

STUDENTS

7:60 Residence

In accordance with the general residency provisions set forth in Section 5/10-20.12a and 5/10-20.12b of the School Code, and as a prerequisite for admission to P.A.E.C. programs or the provisions of P.A.E.C. services, the Member Districts may require proof of residence within a P.A.E.C. member district and legal custody. In addition to proof of residence and legal custody, the criteria for determining student residency include the specific provisions set forth in Sections 5/14-1.11 and 5/14.11a of the School Code regarding students with disabilities. In the event that proof of residence and legal custody result in a determination of residency inconsistent with the specific provisions regarding students with disabilities, Sections 5/14-1.11 and 5/14.11a of the School Code shall control.

A student whose family moves from a P.A.E.C. member district to another Illinois school district, including another P.A.E.C. member district, during the school year will be permitted to attend his/her current P.A.E.C. program for the remainder of the year without payment of tuition provided the new district of residence or the parent(s)/guardian(s) pays P.A.E.C. the cost of tuition and provides transportation. In the event of a change in residency from one P.A.E.C. member district to another, the P.A.E.C. Administration shall attempt to schedule one or more meetings with the parent(s)/guardian(s) and the new and former P.A.E.C. member districts of residence to facilitate enrollment in the new district of residence and determine responsibility for the tuition and transportation costs of the program. In the event that the P.A.E.C. member districts are unable to agree regarding the transfer of financial responsibility for the student, the matter will be submitted to the P.A.E.C. Governing Board. The Governing Board shall apportion financial responsibility for the cost of tuition and transportation between the member districts. Such final decision may be retroactive to the date of change in residency, as determined by the Governing Board in its discretion, and may be enforced by the Governing Board against a member district under the Articles of Joint Agreement as in the case of any P.A.E.C. unpaid billing.

Residence of Students with Disabilities

The residence of a child with a disability is determined in accordance with 105 ILCS 5/14-1.11, 5.14-1.11a, and 5/14-1.11b.

Tuition for Nonresident Students

Nonresident students who attend P.A.E.C. programs shall be charged tuition at a rate of 110% of the per capita costs for the preceding school year of the P.A.E.C. program that the student is attending. The admittance of the student is subject to the pre-approval of the P.A.E.C. Governing Board, except as may be otherwise required by law.

Homeless Children

Each child of a homeless individual and each homeless youth have equal access to the same free, appropriate public education, as provided to other children and youths, including a public pre-school education. A homeless child may attend: (1) the school that the child attended when permanently housed; (2) the last school in which the student was enrolled; or (3) the school attended by non-homeless students in the attendance area in which the homeless student is actually living at the time of enrollment. A "homeless child" is defined as provided in State and federal law.

The Executive Director or designee shall periodically review and revise rules or procedures that may act as barriers to the enrollment of homeless children or youths. In reviewing and revising such procedures, consideration shall be given to issues concerning transportation, immunization,

residency, birth certificates, school records and other documentation, and guardianship. Transportation shall be provided in accordance with State and federal law. The Executive Director or designee shall give special attention to ensuring the enrollment and attendance of homeless children and youths who are not currently attending school.

Determining a Student's Residence Status

Whenever the Executive Director or designee receives information believed to be reliable that questions the residency of a student enrolled or to be enrolled in P.A.E.C. programs or services, the Executive Director or designee shall advise the relevant member district(s) in writing regarding the need for an investigation. If a student has not begun attendance in a P.A.E.C. program where residency is questioned, the Executive Director or designee shall generally deny attendance pending determination of the student's residency. However, students who are considered homeless under the *Education for Homeless Children Act*, 105 ILCS 45/1, et seq., shall be enrolled immediately.

LEGAL REF.:

42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.

105 ILCS 5/10-20.12a, 5/10-20.12b, 5/10-22.5, 5/10-22.5a, 5/14-1.11, 5/14-1.11a, and 5/14-1.11b.

105 ILCS 45/, Education for Homeless Children Act.

105 ILCS 70/, Educational Opportunity for Military Children Act.

23 Ill.Admin.Code §1.240.

Israel S. by Owens v. Bd. of Educ. of Oak Park and River Forest High Sch. Dist. 200, 235 Ill.App.3d 652 (5th Dist. 1992).

Joel R. v. Board of Education of Manheim School District 83, 292 Ill.App.3d 607 (1st Dist. 1997).

Kraut v. Rachford, 51 Ill.App.3d 206 (1st Dist. 1977).

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Proviso Area for Exceptional Children (P.A.E.C.)
