

ADMISSION OF NONRESIDENT STUDENTS

The Board of Education (the Board) of the Bethlehem Central School District (the District) affirms that its primary responsibility is to provide the best possible educational opportunities for the children who are legal District residents and who are of legal age to attend school. However, nonresident students may be admitted to the District for a free public education only under the following circumstances:

Future Residents

The children of families who have signed a contract to buy or build a residence in the District may be enrolled within six weeks of that date if the parents assume full responsibility for transportation of the student.

When a family has made binding financial arrangements to move into the District within six weeks of the date of requested admission and the parents assume full responsibility for transportation of the student, the student may be enrolled without payment of tuition. Nonresident students may apply to be admitted on a tuition basis when the parents intend to move into the District, but such move will not occur within six (6) weeks of such requested admission and the parents assume full responsibility for the transportation of the student. The Board will evaluate each request on the merits of the situation and decide whether or not the applicant will be admitted. Tuition rates shall be determined in accordance with a formula established by the commissioner of Education.

Former Residents

When the family of a resident student moves outside the District, the then nonresident student may continue on a nontuition basis for the balance of the school year if the parents assume full responsibility for additional required transportation and, in the judgment of the superintendent, the individual remains a student in good standing for the duration of the year and if:

1. the student is a senior and the move occurs after the school year has been in progress for a minimum of six full calendar weeks; or
2. the move occurs after the midpoint of the school year.

Emancipated Minors

A student who is an “emancipated minor” residing in the District may attend school in the District upon satisfactory proof that he or she is emancipated, i.e., living separate and apart from his or her parent(s) or guardian(s) and not financially dependent upon them or in need or receipt of foster care, except that the District may not require an affidavit from the parent(s) of the student where such would constitute a hardship due to the unwillingness or inability of such parent(s) to provide same.

Review of Residency Decisions

A determination as to the residency of a student for purposes of attending school in the District shall be the sole responsibility of the Board or its designee provided, however:

1. that nothing contained herein shall be deemed to prevent an initial determination of same by a school official or employee acting within the scope of his or her duties as established by the District, or
2. that in the event such an initial determination is adverse to the involved student it must include notification of the procedures for obtaining review of the decision by the Board or its designee.

In the event of a review of a residency decision by the Board or its designee, the child's parent or the person in parental relation to the child, or the child if it is asserted that he or she is an emancipated minor, as applicable, must be afforded the opportunity to submit information regarding the question of the student's residency and consequent right to attend school in the District.

Any decision rendered by such Board or its designee that is adverse to the student must be in writing and provided within two business days to the child's parent, or the child, as applicable, and must include (a) the basis of the determination; (b) the date of exclusion from the District; and (c) a statement that the determination may be appealed to the commissioner of Education within thirty days from the date of same and that the procedures for perfecting such an appeal may be obtained from the Department of Education, Offices of Counsel.

Ref: Education Law §3202

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