

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

**THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING:**

That the Chicago Board of Education: (i) adopt the May 10, 2004, findings of fact of the Board-appointed Hearing Officer from a Pupil Residency Hearing held April 19, 2004 that: since September 2002, the pupil (ID No. 37519413) has been a non-resident of the City of Chicago not entitled to attend the Chicago Public Schools on a tuition-free basis; and that the parent of the pupil is indebted to the Board for non-resident tuition for the pupil's attendance in the Chicago Public Schools from September 2002 to June 2004 while a non-resident of the City of Chicago; (ii) bar the pupil from continuing to attend the Chicago Public Schools as a non-resident of the City of Chicago unless and until all outstanding tuition and any future tuition is paid; and (iii) overrule the parent's objections, received by the Board on May 26, 2004, to the hearing officer's findings.

**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.

**Approved for Consideration:**



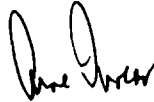
BARBARA J. EASON-WATKINS  
Chief Education Officer

**Noted:**



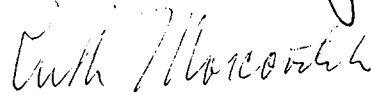
JOHN MAIORCA  
Chief Financial Officer

**Approved:**



ARNE DUNCAN  
Chief Executive Officer

**Approved as to Legal Form:**



RUTH M. MOSCOVITCH  
General Counsel