

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

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

That the Chicago Board of Education: adopt the September 5, 2008 findings of the Board-appointed Hearing Officer from a Pupil Residency Hearing held August 19, 2008, that: (i) the pupil (ID #43419080) has been and is a non-resident of the City of Chicago not entitled to attend the Chicago Public Schools on a tuition-free basis; and (ii) the pupil's parent(s), as the person(s) who enrolled the pupil, is (are) indebted to the Board for non-resident tuition for the pupil's attendance in the Chicago Public Schools since September 2006 to the present in the total amount of \$17,619.38; reject any objections by the parent(s) to the hearing officer's findings; and bar the pupil from continued attendance in the Chicago Public Schools unless and until all non-resident tuition owed is paid in full.

**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 the City of Chicago. 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. However, pursuant to Board Rule 5-17, non-resident pupils may not attend the Chicago Public Schools' magnet program, regional gifted centers, community academies, specialty schools, international baccalaureate preparatory programs, international baccalaureate programs or selective enrollment high schools.

**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.

**PERSONNEL IMPLICATIONS:** None.

**Approved for Consideration:**



BARBARA J. EASON-WATKINS  
Chief Education Officer

**Approved:**



ARNE DUNCAN  
Chief Executive Officer

**Noted:**



PEDRO MARTINEZ  
Chief Financial Officer

**Approved as to Legal Form:**



PATRICK J. ROCKS  
General Counsel