

DEERFIELD COMMUNITY

CODE: 422

SCHOOL DISTRICT

DATE OF ADOPTION: 02/17/97

RESIDENCY, NON-RESIDENCY, TUITION, and TUITION WAIVER POLICY

A student who is a resident of the school district has the right to a tuition free education, provided that student has not been expelled from Deerfield or other schools. Whenever there is a question of whether or not a student is a resident, an investigation must take place by the district administrator or designee with the final determination to be made by the school board. The Wisconsin State Statutes do not describe residency, and that standard has been left to the courts. In *State ex rel. School District No. 1 vs. Thayer*, 74 Wis. 48 (1889), it was decided that the rule governing the right of a child to attend school in a given district does not require that there shall be a legal domicile. It further established that children residing in the district other than in their legal residence must be residing in the district for other, as a main purpose, than to participate in the advantages which the school affords if they are to be allowed to attend tuition free. In establishing residency, the guide used in Wisconsin is:

- 1) It is the residency (physical presence) of the student, not the parent or custodian that is the determinant.
- 2) For purpose of physical presence, a pupil may live with parents, relatives, non-relatives or no one at all.
- 3) In addition to establishing physical residence, the pupil must satisfy the common-law test set forth by the Wisconsin Supreme Court in *State ex re. School District vs. Thayer*, which held that children are only entitled to free tuition if they are actually residing in the district for other than a main purpose of participating in the education program.

The questions in Appendix A should be asked in determining residency.

If it is determined that the student is not a resident of the district, the student may attend schools of the district on a tuition basis with approval of the school board. The Board shall make a written agreement with the student's parent or guardian for the payment of tuition. Transportation of nonresident students to and from school is the responsibility of the parent or guardian.

Tuition waiver may be granted by the school board under the following conditions:

- 1) A student that is a resident of the school district past the third Friday in September enrollment date can complete the school year in the district without payment of tuition even though the student is no longer a resident of the school district. The parent or guardian is responsible for providing transportation. Said permission will be granted by the Board of Education in order for this to happen.
- 2) A student who has gained 12th grade status and is a resident of the school district at the time of gaining such status can complete Grade 12 in the district even though the student is no longer a resident of the school district. Said permission will be granted by the Board of Education in order for this to happen. The parent or guardian is responsible for providing transportation.
- 3) A foreign exchange student may attend school in the district without payment of tuition in accordance with the policy governing foreign exchange students.
- 4) A student whose parent or guardian demonstrates plans to become a resident of the district within an eighteen (18) week period of time may attend school in the district with BOE

approval. The parent or guardian must file a declaration (Appendix B) that they will move into the district within the 18-week period. If residence is established within the 18 weeks, the matter is dropped and the family considered in good standing. If residence is not established, the parent or guardian must again apply for permission to reside outside of the district and have their child/children continue to attend in Deerfield. Another written application for enrollment may be filed for the next 18 weeks. This process can be repeated for a period of time not exceeding one school year or thirty six (36) weeks. Any requests beyond the 36 weeks will be accompanied by a check covering the entire period requested. None of this check will be refunded unless the family moves in prior to the estimated date. The parent or guardian are responsible for transportation during any period of time they live outside of the district.

Non-resident special education students may be accepted into the school district on a tuition basis or through a 66.30 consortium agreement.

LEGAL REF: Wisconsin Statutes 115.88, 121.75 through 121.84

DEERFIELD COMMUNITY SCHOOL DISTRICT

NON-RESIDENT STUDENTS APPLICATION FOR ENROLLMENT AND DECLARATION OF PARENT/GUARDIANS INTENT TO ESTABLISH RESIDENCY

Per Residency, Non-residency, Tuition, Tuition Waiver Policy, application must be made for the first 18-week period that a student attends a District school prior to establishing permanent residency in the District.

Date: _____

I, _____, hereby make application to enroll my child/children in the following schools of the Deerfield Community School District.

Name	School	Dates Enrolled
		/ / - / /
		/ / - / /
		/ / - / /
		/ / - / /
		/ / - / /

and furthermore, intend to establish residency at _____
_____ in the Deerfield Community School District on or before
_____, 20__*.

*A copy of the contract, lease, or a letter from the contractor must be attached, showing the projected date of occupancy.

Signed: _____

Present Address: _____

Phone Number _____

DEERFIELD COMMUNITY SCHOOL DISTRICT
DATE UTILIZED IN ESTABLISHING RESIDENCY OF A STUDENT

PERSONAL DATA:

Student's Name: _____

Student's Address: _____

Student's Birth Date: _____ Age: _____

Year in School: _____

Student's Telephone Number: _____

Student's Dates of Attendance in the School District:

From: _____ To: _____

Parent's Name _____

Parent's Address _____

Parent's Previous Address: _____

Date of Previous Address: From _____ To _____

INFORMATIONAL QUESTIONS

Who are you living with in the district?

How long have you lived at the present residence?

Who is your legal guardian?

If you are not living with your parent or legal guardian, why are you living in the district?

Is your residency permanent or temporary? Please explain.

Where do you plan to reside during summer break?

How many nights of the week do you normally sleep at this residence?

What nights?

Please check:

Monday ___ Tuesday ___ Wednesday ___ Thursday ___ Friday ___

OTHER INFORMATION BELIEVED PERTINENT

Signature _____ Date _____