

March 28, 2001

**APPROVE HEARING OFFICER'S FINDING THAT PUPIL IS A NON-RESIDENT
OF THE CITY OF CHICAGO NOT ENTITLED TO ATTEND THE CHICAGO PUBLIC SCHOOLS
ON A TUITION-FREE BASIS**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING: ID No. 39910799

That the Chicago Board of Education: (1) adopt the findings of fact of the Board-appointed Hearing Officer, from a Pupil Residency Hearing held on October 31, 2000, and February 2, 2001, that: (i) the pupil (ID No. 39910799) is a non-resident of the City of Chicago not entitled to attend the Chicago Public Schools on a tuition-free basis; and (ii) that the Board is authorized and empowered to charge \$4,400.17 as and for non-resident student tuition for the pupil's attendance in the Chicago Public Schools for the 1998-1999 and 1999-2000 school years; (2) bar the pupil from attending the Chicago Public Schools as otherwise allowed by Rule 5-17 of the Rules of the Board unless the required tuition is paid for the pupil; and (3) after due consideration, reject the objections to the hearing officer's October 31, 2000, findings filed by the parent of the pupil (ID No. 39910799).

DESCRIPTION:

Sections 10-20.12a and 10-20.12b (105 ILCS 5/10-20.12a and 10-20.12b) of the Illinois School Code and Board Rule 5-17 authorize and empower the Board to charge tuition, not exceeding 110% of the per capita cost of maintaining its schools during the preceding school year, to pupils enrolled in the Chicago Public Schools determined to be non-residents of the City of Chicago. Further, section 10-20.12b provides that a hearing be held, when requested by the person who enrolled the pupil, to determine whether or not a pupil who is believed to be a non-resident resides within School District 299. If, after notice of the initial determination of non-residency, the person who enrolled the pupil does not request a hearing or, if requested, the hearing results in a finding that the pupil does not reside in the district, the person who enrolled the pupil shall be charged tuition for the period of non-resident school attendance and the pupil shall be barred from attending school in the district unless the required tuition is paid for the pupil.

LSC REVIEW:

LSC review is not applicable to this report.

**AFFIRMATIVE
ACTION REVIEW:**

Affirmative action review is not applicable to this report.

FINANCIAL:

If the pupil is found to have been a non-resident during any time the pupil attended the Chicago Public Schools, the person(s) who enrolled the pupil shall be charged tuition for that time.

In accordance with 105 ILCS 5/34-13.1, the Inspector General of the Chicago Board of Education has the authority to conduct certain investigations and the Inspector General shall have access to all information and personnel necessary to conduct those investigations.

**PERSONNEL
IMPLICATIONS:**

None.

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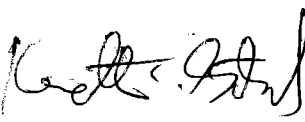
Approved for Consideration:


COZETTE M. BUCKNEY
Chief Education Officer

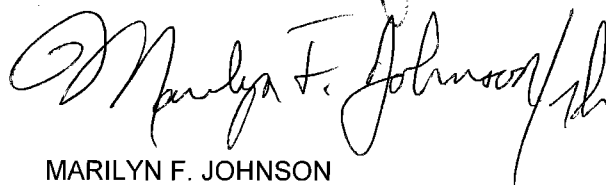
Approved:


PAUL G. VALLAS
Chief Executive Officer

Noted:


KENNETH C. GOTSCH
Chief Fiscal Officer

Approved as to Legal Form: 


MARILYN F. JOHNSON
General Counsel