

**APPROVE A 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:

That, the Chicago Board of Education: (a) adopt the September 3, 2009 findings of the Law Department's Investigations Unit that (i) the pupil (ID #38458620) was 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, as the person who enrolled the pupil, is indebted to the Board for non-resident tuition for the pupil's attendance in the Chicago Public Schools from September 2007 to June 2009 in the total amount of \$17,505.34; (b) reject any objections by the parent to the Law Department's Investigations Unit's findings; (c) bar the pupil from attending the Chicago Public Schools unless the required tuition is paid for the pupil; and (d) direct Accounts Payable to issue an invoice to the parents in the amount of \$17,505.34.

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 September 16, 2009, the pupil's parent, as the person who enrolled the pupil, was notified, by regular and certified mail (return receipt requested) of: the Board's determinations of the pupil's non-residency in the City of Chicago and the amount of tuition owed for the pupil's 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 April 28, 2010, they have 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 pupil is found to have been a non-resident during any time the pupil attended the Chicago Public Schools, the person who enrolled the pupil shall be charged tuition for that time.

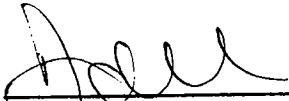
PERSONNEL IMPLICATIONS: None.

Approved for Consideration:



BARBARA J. EASON-WATKINS
Chief Education Officer

Noted:



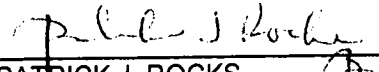
DIANA FERGUSON
Chief Financial Officer

Approved:



RON HUBERMAN
Chief Executive Officer

Approved as to Legal Form: 



PATRICK J. ROCKS
General Counsel