

Students

**SUBJECT: DUAL ENROLLMENT: NONPUBLIC SCHOOL STUDENTS**

In accordance with Education Law, New York State resident students who attend nonpublic schools located in the District may also enroll in public school programs provided by the School District in three categories: gifted education, career education (vocational and occupational education), and special education and related services for students with disabilities. Dual enrollment is not permitted in any other areas. Furthermore, no other forms of dual enrollment are available, such as participation on teams or school bands. Dual enrollment provisions apply only to those programs operated during the course of the school year and not to summer programs. Nonpublic school students are eligible to participate in public school summer school programs in the school district in which they live on the same basis as any other resident students.

If deemed appropriate by the School District and/or mandated by law or regulation, the school district or residence of such nonpublic school student may contract for the provision of such dual enrollment services with the Board of Cooperative Education Services (BOCES), the school district in which the nonpublic school is located (if different from district of residence), or another school/school district as may be necessary.

A written request from the parent(s), guardian(s) or person(s) legally having custody of a nonpublic school student for provision of such dual enrollment services must be filed with the Board of Education of the school district in which such parent(s), guardian(s) or person(s) legally having custody of the student reside on or before the first day of June preceding the school year for which the request is made. Through such written request for participation in a dual enrollment program, a student is considered enrolled in the public schools; however, no formal registration in the public school is required. Dual enrollment does not in any way jeopardize the student's enrollment in the nonpublic school. The administrator of a nonpublic school may receive and forward such request from the parent(s), guardian(s) or person(s) legally having custody of the student to the Board of Education of the district of residence of such nonpublic school student in accordance with proper timelines. Requests should be filed as early as possible so that they can be considered by the Board as plans are made and budgets prepared. For the purpose of obtaining educational programs and/or services for students with disabilities, such request shall be reviewed by the Committee on Special Education in accordance with law.

The Board of Education retains authority to determine, by resolution, which courses of instruction shall be offered during the course of the school year, the eligibility of students to participate in specific courses, and the admission of students in accordance with law. All students in like circumstances shall be treated equally.

Nonpublic school students receiving such dual enrollment services shall not be segregated from District students in any dual enrollment program.

(Continued)

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Students

**SUBJECT: DUAL ENROLLMENT: NONPUBLIC SCHOOL STUDENTS (Cont'd.)**

For students receiving gifted or career education, transportation shall be provided between the nonpublic school attended by such students and the public school where such services are provided if the distance between the nonpublic school and the public school exceeds one-fourth of a mile. The Board of Education shall provide transportation for students receiving special education programs and/or services pursuant to law in accordance with the needs of each such student. The District may claim state aid for this transportation.

The Board of Education, teachers, and other employees of the School District shall not be liable for harm to nonpublic school students caused by others while such students are walking between the public and nonpublic schools.

While the Dual Enrollment Law provides that services for those students enrolled in such dual enrollment instruction to be in the regular classes of the School District, pursuant to law, the District is not required to provide such dual enrollment services exclusively in those programs/courses of instruction offered by the District and may, if appropriate and/or mandated by law, secure the provision of dual enrollment services elsewhere. The Board of Education of the District providing dual enrollment services to non-resident students shall be entitled to recover tuition from the district of residence of such students in accordance with the formula promulgated by the Commissioner of Education. Additionally, BOCES/state aid may also be claimed, as appropriate, for the provision of dual enrollment services.

The Board of Education is authorized to determine the standards of eligibility of students to participate in specific courses. If one course is a prerequisite for another, access to the prerequisite shall be made available to those nonpublic school students entitled to dual enrollment in the schools of the District.

Administrative regulations will be developed to implement the terms of this policy.

Education Law Section 3602-c

Adopted: 03/18/03