

**APPROVE FINDINGS 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: (a) adopt the December 5, 2007 findings of the Law Department that (i) the pupils (ID #45326365 and ID# 38007807) were non-residents of the City of Chicago not entitled to attend the Chicago Public Schools on a tuition-free basis; and (ii) the pupils' parent, as the person who enrolled the pupils, is indebted to the Board for non-resident tuition for the pupils' attendance in the Chicago Public Schools from September 2007 to June 2009 in the total amount of \$35,238.76 (\$8,809.69 for 2007-2008 for each pupil) (\$8,809.69 for 2008-2009 for each pupil); (b) reject any objections by the parent to the Law Department's findings; (c) bar the pupils from attending the Chicago Public Schools unless the required tuition is paid for the pupils; and (d) direct Accounts Payable to issue an invoice to the parent in the amount of \$35,238.76.

**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.

On July 22, 2008, the pupils' parent, as the person who enrolled the pupils, was notified, by regular and certified mail (return receipt requested) of: the Board's determinations of the pupils' non-residency in the City of Chicago and the amount of tuition owed for the pupils' attendance in the Chicago Public Schools; and of her right to request a hearing to challenge the Board's determination within ten (10) days of receipt of the notification. As of May July 22, 2009, she has failed to request a hearing.

**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 pupils are found to have been non-residents during any time the pupils attended the Chicago Public Schools, the persons who enrolled the pupils shall be charged tuition for that time.

**PERSONNEL IMPLICATIONS:** None.

**Approved for Consideration:**

*Barbara Eason-Watkins*

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Barbara Eason-Watkins  
Chief Education Officer

**Noted:**

*Pedro Martinez*

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Pedro Martinez  
Chief Financial Officer

**Approved:**

*Ron Huberman*

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Ron Huberman  
Chief Executive Officer

**Approved as to Legal Form:**

*Patrick J. Rocks*

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Patrick J. Rocks  
General Counsel