

Resident and Non-Resident Students

1. **Policy** – It is the policy of the Mayfield Central School District to provide a tuition free education for school age persons who reside within the District. In addition, it is the policy of the District to provide a tuition paid education to those non-resident school age persons who are admitted pursuant to this policy.

2. **Resident Pupils** – In accordance with Education Law section 3202, a school-age person shall be considered a resident of the Mayfield Central School District if such person resides with a resident custodial parent by birth or adoption, a resident legal guardian or custodian, or is legally emancipated. A student’s legal school district residence is presumed to be that of his or her parent(s) or legal guardian. If a school-age person resides alone or with someone other than a resident custodial parent or legal guardian, then residency shall be determined as follows:

2.1 Guardianship or custody is deemed permanent if it has not been established solely for the purpose of changing school attendance and there is evidence of intent to permanently reside at the new location. For a change in residence to be deemed permanent there must be no intention or evidence that the school-age person will return to the home of a non-resident parent or legal guardian at any point in the future, i.e., there has been a total and permanent relinquishment of parental control. If a student is not living with a non-resident parent or legal guardian but there has not been a total and permanent surrender of parental control, then the student will still be deemed a resident of the home of the non-resident parent or guardian.

2.2 The resident guardian or custodian must exercise full and complete control over the child including exercising full authority as a person in parental relationship and providing full financial support.

2.3 Guardianship or custody may be established by court order.

2.4 An emancipated minor is a student who satisfies the legal requirements for living in an emancipated state providing all of his/her own means of support.

2.5 Determination of residence shall be by the Superintendent of Schools in accordance with applicable Education Law and Regulations of the Commissioner of Education.

2.6 Resident students who become non-resident pupils during their senior year may complete their senior year without paying tuition.

2.7 Resident students who become non-resident students during the school year, but whose parents/guardians fail to inform the District of such non-resident status may be denied tuition status at the discretion of the Superintendent.

3. **Non-resident Pupils** – Non-resident school-age persons in Grades 2 through 12 may be admitted to the Mayfield Central School District upon approval of the Superintendent of Schools on an annual basis in accordance with the following conditions:

- 3.1 Parents or legal guardians of non-resident pupils seeking admission to Mayfield Central School District will write a letter of application annually to the Superintendent.
- 3.2 The District recognizes its primary obligation to provide a free public education to all school age children who reside within the District. Wherein the Superintendent of Schools determines that classroom space is available within the District and the District is able to offer placement to non-resident students without incurring any additional cost to the taxpayers of the District it shall be the Policy of the Board of Education to admit such students to its schools upon the payment of tuition, as set by the Board of Education in accordance with the laws and regulations of the State of New York.

Nothing in this Policy shall authorize the admission or maintenance of a non-resident student whose admission/ maintenance as student in the District requires any additional expenditure to the Board of Education, the hiring of additional staff or a waiver of an existing classroom teacher student ratio, as established by law, board policy, contract, or regulation.

Non-resident students shall be admitted to the extent space is available in existing classrooms and upon a determination by the Superintendent, in consultation with that school's Principal, that the needs of the students can be met within the District's existing programs and by the District's existing staff. Also, a non-resident student must be in good standing in his/district of residence (*i.e.* is not on academic probation or otherwise the subject of any out of school suspensions in the past school year).

- 3.3. The tuition will be established on an annual basis by Board resolution. Payments may be made in two equal installments, the first paid on or before September 1 and the second on February 1 of each school year, only in the event that the account from the previous school year was in good standing. If the account was not in good standing in the previous year, tuition status may be denied at the discretion of the Superintendent or tuition will be due in its entirety prior to September 1. Non-payment of tuition will be sufficient reason to rescind approval of attendance. If the payment due is not received within 30 calendar days of the due date, which includes one mailed reminder from the District Office during that period, the student's enrollment as a Mayfield CSD student will be terminated on the 31st day.
- 3.4 Tuition students will be counted in average daily attendance on all reports.
- 3.5 Board Resolution: "High School (9-12) students and their parents who are seeking admission to Mayfield as nonresident pupils will be made aware by receipt of this policy that participation in interscholastic athletics at the Junior Varsity and Varsity levels is prohibited in the first academic year of attendance. An application for a specific waiver from this rule may be made to the High School Principal. Satisfactory academic performance and good citizenship demonstrated for a sustained period of

time will be factors in a decision. The Board of Education will be kept informed of the requests made and their outcome at the annual review of the policy.”

- 3.6 As a condition of acceptance of a non-resident student, the Parents of such student and the student, as applicable, agree to the following:
1. The parents shall be responsible for the transportation of the student to and from the District and shall provide the District with the name of another adult who shall be responsible for the transportation of the student, if the parent is not available, in the event of early dismissal.
 2. Failure to make appropriate arrangements for the transportation of a non-resident student, including on days requiring early dismissal due to emergency or otherwise, may result in the student’s dismissal.
 3. The student shall be subject to the same rules governing student attendance and student discipline as resident students and shall be required to comply with the same rules. Any violations of school rules, including, but not limited to, excessive tardiness, truancy or other infractions that would result in the suspension of a resident student from school, may constitute a basis for the student’s immediate dismissal.
 4. Prior to such dismissal, the District shall provide the Parent with written notice of the basis for its determination and shall notify the Parent of the right to request an informal conference with the Superintendent of Schools, who shall provide an opportunity for the Parent and student to present their concerns.
 5. The decision of the Superintendent shall be final except a parent may appeal such decision to the Board of Education within thirty (30) days of such determination upon written notice with a statement of the reasons for such appeal.
 6. Extra-curricular activities - To the extent otherwise eligible, all non-resident students admitted pursuant to this policy shall be allowed to participate in all activities/sporting opportunities to the same extent as resident students of the District, except that the Parents of such students shall be responsible for their transportation from any after school activities to their home. The exception is interscholastic athletics as detailed above in §3.5 of this policy.

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