

**ENROLLMENT OF RESIDENT AND NONRESIDENT, HOMELESS,
AND FOREIGN EXCHANGE STUDENTS**

A. General Policy:

Upon the recommendation of the Superintendent and approval of the Board of Education, and when space and other facilities are available, a non-resident pupil may attend the district's schools by paying the current state-established tuition rate and providing his/her own transportation. Permission for enrollment on a tuition basis will be granted only after parental conference with the Superintendent or designee and establishment of need. This privilege may be revoked if the student fails to follow the established rules and regulations.

B. Determination of Status:

It shall be the responsibility of each school principal to refer all students with non-resident parents, or where there is any question of residency, to the Superintendent for a decision as to his/her status as soon as it is known. The Board of Education reserves the right to review requests for admission of tuition students on a case-by-case basis. Any nonresident student who is under suspension or expulsion from another school system will not be admitted.

C. Eligibility for Enrollment:

1. A student who is living with parents or a parent as defined by Section 3313.64 of the Ohio Revised Code may be enrolled in this district so long as he/she resides with such parents or parent. (O.R.C. §3313.64(B)(1)). "Parent" means either parent, unless the parents are separated or divorced or their marriage has been dissolved or annulled, in which case, "parent" means the parent who is the residential parent and legal custodian of the child. When a child is in the legal custody of a government agency or a person other than the natural or adoptive parent, "parent" means the parent with residual parental rights, privileges, and responsibilities. When a child is in the permanent custody of a government agency or a person other than the natural or adoptive parent, "parent" means the parent who was divested of parental rights and responsibilities for the care of the child and the right to have the child live with him/her and be the legal custodian of the child and all residual parental rights, privileges, and responsibilities (O.R.C. §3313.64(A)(1)).

When a child is the subject of a power of attorney executed under O.R.C. §§3109.51 to 3109.62 or a caretaker authorization affidavit executed under O.R.C. §§3109.64 to 3109.73, "parent" means the grandparent designated as

attorney in fact under the power of attorney or the grandparent that executed the caretaker authorization affidavit.

2. Students at least eighteen (18) but under twenty-two (22) years of age who live apart from their parents may be enrolled in this district upon establishment of a legal residence within the school district. Such students shall be required to provide evidence of the fact that they live apart from their parents, support themselves by their own labor, have not completed the high school curriculum or their IEP, and any other fact deemed relevant by the responsible administrator (O.R.C. §3313.64 (F)(1)).
3. Students under eighteen (18) years of age who are married and reside in this district are entitled to attend the Cuyahoga Falls City Schools free of any tuition obligation (O.R.C. §3313.64(F)(2)).
4. After the approval of admission, the Board of Education may waive tuition for students who will temporarily reside in the Cuyahoga Falls City School District and are:
 - a. Residents or domiciliaries of a foreign nation who request admission as foreign exchange students; or
 - b. Residents or domiciliaries of the United States but not of Ohio who request admission as participants in an exchange program operated by a student exchange organization (O.R.C. §3313.64(G)).
 - c. A non-immigrant student may be admitted into the United States in non-immigrant status under Section 101(a)(15)(F) of the Act, if
 - (1) The student presents a SEVIS Form I-20 issued in his or her own name by a school approved by the Service for attendance by F-1 foreign students;
 - (2) The student has documentary evidence of financial support in the amount indicated on the SEVIS Form I-20;
 - (3) For students seeking initial admission only, the student intends to attend the school specified in the student's visa (or, where the student is exempt from the requirement for a visa, the school indicated on the SEVIS Form I-20 (or the Form I-20A-B/I-20ID); and

- (4) In the case of a student who intends to study at a public secondary school, the student has demonstrated that he or she has reimbursed the local educational agency that administers the school for the full, unsubsidized per capita cost of providing education at the school for the period of the student's attendance.
- (5) Selection is limited to no more than five (5) secondary school students or recent graduates between the ages of sixteen (16) and nineteen (19) who have sufficient knowledge of English to enable them to function in an English-speaking environment without the use of an interpreter.
- (6) The student, while attending the district, must reside with a host family whose residence is within the district.
- (7) The sponsoring organization, endorsed by the United States Information Agency, will be expected to adhere to guidelines which enable the student to acquire the necessary visa.
- (8) The sponsoring organization shall be responsible for the selection of the host family(s) and shall document, prior to enrollment, that a host family has been established.
- (9) The request for student acceptance, and the transcript of the applicant's records, must be received prior to August 1st preceding the school year for which admission is being sought. Attendance for the full academic year will be considered as an optimum arrangement.
- (10) The applicant will be required to have reading, writing, and speaking proficiency in the English language. The district will determine by an evaluation of the student's qualification whether the student has sufficient scholastic preparation to enable the student to undertake a full course of study.
- (11) Arrangement between the sponsoring organization, the student's parents, and the student must clearly delineate the sponsoring organization's rules as well as costs and refund policies and must be submitted at the time of enrollment. The district shall provide copies of the student handbook which shall be a part of such agreements.

- (12) The Superintendent or designee shall send written acceptance of the student to the sponsoring organization and the student by the date agreed upon by the sponsor and the district.
 - (13) The principal shall designate a member of the faculty or school administration as the student’s advisor during his/her stay at the school. The advisor shall serve as the liaison between the school and host family, school and sponsor, student and student body, and the school and community.
5. A student who has a medical condition that may require emergency medical attention is entitled to attend the Cuyahoga Falls City Schools free of any tuition obligation if either of the child's parents is employed in the Cuyahoga Falls City School District, subject to the following conditions:
 - a. The parent must submit to the Board of Education a statement from the child's physician certifying that the child's medical condition may require emergency medical attention;
 - b. Additional evidence supporting the above statement may be required by the Board (O.R.C. §3313.64(F)(3)).
6. Students residing in this district with a person other than their parent are entitled to attend the Cuyahoga Falls City Schools free of any tuition obligation for a period not to exceed twelve (12) months if the child's parent files an affidavit with the Superintendent or designee stating all of the following:
 - a. The parent is serving outside of the state in the armed forces of the United States;
 - b. The parent intends to reside within the district upon returning to this state;
 - c. The name and address of the person(s) with whom the child is living while the parent is outside the state (O.R.C. §3313.64(F)(4)).
7. A student under the age of twenty-two (22) who, after the death of a parent, resides in a school district other than the Cuyahoga Falls City School District may continue to attend school in the district free of any tuition obligation for the remainder of the school year, subject to the approval of the Board of Education, if the child attended school in the district at the time of the parent's death (O.R.C. §3313.64(F)(5)).

8. A student under the age of twenty-two (22) who resides with a parent who presently resides outside of the district but is having a new house built within the Cuyahoga Falls City School District may attend school in the district tuition-free for a period of time not to exceed ninety (90) days as established by the Superintendent if the parent provides the Superintendent with the following:
 - a. A sworn statement explaining the situation, revealing the location of the house being built, and stating the parent's intention to reside there upon its completion;
 - b. A statement from the builder confirming that a new house is being built for the parent and that the house is at the location indicated in the parent's statement (O.R.C. §3313.64(F)(6)).

9. A student under the age of twenty-two (22) who resides with a parent who presently resides outside of the district but has a contract to purchase a house in the Cuyahoga Falls City School District and is waiting upon the date of closing of the mortgage loan for the purchase of such house may attend school in the district tuition-free for a period of time not to exceed ninety (90) days as determined by the Superintendent if the parent provides the Superintendent with the following:
 - a. A sworn statement explaining the situation, revealing the location of the house being purchased, and stating the parent's intent to reside there;
 - b. A statement from a real estate broker or bank officer confirming that the parent has a contract to purchase the house, that the parent is waiting upon the date of closing of the mortgage loan, and that the house is at the location indicated in the parent's statement (O.R.C. §3313.64(F)(7)).

10. Students who do not reside with their natural or adoptive parents but reside within the Cuyahoga Falls City School District may be enrolled in this district if any of the following apply:
 - a. The child is in the legal or permanent custody of a government agency or a person other than his/her natural or adoptive parent (O.R.C. §3313.64(B)(2)(a));
 - b. The child resides in a home (O.R.C. §3313.64(B)(2)(b));
 - c. The child requires special education (O.R.C. §3313.64(B)(2)(c)); or

- d. At least one (1) of the child's parents is in a residential or correctional facility or a juvenile residential placement and the other parent is not known to reside in Ohio (O.R.C. §3313.65(C)).
11. A child residing with a resident of the state in the Cuyahoga Falls City School District with whom he/she has been placed for adoption shall be admitted to the schools of this district tuition-free unless the placement for adoption has been terminated or another school district is required to admit the child (O.R.C. §3313.64(B)(3)).
12. A child who is with his/her parent under the care of a shelter for victims of domestic violence, as defined in O.R.C. §3113.33, located in the Cuyahoga Falls City School District is entitled to attend the Cuyahoga Falls City Schools tuition-free (O.R.C. §3313.64(F)(9)).
13. A child under the age of twenty-two (22) whose parent has moved out of the Cuyahoga Falls City School District after the commencement of classes in the child's senior year of high school is entitled, upon approval of the Board of Education, to continue to attend the Cuyahoga Falls City School District tuition-free for the remainder of the school year and for one (1) additional semester or equivalent term (O.R.C. §3313.64(F)(10)).
14. A child under the age of twenty-two (22) who is in the custody of his/her parent, resides with a grandparent in the Cuyahoga Falls City School District, and does not require special education is entitled to attend the Cuyahoga Falls City School District tuition-free provided that prior to such attendance this Board of Education and the board of education of the school district in which the parent resides enter into an agreement specifying that good cause exists for such attendance, describing the nature of the good cause, and consenting to such attendance (O.R.C. §3313.64(F)(11)).
15. A grandparent residing in the Cuyahoga Falls City School District, who is attorney in fact under a power of attorney executed under O.R.C. §§3109.51 to 3109.62 or who executed a caretaker authorization affidavit under O.R.C. §§3109.64 to 3109.73, may enroll the child, who is the subject of the power of attorney or affidavit, in the Cuyahoga Falls City Schools, unless another reason exists under the Revised Code to exclude the child.
16. A child under the age of twenty-two (22) is entitled to attend school in a school district other than the district in which the child is entitled to attend school under division C.1., C.10., C.11., or D.4. of this policy, if, prior to such attendance in any school year, both of the following occur:

- a. The superintendent of the district in which the child is entitled to attend under division C.1., C.10., C.11., or D.4. of this policy contacts the superintendent of another district;
- b. The superintendents of both districts enter into a written agreement that consents to the attendance and specifies that the purpose of the attendance is to protect the student's physical or mental well-being or to deal with other extenuating circumstances deemed appropriate by the superintendents (O.R.C. §3313.64(F)(12)).

17. Homeless Students

The Board will comply with the McKinney-Vento Homeless Assistance Act, 42 U.S.C. §11431 (the “McKinney-Vento Act”) providing for a free, appropriate education, including public preschool, to each homeless child or youth.

- a. The McKinney-Vento Act defines “homeless children and youth” as individuals who lack a fixed, regular, and adequate nighttime residence. The term includes -
 - (1) Children and youth who are:
 - (a) Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (sometimes referred to as *doubled-up*);
 - (b) Living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations;
 - (c) Living in emergency or transitional shelters;
 - (d) Abandoned in hospitals; or
 - (e) Awaiting foster care placement.
 - (2) Children and youth who have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings;
 - (3) Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

- (4) Migratory children who qualify as homeless because they are living in circumstances described above.

b. Specific Duties of the Board:

The Board shall ensure that homeless children and youths are not stigmatized or segregated on the basis of their status as homeless. Under the McKinney-Vento Act, the Board is responsible for fulfilling the following duties to homeless children and youths:

- (1) Presuming that continuing the child's or youth's education in the school of origin is in the child's or youth's best interest, unless contrary to the request of the child or child's parent or guardian, or (in the case of an unaccompanied youth) the youth;
 - (a) Considering student-centered factors related to the child's or youth's best interest, including factors related to the impact of mobility or achievement, education, health, and safety of homeless children and youth, giving priority to the request of the child's or youth's parent or guardian or (in the case of an unaccompanied youth) the youth;
 - (b) If, after conducting the best interest of the child or youth presumption and considering the student-centered factors in Paragraph 1 above, the District determines that it is not in the child's or youth's best interest to attend the school of origin or the school requested by the parent or guardian, or (in the case of an unaccompanied youth) the youth, provide the child's or youth's parent or guardian or the unaccompanied youth with a written explanation of the reasons for its determination, in a manner and form understandable to such parent, guardian, or unaccompanied youth, including information regarding the right to appeal.
- (2) Providing for the immediate enrollment of a homeless child and the maintenance of student records for the child;
- (3) Providing services comparable to what other students receive in the areas of transportation, Title I programs, children with disabilities, limited English proficiency, vocational and technical education, gifted and talented education, and school nutrition;

- (4) Coordinating services to homeless children with other school districts, local social service agencies, and programs that assist homeless children and youth and their families;
- (5) Establishing a local liaison for homeless children and youth; and
- (6) Reviewing and revising policies to ensure that no policies act as barriers to the enrollment of homeless children and youths.

c. District Liaison for Homeless Children and Youth:

The liaison for homeless children and youth is the Superintendent or designee. The liaison is responsible for ensuring that:

- (1) Homeless children are identified by district personnel through outreach and coordination activities with other agencies;
- (2) Homeless children are enrolled in and have a full and equal opportunity to succeed in district schools;
- (3) Homeless children and their families have access to and receive educational services for which they are eligible and referrals for other appropriate services including health care, dental, ~~and~~ mental health, and substance abuse services, housing services, and other appropriate services;
- (4) Parents or guardians of homeless children are informed of the educational and related opportunities available to their children and a meaningful opportunity to participate in the education of their children;
- (5) The liaison provides assistance to an unaccompanied youth with placement or enrollment decisions, considers their views, and notifies the unaccompanied youth of the right to appeal such decisions;
- (6) Public notice of the educational rights of homeless children is disseminated in locations frequented by parents or guardians of such children, including areas where such children receive services, such as schools, family shelters, soup kitchens, and public libraries, in a manner and form understandable to the parents and guardians of such children;

- (7) Parents or guardians of homeless children are fully informed of and assisted with accessing transportation services available to the child, including transportation to the child's school of origin;
- (8) Disputes over enrollment decisions are resolved as quickly as possible after receiving notice of the dispute;
- (9) District personnel providing services pursuant to this Board policy receive professional development and other support; and
- (10) Ensure that homeless children and youths are informed of their status as independent students under the Higher Education Act and that they may obtain assistance from the District to receive verification for the FAFSA.

d. Procedure for Enrollment Decisions and Dispute Resolution:

If the Superintendent or designee determines that the best interest of the child requires the child to be enrolled in a school other than the school of origin or the school requested by the parent or guardian, the Superintendent or designee shall provide a written explanation to the child's parent or guardian, including the right to appeal such determination to the liaison.

The liaison shall inform the parent or guardian that they can provide written or oral documentation to support their position. The liaison shall review the issue and documentation and issue a decision in writing to the parent or guardian.

If the dispute is not resolved, the liaison shall refer the dispute to the Ohio Department of Education Homeless Consultant for the purpose of utilizing the resolution process on the state level.

18. Privacy

Information about a homeless child's or youth's living situation shall be treated as a student education record and shall not be deemed to be directory information.

19. A student under the age of twenty-two (22) who resides with a person other than the student's parent is entitled to attend school in the district in which that person resides if both of the following apply:

- a. The person has been appointed through a military power of attorney executed under section 574(a) of the National Defense Authorization Act for Fiscal Year 1994, or through a comparable document necessary to complete a family care plan, as the parent's agent for the care, custody, and control of the child while the parent is on active duty as a member of the national guard or a reserve unit of the armed forces of the United States or because the parent is a member of the armed forces of the United States and is on a duty assignment away from the parent's residence.
- b. The military power of attorney or comparable document includes at least the authority to enroll the child in school.

The entitlement to attend school in the district in which the parent's agent resides applies until the end of the school year in which the military power of attorney or comparable document expires. (O.R.C. §3313.64(F)(14)).

20. A child under twenty-two (22) years of age may attend school in the school district in which the child, at the end of the first full week of October of the school year, was entitled to attend school, if at that time the child was enrolled in the schools of the district but since that time the child or the child's parent has relocated to a new address located outside of that school district and within the same county as the child's or parent's address immediately prior to the relocation. The child may continue to attend school in the district, and at the school to which the child was assigned at the end of the first full week of October of the current school year, for the balance of the school year, only if both of the following conditions are satisfied:
 - a. The board of education of the school district in which the child was entitled to attend school at the end of the first full week in October and of the district to which the child or child's parent has relocated each has adopted a policy to enroll such children.
 - b. The child's parent provides written notification of the relocation outside of the school district to the superintendent of each of the two school districts.

At the beginning of the school year following the school year in which the child or the child's parent relocated outside of the school district, the child is not entitled to attend school in the school district.

Any person or entity owing tuition to the school district on behalf of the child at the end of the first full week in October, shall continue to owe such tuition to the district for the child's attendance for the lesser of the balance of the school year or the balance of the time that the child attends school in the district.

A pupil who may attend school in the district under this section shall be entitled to transportation services pursuant to an agreement between the district and the district in which the child or child's parent has relocated unless the districts have not entered into such agreement, in which case the child shall be entitled to transportation services in the same manner as a pupil attending school in the district under inter-district open enrollment as described in O.R.C. §3313.981(H), regardless of whether the district has adopted an open enrollment policy. (O.R.C. §3313.64(I)).

21. A child whose parent is a member of the national guard or a reserve unit of the armed forces of the United States and is called to active duty, or a child whose parent is a member of the armed forces of the United States and is ordered to a temporary duty assignment outside of the district, may continue to attend school in the district in which the child's parent lived before being called to active duty or ordered to a temporary duty assignment outside of the district, as long as the child's parent continues to be a resident of that district, and regardless of where the child lives as a result of the parent's active duty status or temporary duty assignment. However, the district is not responsible for providing transportation for the child if the child lives outside of the district as a result of the parent's active duty status or temporary duty assignment. (O.R.C. §3313.64(M)).
22. Students in grades kindergarten through twelve (12) whose parent or parents are non-residents of the Cuyahoga Falls City School District and who are not otherwise eligible to be enrolled in this district may be admitted ONLY after it has been determined that facilities are available, the pupil is acceptable, his/her enrollment is authorized and approved by the Superintendent and the Board of Education, and the following condition or conditions which are applicable are complied with by the responsible party:
 - a. The parents have entered into an agreement to pay tuition at the prevailing rate, and paid same to the Treasurer at least one (1) month in advance (O.R.C. §§3317.08, 3327.06, 3313.64).
 - b. A contract has been entered into between the board of education of the district of residence and the Cuyahoga Falls City School District Board of Education, providing for the payment of tuition by the district of residence (O.R.C. §3327.04).

If a limited number of nonresident students can be admitted, they will be considered in order of application. A new request must be made on an annual basis for each subsequent school year for which admission as a tuition student is requested.

D. Payment of Tuition:

1. If a student is admitted under division C.10.a.-c. of this policy, tuition shall be paid to the Cuyahoga Falls City School District as follows:
 - a. If the child receives special education in accordance with Chapter 3323 of the Revised Code, tuition shall be paid in accordance with Section 3323.091, 3323.13, 3323.14, or 3323.141 of the Revised Code regardless of who has custody of the child or whether he/she resides in a home (O.R.C. §3313.64(C)(1)).
 - b. If the child is in the permanent or legal custody of a government agency or person other than the child's parent, tuition shall be paid by:
 - (1) The school district in which the child's parent resided at the time the court removed the child from his/her home or at the time the court vested legal or permanent custody of the child in the person or government agency, whichever occurred first (O.R.C. §3313.64(C)(2)(a)); or
 - (2) If the parent's residence is unknown, tuition shall be paid by the district in which the child resided at the time he/she was removed from his/her home or placed in legal or permanent custody, whichever occurred first (O.R.C. §3313.64(C)(2)(b)); or
 - (3) If a school district cannot be established under either provision above, tuition shall be paid by the district as determined by the court at the time it vests custody of the child in the person or government agency (O.R.C. §§3313.64(C)(2)(c)--2151.357).
 - c. If the child resides in a home and is not in the permanent or legal custody of a government agency or person other than the parent, tuition shall be paid by:
 - (1) The school district in which the child's parent resides (O.R.C. §3313.64(C)(3)(a)); or
 - (2) If the child's parent is not a resident of this state, the home in which the child resides (O.R.C. §3313.64(C)(3)(b)).
 - d. In addition, if the child requires special services, any excess costs will be paid by the parents.

2. If a student is admitted under division C.10.d. of this policy, tuition shall be paid in accordance with O.R.C. §3313.65.
3. If a student is admitted under division C.21. of this policy, tuition shall be paid to the Cuyahoga Falls City School District as follows:
 - a. By the parent/guardian at least one (1) month in advance (O.R.C. §3327.06); or
 - b. By the school district of residence (O.R.C. §3327.04).
4. A student may be enrolled free of tuition obligation for a period not to exceed sixty (60) days, on the sworn statement of an adult resident of the district that he/she has initiated legal proceedings for custody of the child (O.R.C. §3313.64(E)).
5. Tuition shall be charged at the appropriate rate determined by the Cuyahoga Falls City Board of Education in accordance with O.R.C. §§3317.08, 3317.081, or 3313.64(I).
6. It shall be the duty of the Superintendent or designee to insure that tuition is paid.

E. Moving Out of District During School Year:

1. Except as provided in divisions C.6., 7., 13. and 19., of this policy, in the event a family moves out of the Cuyahoga Falls City School District, the student shall transfer to the new school district of the parent's residency. In special situations, which are to be determined at the sole discretion of the Superintendent or designee, a student may be allowed to complete the balance of the school year in the Cuyahoga Falls City Schools, and tuition shall be charged effective with the beginning of the next succeeding month.
2. In the event a student under the age of eighteen (18) residing in the district, whose parents have moved outside of the district, wants to be accepted as a student in the Cuyahoga Falls City School District, then he/she must present an actual court order placing the custody of said child with a bona fide resident of this district.

F. Suspension for Non-Payment of Tuition:

On or before the first day of classes each fall, the Treasurer will report the names of all students for whom tuition is due and unpaid to the Superintendent, who shall suspend the student(s) from school forthwith. In the event the tuition is not brought current prior to

the expiration of the suspension, said student will be expelled. Compliance with Board Policy 6.20 and 6.21 will be effected.

G. Report to the Treasurer of Board (O.R.C. §3321.12):

The principal of each school shall report to the Treasurer of the Board of Education the names, ages, and places of residence of all students whose parents do not reside within the Cuyahoga Falls City School District, together with any other facts the Treasurer requires to facilitate the carrying out of the laws. Such report shall be made within the first two (2) weeks of the beginning of school in each school year and shall be corrected by a weekly report of changes.

LEGAL REFS: O.R.C. §3313.64
McKinney-Vento Homeless Assistance Act, 42 U.S.C. §11421 *et seq.*
20 U.S.C. §6311

Adopted: May 17, 2017