

Book	Policy Manual
Section	200 Pupils
Title	Eligibility of Nonresident Students
Code	202
Status	Draft

### **Purpose**

The Board shall operate district schools for the benefit of students residing in this district who are eligible for attendance.[\[1\]](#)[\[2\]](#)[\[3\]](#)

### **Authority**

The Board may permit the admission of nonresident students in accordance with Board policy.[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)

The Board shall require that appropriate legal documentation showing dependency or guardianship or a sworn statement of full residential support be filed with the Board Secretary before an eligible nonresident student may be accepted as a student in district schools. The Board may require a resident to submit additional, reasonable information to substantiate a sworn statement, in accordance with guidelines issued by the PA Department of Education.

The Board reserves the right to verify claims of residency, dependency and guardianship, and to remove from school attendance a nonresident student whose claim is invalid and who is not otherwise entitled to enrollment within this district.[\[11\]](#)

The district may disenroll a student following a determination that the student does not reside in the district and is not otherwise entitled to free school privileges in the district. The district shall provide notice to the parents/guardians or other person having charge or care of the student of the reason(s) for the district's determination to disenroll the student. The district may not disenroll the student until:[\[11\]](#)

1. The parents/guardians or any other person having charge or care of the student have been provided an opportunity for a hearing with the Board or a committee of the Board to appeal the decision and the appeal process has been exhausted; or[\[11\]](#)[\[12\]](#)
2. The parents/guardians or other person having charge or care of the student, after being notified of the opportunity for a hearing, decline to participate in the hearing or the appeals process.[\[11\]](#)

Prior to disenrolling a student, the district's liaison for homeless children and youth shall provide the parents/guardians or other person having charge or care of the student with information regarding the educational rights of homeless students.[\[11\]](#)[\[13\]](#)

The district shall comply with a court order directing a student to be disenrolled and enrolled in a different school.[\[11\]](#)

### **Guidelines**

The Board shall not be responsible for transportation to or from school for any non resident student residing outside school district boundaries.

Tuition rates shall be determined annually in accordance with law. Tuition, if applicable, shall be charged monthly, in advance of attendance.[\[10\]](#)[\[14\]](#)[\[15\]](#)

#### Nonresident Children Placed in Resident's Home

Any child placed in the home of a district resident by a court or government agency shall be admitted to district schools and shall receive the same benefits and be subject to the same responsibilities as resident students.[\[6\]](#)[\[16\]](#)

#### Residents of Institutions

A child who is living in or assigned to a facility or institution for the care or training of children that is located within this district is not a legal resident of the district by such placement; but the student shall be admitted to district schools, and a charge shall be made for tuition in accordance with law.[\[7\]](#)[\[14\]](#)[\[16\]](#)[\[17\]](#)[\[18\]](#)[\[19\]](#)[\[20\]](#)[\[21\]](#)[\[22\]](#)

#### Students Experiencing Educational Instability

The district shall immediately admit students experiencing homelessness, foster care and other forms of educational instability, even if the required documents are unavailable, in accordance with Board policy, law and regulation.[\[5\]](#)[\[13\]](#)[\[16\]](#)

#### Children of Military Families

Children of military families shall be eligible for enrollment in this district in accordance with the Interstate Compact on Educational Opportunity for Military Children, state law and Board policy.[\[5\]](#)[\[8\]](#)[\[9\]](#)[\[11\]](#)[\[23\]](#)

#### Other Nonresident Students

A nonresident student may be admitted to district schools without payment of tuition where attendance is justified on the grounds that the student lives full-time and not just for the school year with district residents who have assumed legal dependency or guardianship or full residential support of the student.[\[11\]](#)[\[24\]](#)

The Board shall require that appropriate legal documentation showing dependency or guardianship or a sworn statement of full residential support be filed with the Board Secretary before an eligible nonresident student may be accepted as a student in district schools. The Board may require a resident to submit additional, reasonable information to substantiate a sworn statement, in accordance with guidelines issued by the PA Department of Education.[\[11\]](#)[\[24\]](#)

#### Prospective Residents

A student eligible for attendance whose parent/guardian has executed a contract to buy, build or rent a residence in this district for occupancy may be enrolled without payment of tuition for three (3) months previous to the anticipated date of residency.[\[10\]](#)

If the student does not become a resident of the district by the end of the period for which free attendance is given, tuition shall be required until residency is established.

Parents/Guardians of students who claim admission on the basis of future residency shall be required to demonstrate proof of the anticipated residency, and provide transportation until residency is established.

### Former Residents

Regularly enrolled students whose parents/guardians have moved out of the school district may be permitted finish the year, without payment of tuition, when the student is completing the senior year and will graduate.[\[10\]](#)

### **Delegation of Responsibility**

The Superintendent or designee shall develop administrative regulations for the enrollment of nonresident students.

The Superintendent shall recommend to the Board for its approval the admission of qualified nonresident students.

Legal

- [1. 24 P.S. 501](#)
- [2. 24 P.S. 502](#)
- [3. 24 P.S. 503](#)
- [4. 24 P.S. 1301](#)
5. Pol. 200
- [6. 24 P.S. 1305](#)
- [7. 24 P.S. 1306](#)
- [8. 24 P.S. 1302.1](#)
- [9. 24 P.S. 1184](#)
- [10. 24 P.S. 1316](#)
- [11. 24 P.S. 1302](#)
12. Pol. 906
13. Pol. 251
- [14. 24 P.S. 2561](#)
15. Pol. 607
- [16. 24 P.S. 1331.1](#)
- [17. 24 P.S. 1307](#)
- [18. 24 P.S. 1308](#)
- [19. 24 P.S. 1309](#)
- [20. 24 P.S. 1310](#)
- [21. 24 P.S. 2562](#)
- [22. 22 PA Code 11.18](#)
23. Pol. 254
- [24. 22 PA Code 11.19](#)
- [22 PA Code 11.41](#)
- [24 P.S. 1306.2](#)
- [24 P.S. 2503](#)

[24 P.S. 7302](#)

Pol. 103

Pol. 103.1

Interstate Compact on Educational Opportunity for Military Children (MIC3)