Students

No tuition is required for foreign students living within the district under the American Field Service Program or under other programs or circumstances approved by the Board. Exchange students will be accorded all the rights and privileges of a resident student during the period of enrollment.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

ADMINISTRATIVE REGULATION

No. 5118(c)

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, transportation, and other considerations permit. Nonresident approval with tuition shall be for one (1) school year or less. Tuition rates shall be established by the DISTRICT annually.

Attendance by a nonresident tuition student may be terminated by 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.

Evidence of Residency

The Superintendent of Schools or his/her designee may require documentation of family and/or student residency, including affidavits, provided that prior to a request for evidence of residency the parent or guardian, relative or non-relative, emancipated minor, or student eighteen (18) years of age or older shall be provided with a written statement of why there is reason to believe such student may not be entitled to attend school in the district. An affidavit may require a statement or statements 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.

Removal of Nonresident Student From District Schools

If after a careful 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, the student if an emancipated minor, or a student eighteen (18) years of age or older 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 Board of Education, (if known), where the child should attend school. If after review district residency is established by the evidence, the parent or guardian, the student if an emancipated minor, or a student eighteen (18) years of age or older shall be so informed.

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

ADMINISTRATIVE REGULATION

No. 5118(d)

Removal of Nonresident Student From District Schools (continued)

If a student is removed from a district school for residency reasons the Superintendent of Schools or his/her designee shall: 1) inform the parent, guardian, emancipated minor, or student eighteen (18) years of age or older of hearing rights before the Board of Education and that the student/s may continue in local schools pending a hearing before the Board of Education if requested in writing by the parent, guardian, emancipated minor, or student eighteen (18) years of age or older 2) that upon request, a transcript of the hearing will be provided 3) that a local Board of Education decision may be appealed to the State Board and that the student/s may continue in local schools pending a hearing before the State Board if requested in writing by the parent, guardian, emancipated minor, or student eighteen (18) years of age or older 4) that if the appeal to the State Board of Education is lost, a per diem tuition will be assessed for each day a student attended local schools when not eligible to attend.

Board of Education Hearing

Upon written request, the Board of Education shall provide a hearing within ten (10) days after receipt of such request. If there is a hearing, the Board shall make a stenographic record or tape recording of the hearing; shall make a decision on student eligibility to attend local schools within ten (10) days after the hearing; and shall notify the parent, guardian, emancipated minor, or student eighteen (18) years of age or older of its findings. 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.

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.

Bloomfield Public Schools
Bloomfield, Connecticut

RESIDENTIAL STATUS REPORT AND APPLICATION

School: _____

Date: _____

FOR: 1. Students whose residency in Bloomfield is newly established.
2. Students who are applying to attend Bloomfield Public Schools, and whose families do not live in the Town of Bloomfield

COMPLETED BY: (1) The student applying; (2) The parent; and (3) The Bloomfield-based Guardian, "Legal or Consenting."

WHERE: Administrative offices of the school requested with the Unit Administrator present.

FORWARDED TO: The Superintendent of Schools

1. Name of student: _____
Last First Middle
2. (Town) Address: _____
No. Street Town (Apt. No.)
3. Student's Home Telephone Number in _____: _____
Name under which telephone is listed in (Town): _____
4. When did student move into (Town)? _____
5. Former Address: _____
No. Street Town Apt. No. (if applicable)
6. Where did student attend school last? _____
Date last attended: _____
7. Name of student's father: _____
Last First Middle
Father's address _____
No. Street Town Telephone No.
8. Name of student's mother: _____
Last First Middle
Mother's address _____
No. Street Town Telephone No.
9. Name of student's guardian: _____
(if applicable) Last First Middle
10. Name of person with whom student is living: _____
Address of such person in (Town): _____
No. Street Town Telephone No.

(continued)

11. Names of all brothers and/or sisters with ages and addresses (last name need be listed only if different than that of student's last name):

First	Age	Address
First	Age	Address

12. To be completed only when student is living in (Town) with a person other than a parent. Replies will be confidential.

Why are you not living with your parents? (Please do not omit, and be specific.)

(If additional space is required, please continue below.)

Do you live with this person seven days a week, twelve months a year, without payment of any kind?

_____ Yes _____ No If no, explain where else you live and during what times of the year:

I UNDERSTAND THAT ESTABLISHING RESIDENCY FOR THIS STUDENT COULD POSSIBLY MEAN VISITS TO HOME ON SATURDAYS AND/OR RECESS PERIODS FROM SCHOOL, INCLUDING THE SUMMER SEASON.

13. Student's Statement: I hereby declare under the penalties of perjury that all of the information supplied on this form by me is correct to the best of my knowledge. I understand that if any of the information is incorrect, I may be withdrawn from the Bloomfield Public School requested.

Student's Signature: _____
(Omit if elementary school)

Date: _____
Month Day Year

14. State of Parent, Guardian and Person with whom student is residing in Clinton:

I hereby declare under the penalties of perjury that all of the information supplied on this form is correct to the best of my knowledge. I understand that if any of the information is incorrect, and the student is not entitled to enroll tuition-free as a Bloomfield resident, the student shall be immediately discharged from enrollment in the Bloomfield Public Schools, and the prevailing tuition charge assessed against me and/or us for each day the student was so enrolled. I understand that in order to establish residency the attendance officer will visit starting at 7:00 a.m.

Signature of Guardian - Legal or Consenting

Signature of Parent of student applying

Signature of Person "consenting"

Date: _____
Month Day Year

Extra Space for questions 11 and 12 if needed.

TO BE REVIEWED AND RENEWED EACH SCHOOL YEAR

DO NOT WRITE BELOW THIS LINE. FOR OFFICE USE ONLY

Received: _____ Approved by: _____ x
Month Day Year Superintendent of Schools

Students

Nonresident Students

FORM LETTERS QUESTIONING STUDENT RESIDENCE IN DISTRICT

Date:

To: Parents, Guardian, Emancipated Minor or Student eighteen (18) years of age or older

Dear _____:

We believe that the following student/s may not meet residency requirements to attend district schools. Connecticut State Statutes and Board of Education policies require students to reside within the town and that local student residence is intended to be permanent, provided without pay, and not for the sole purpose of obtaining school accommodations.

NAME	SCHOOL	GRADE

The student/s listed above may not meet residency requirements for the following reason or reasons:

Within five (5) days, we will send you a request to document residency for the student/s named above, including an affidavit of residency to be completed by the parent or guardian, the relative or non-relative with whom the student resides, and the student if an emancipated minor or eighteen (18) years of age or older. **If a student does not meet residency requirements as outlined in the first paragraph of this letter, you should withdraw the student from the (name) school system immediately and enroll him/her in the school district of actual residence.**

Sincerely,

Students

Nonresident Students

Date:

To: Parents, Guardian, Emancipated Minor or Student eighteen (18) years of age or older

Dear _____:

Enclosed are an affidavit or affidavits and a questionnaire to be completed to show legal residence in the Town of Bloomfield for the following student/s.

NAME	SCHOOL	GRADE

The student/s named may continue in schools pending review of information furnished by you. You will be notified in writing of the administrative decision and, if necessary, the date on which the student/s will be withdrawn from schools. If by _____ we do not receive the
(*date within 10 days of mailing this letter*)
completed affidavits and other information requested, school accommodations will be denied as of that date.

Sincerely,

Enclosures

Students

Nonresident Students

Date:

To: Parents, Guardian, Emancipated Minor or Student eighteen (18) years of age or older

Dear _____:

I have reviewed the affidavits and other documentation (*if applicable*) and concur that the student/s named below meet/s residency requirements established by Connecticut Statutes and Board of Education Policies and may continue in Bloomfield Public Schools.

We appreciate your cooperation.

Sincerely,

Students
Nonresident Students

Date:

To: Parents, Guardian, Emancipated Minor or Student eighteen (18) years of age or older

Dear

Effective _____, school accommodations will no longer be provided in the Town
(date within 10 days of this letter)
of Bloomfield for the student/s named below:

NAME	SCHOOL	GRADE

The reason for denial of further school attendance is:

- _____ You have informed us that your child no longer resides in town
- _____ No written response received to our request for completion of affidavits and/or other documentation
- _____ Affidavit and/or documentation is not adequate to prove residence in accordance with Connecticut Statutes and Board of Education policy.

You have the following rights when student attendance is denied for reasons of residence:

1. A hearing before the Board of Education. If prior to *(Date specified for student/s withdrawal)* you request in writing a hearing by the Board of Education, the Board will provide you a hearing within ten (10) days of its receipt of the written request.
2. If you make a timely request for Board hearing, the student/s named may continue in schools pending the outcome of the Board of Education hearing.
3. If you so request, following the Board of Education hearing you will be provided a transcript of the hearing within thirty (30) days of your request.
4. Within twenty (20) days of the Board of Education mailing its finding/s and decision, you may appeal the Board's decision to the State Board of Education.
5. Upon your written request, the student/s may continue in _____ Public Schools pending the outcome of an appeal to the State Board of Education. *(Such written request must be received by the Superintendent of Schools within twenty (20) days of the Board of Education mailing its finding/s and decision to you.)*

If the decision by the State Board of Education supports a Board of Education denial of student accommodations, you will be liable for a per diem payment of tuition for each day the student/s attended schools.

Sincerely,

Students

Nonresident Students

Date:

To: Parents, Guardian, Emancipated Minor or Student eighteen (18) years of age or older

Dear _____:

Upon receipt of your request for a hearing before the Board of Education on a student residency issue, the Board of Education has scheduled a hearing as outlined in the attachment entitled **Board of Education Notice of Hearing**.

Sincerely,

Enclosure

Students

Nonresident Students

Date:

TO: Parents, Guardian, Emancipated Minor or Student eighteen (18) years of age or older

BOARD OF EDUCATION NOTICE OF HEARING

1.	Person/s requesting Hearing:	Name: Address: Telephone:
2.	Date and time of Hearing:	
3.	Place of Hearing:	
4.	Nature of Hearing	Determination of student/s residency
5.	Statutes and Regulations involved: Section 10-186 CGS Duties of local and regional boards of education re school attendance. Hearings. Appeals to state board. Establishment of hearing board. Section 10-187 CGS Appeal from finding of hearing Board Section 4-177 CGS Contested cases. Notice. Record. Section 4-178 CGS Evidence in contested cases Section 4-179 CGS Proposal for decision. Section 4-180 CGS Final decision to be rendered within ninety days.	
4.	A short plain statement of the matters asserted:	

Students

Nonresident Students

Date:

To: Parents, Guardian, Emancipated Minor or Student eighteen (18) years of age or older

Dear _____:

Following the recent hearing by the Board of Education on a residency question involving:

NAME	SCHOOL	GRADE

the _____ Board of Education found the following:

In accordance with the findings of the Bloomfield Board of Education, the student/s named above:

_____ may continue as a student in Bloomfield Public Schools

_____ must be withdrawn from the Bloomfield Public Schools no later than _____ unless an appeal is filed with the Connecticut
(date within 20 days of mailing this letter) State Board of Education prior to that time.

Sincerely,

Dispute Resolution Process
Under Connecticut General Statutes Section 10-186

- (1) If any board of education denies such accommodations, the parent or guardian of any child who is denied schooling, or an emancipated minor or a pupil eighteen years of age or older who is denied schooling, or an agent or officer charged with the enforcement of the laws concerning attendance at school, may, in writing request a hearing by the board of education. The board of education may:
- (A) conduct the hearing,
 - (B) designate a subcommittee of the board composed of three board members to conduct the hearing, or
 - (C) establish a local impartial hearing board of one or more persons not members of the board of education to conduct the hearing.

The board, subcommittee or local impartial hearing board shall give such person a hearing within ten days after receipt of the written request, make a stenographic record or tape recording of the hearing and make a finding within ten days after the hearing. Hearings shall be conducted in accordance with the provisions of sections 4-176e to 4-180a, inclusive, and section 4-181a. Any child, emancipated minor eighteen years or older who is denied accommodations on the basis of residency may continue in attendance in the school district at the request of the parent or guardian of such child or emancipated minor or pupil eighteen years of age or older, pending a hearing pursuant to this subdivision. The party claiming ineligibility for school accommodations shall have the burden of proving such ineligibility by a preponderance of the evidence, except in cases of denial of schooling based on residency, the party denied schooling shall have the burden of proving residency by a preponderance of the evidence.

- (2) Any such parent, guardian, emancipated minor, pupil eighteen years of age or older, or agent or officer, aggrieved by the finding shall, upon request, be provided with a transcript of the hearing within thirty days after such request and may take an appeal from the finding to the State Board of Education. A copy of each notice of appeal shall be filed simultaneously with the local or regional board of education and the State Board of Education. Any child, emancipated minor or pupil eighteen years of age or older who is denied accommodations by a board of education as the result of a determination by such board, or a subcommittee of the board or local impartial hearing board, that the child is not a resident of the school district and therefore is not entitled to school accommodations in the district may continue in attendance in the school district at the request of the parent or guardian of such child or such minor or pupil, pending a determination of such appeal. If an appeal is not taken to the State Board of Education within twenty days of the mailing of the finding to the aggrieved party, the decision of the board, subcommittee or local impartial hearing board shall be final. The local or regional board of education shall, within ten days after receipt of notice of an appeal, forward the record of the hearing to the State Board of Education. The State Board of Education shall, on receipt of a written request for a hearing made in accordance with the provisions of this subsection, establish an impartial hearing board of one or more persons to hold a public hearing in the local or regional school district in which the cause of the complaint arises. Members of the hearing board may be employees of the state Department of Education or may be qualified persons from outside the department. No member of the board of education under review nor any employee of such board of education shall be a member of the hearing board. Members of the hearing board, other than those employed by the state of Connecticut, shall be paid reasonable fees and expenses as established by the State Board of Education within the limits of available appropriations. Such hearing board may examine witnesses and shall maintain a verbatim record of all formal sessions of the hearing. Either party to the hearing may request that the hearing board join all interested parties to the hearing, or the hearing board may join any interested party on its own motion. The hearing board shall have no authority to make a determination of the rights and responsibilities of a board of education if such board is not a party to the

Dispute Resolution Process
Under Connecticut General Statutes Section 10-186

hearing. The hearing board may render a determination of actual residence of any child, emancipated minor or pupil eighteen years of age or older where residency is at issue.

- (3) The hearing board shall render its decision within forty-five days after receipt of the notice of appeal except that an extension may be granted by the Commissioner of Education upon an application by a party or the hearing board describing circumstances related to the hearing which require an extension.

- (4) If, after the hearing, the hearing board finds that any child is illegally or unreasonably denied schooling, the hearing board shall order the board of education under whose jurisdiction it has been found such child should be attending school to make arrangements to enable the child to attend public school. Except in the case of a residency determination, the finding of the local or regional board of education, subcommittee of such board or a local impartial hearing board shall be upheld unless it is determined by the hearing board that the finding was arbitrary, capricious or unreasonable. If such school officers fail to take action upon such order in any case in which such child is currently denied schooling and no suitable provision is made for such child within fifteen days after receipt of the order and in all other cases, within thirty days after receipt of the order, there shall be a forfeiture of the money appropriated by the state for the support of schools amounting to fifty dollars for each child for each day such child is denied schooling. If the hearing board makes a determination that the child was not a resident of the school district and therefore not entitled to school accommodations from such district, the board of education may assess tuition against the parent or guardian of the child or the emancipated minor or pupil eighteen years of age or older based on the following: One one-hundred-eightieth of the town's net current local educational expenditure, as defined in section 10-261, per pupil multiplied by the number of days of school attendance of the child in the district while not entitled to school accommodations provided by that district. The local board of education may seek to recover the amount of the assessment through available civil remedies.