

December 17, 2008

**APPROVE HEARING OFFICER'S FINDING THAT PUPILS ARE NON-RESIDENTS  
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:**

That the Chicago Board of Education: adopt the November 3, 2008, findings of the Board-appointed Hearing Officer from a Pupil Residency Hearing held October 15, 2008, that: (i) pupils (ID #37958573) and (ID# 39461846) have been and are non-residents of the City of Chicago not entitled to attend the Chicago Public Schools on a tuition-free basis; and (ii) the pupils' parents, as the persons who enrolled the pupils, are indebted to the Board for non-resident tuition for the pupils' attendance in the Chicago Public Schools since September 2006 to June 2008 in the total amount of \$26,429.07 for 2006-2007 to 2007-2008; reject any objections by the parents to the hearing officer's findings; and bar the pupils 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