

JUNE 22, 2011

**ADOPT FINDING THAT PUPIL IS A NON-RESIDENT
OF THE CITY OF CHICAGO INDEBTED TO THE
CHICAGO PUBLIC SCHOOLS FOR NON-RESIDENT TUITION**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING:

That the Chicago Board of Education: (i) find that the parents of a former CPS pupil (ID #43295578) were non-residents of the City of Chicago from the time they enrolled the pupil through the present, for the time that the identified student attended the Chicago Public Schools; (ii) hold the pupil's parents accountable as indebted to the Board for non-resident tuition for the pupil's attendance in the Chicago Public Schools for the time of enrollment, which occurred between September, 2005 through the March 2010, in the amount of \$ 46,733.33; (iii) reject any objections by the parent(s) to the Board's findings; and (iv) bar the pupil from continued and/or future 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 5-12 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.

The parents requested a hearing. Ms. Margaret Fitzpatrick, Esq., an independent hearing officer, presided over the hearing on March 23, 2011, in an efficient and impartial manner. The hearing officer submitted a written report summarizing all relevant evidence offered during the hearing, making findings of fact, and determined that the pupil was a non-resident and the parents owed \$46,733.33 in non-resident tuition.

LSC REVIEW: LSC review is not applicable to this report.

AFFIRMATIVE

ACTION REVIEW: Affirmative action review is not applicable to this report.

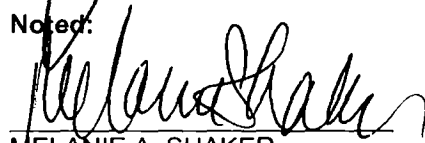
FINANCIAL: If the pupil is found to have been a non-resident during any time the pupil attended the Chicago Public Schools, the person(s) who enrolled the pupil shall be charged tuition for that time.

PERSONNEL

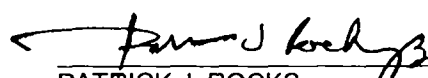
IMPLICATIONS: None.

Approved:


JEAN-CLAUDE BRIZARD
Chief Executive Officer

Noted:

MELANIE A. SHAKER
Interim Chief Financial Officer

Approved as to Legal Form: 


PATRICK J. ROCKS
General Counsel