



## **POLICY 209 – STUDENT RESIDENCY**

### **1. Purpose**

The West Jefferson Hills Board of School Directors shall operate the schools of this district for the benefit of children who are residents in this district and are eligible for attendance and for those others eligible for admission under this policy and any applicable laws.

### **2. Authority**

The West Jefferson Hills Board of School Directors recognizes a responsibility to resident students and to taxpayers to strictly uphold this policy. The Board further recognizes that registration of students is based upon meeting residency requirements at the time of registration.

The West Jefferson Hills Board of School Directors reserves the right to verify claims of residency, custody, dependency and guardianship and to remove from school attendance a non-resident student whose claim is invalid. The Board further reserves the right to use any of the enforcement measures set out in this policy to ensure compliance.

### **Entitlement To Education**

A child should be permitted to attend school on the next day after the day on which the child is presented for enrollment, and in all cases within five (5) business days of the receipt of the required documentation.

### **Required Enrollment Documentation**

Except when a child is homeless, whenever a child of school age is presented for enrollment by a parent(s)/guardian(s), school district resident, or any other person having charge or care of the child, the West Jefferson Hills School District requires that the following information be documented before enrolling the child and allowing the child to attend school:

1. Proof of the child's age – Any one (1) of the following constitutes acceptable documentation:
  - a. Birth certificate.
  - b. Notarized copy of birth certificate.
  - c. Baptismal certificate.
  - d. Copy of the record of baptism, notarized or duly certified and showing the date of birth.

- e. Notarized statement from the parents/guardians or another relative indicating the date of birth.
  - f. Valid passport.
  - g. A prior school record indicating the date of birth.
2. Immunizations required by law – Acceptable documentation includes either the child’s immunization record, a written statement from the former school district or from medical office that the required immunizations have been administered, or that a required series is in progress, or verbal assurances from the former school district or a medical office that the required immunizations have been completed, with records to follow.
  3. Proof of residency – Acceptable documentation includes a deed, lease, mortgage agreement, current utility bill, current credit card bill, property tax bill, driver’s license, vehicle registration or DOT identification card. The District may require that more than one form of residency confirmation be provided.
  4. Parent Registration Statement – A notarized statement (see Attachment A) attesting to whether the student has been or is suspended or expelled for offenses involving drugs, alcohol, weapons, infliction of injury or violence on school property must be provided for a student to be admitted (24 P.S. § 13-1304-A). West Jefferson Hills School District may not deny or delay a child’s school enrollment based on the information contained in a disciplinary record or sworn statement. However, if a student is currently expelled for a weapons offense, the West Jefferson Hills School District can provide the student with alternative education during the period of expulsion (24 P.S. § 13-1317.2 (e.1)). If the disciplinary record or sworn statement indicates the student has been expelled from a school district in which s/he was previously enrolled, for reasons other than a weapons offense, West Jefferson Hills School District will review the student’s prior performance and school record to determine the services and supports to be provided upon enrollment in the district.
  5. Home Language Survey—All students seeking first time enrollment in the District shall be given a home language survey in accordance with the requirements of the U.S. Department of Education’s Office for Civil Rights. Enrollment of the student may not be delayed in order to administer the Home Language Survey. A copy of the Home Language Survey may be found on the Pennsylvania Department of Education’s website.

#### Documentation Which May Be Requested But Not As A Condition Of Enrollment

##### *Items Which Will Be Requested –*

West Jefferson Hills School District will seek to obtain information from families in addition to the five (5) mandatory items discussed above. The following items are not required as a condition of enrollment, and receipt of these items may not delay a child’s enrollment or attendance. Among the documents that West Jefferson Hills School District will request are:

1. Picture identification.
2. Health or physical examination records.

3. Academic records.
4. Attendance records.
5. Individualized Education Program.
6. Other special education records.

In addition, West Jefferson Hills School District may not require that a physical examination be conducted as a condition of enrollment.

West Jefferson Hills School District requires the following registration information for student enrollment:

1. Name.
2. Address.
3. Telephone number.
4. Name of parent(s)/guardian(s) or resident adult(s) with whom the student is living.
5. Emergency contact information.
6. Former school information.
7. Other locally-required information.

Inasmuch as the responsibility of the West Jefferson Hills School Board is to the children of the West Jefferson Hills School District, no tuition students or non-resident students shall be admitted to the schools, except as specifically included and defined in the policy below.

**3. Guidelines**

A child belonging to any of the following cases shall be considered a resident and entitled to free tuition:

1. A child living with resident parent(s)/guardian(s).
2. A child legally adopted and living in the district with adopted parents.
3. A child who has lost both parents and is living in the district with guardians either natural or appointed.
4. When the parents reside in different school districts due to separation, divorce or other reason, the child may attend school in the district of residence of the parent with whom the child lives for a majority of the time, unless a court order or court approved custody agreement specifics otherwise. If the parents have joint custody and time is evenly divided, the parents may choose which of the two school districts the child will enroll for the school year.
5. A child who has acquired a permanent or temporary home, within the district, who files an affidavit that the parents/guardians do not contribute to his/her support.

6. A child who lives full time, and not just for the school year, and is supported gratis by a resident as if the child were his/her own, and where such resident files an affidavit to that effect.

#### Non-resident Children Placed in the District By a Court or an Agency

Any child placed in the home of a resident of this district by a court or any agency of government shall be admitted to the schools and shall receive the same benefits and be subject to the same responsibilities as resident children, with required documentation. The required documentation shall include a court order or government agency order placing the child in the home of the resident.

#### Inmates of Institutions

A child who is living in, or assigned to, a facility or institution for the care or training of children located within this district who is not a legal resident of the district shall be admitted to district schools without charge.

#### Other Non-resident Students

A non-resident 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 resident(s) who have assumed legal custody or guardianship or full residential support of the student.

An applicant who intends to have a non-resident student registered as living in his/her home will be asked to submit evidence that the child was listed as a dependent for income tax purposes during the period the child attended the West Jefferson Hills School District, if such evidence is available and if IRS rules governing tax dependents permit the student to be listed as a dependent for tax purposes. If available and if applicable, this evidence must be submitted by May 15<sup>th</sup> of each school year the student was in attendance on an affidavit. If available and if applicable, failure to provide this documentation will result in the applicant being liable for tuition for the period of time the student attended. Tuition will be prorated based on the current school year tuition rate.

The Board shall require that appropriate legal documentation in the form of a valid court order showing custody, dependency or guardianship or a sworn affidavit of support be filed with the Superintendent or designee before an eligible non-resident student may be enrolled in any district-operated school. The Board may require a resident to submit additional reasonable information to support the sworn statement, in accordance with the Pennsylvania Department of Education regulations and guidelines.

Where possible and where applicable, the natural parents shall also sign the affidavit giving their consent to the placement of the child with the district resident(s) and verifying that the statements of the resident are true.

The Board reserves the right to verify claims of residency, custody, dependency, and guardianship and to remove from school attendance a non-resident student whose claim is invalid. Verification will occur through authorized visits, both announced and unannounced, from, but not limited to, the following personnel: the home school visitor, school resource officer, principal, or Director of Special Education. The following are examples of, and not a complete list of, reasons for home visits to verify residency, custody, dependency and guardianship: returned mail, disconnected phones, inability to contact parent/guardian, or inconsistent behavior. Failure to comply with home visits to

verify residency, custody, dependency and guardianship will result in the removal of the student from the school rolls.

### Senior Class Student

The Superintendent may approve the enrollment of a senior class student who completed his/her ninth, tenth, and eleventh grade years in the West Jefferson Hills School District conditioned upon the prior good school citizenship records of the student and the fact that transportation is not being provided by the district. Such students shall be enrolled without the payment of tuition.

Additionally, students must request this privilege and sign, along with parent/guardian, an agreement, through signature, that acknowledges this conditional enrollment.

### Former Students

If a family takes residence outside of the West Jefferson Hills School District from May 1<sup>st</sup> through the end of the school year, the student, with permission from the Superintendent, may complete the school year within the West Jefferson Hills School District, provided he/she is a student in good standing and that the transportation is not provided by the school district.

### Charter School Students/Cyber School Students

Students who are enrolling in charter schools and/or cyber schools through the West Jefferson Hills School District will be subject to the same residency verification requirements as all other resident students.

### Homeless Children

Homeless children shall be admitted to the school district in accordance with state and federal guidelines.

### English Language Students/English Language Learners

Students eligible for and/or thought to be eligible for English as Second Language services are categorized as English Language Learners and shall be enrolled in accordance with all applicable state and federal mandates.

### Re-enrollment of Students Returning from Delinquency Placements

When a student returns to the school district from a delinquency placement, the West Jefferson Hills School District reserves the right to examine the student record and hold a hearing, with central and building administrators and parent/guardian, to determine whether the student is fit to return to the regular classroom or meets the definition of a disruptive student. Factors the district may consider include: whether the incident causing the adjudication occurred at school or a school-sponsored event, the student's behavior in placement, and the recommendations of other adults who have worked with the youth (such as a juvenile probation officer). If the student is deemed disruptive the district reserves the right to place the student in an alternative setting.

### Resident Students and Court Orders and Custody Agreements

When parents reside in different school districts due to divorce, separation, or other

reason, the child may attend school in the district of the parent with whom the child lives for the majority of the time, unless a court order or court-approved custody agreement specifies otherwise. If the parents have joint custody and the child's time is divided equally between the parents, the parents may choose which of the two districts the child will attend. If the parent enrolling the child is relying upon a court order or custody agreement as a basis for enrolling the child, the district shall require the parent provide a copy of that court order or custody agreement.

The district shall also require a resident to provide guardianship, custody or dependency orders when enrolling a child based on 24 P.S. § 13-1302(a)(1), when guardianship, custody or dependency is the basis for enrollment.

#### Students Attending Private or Parochial Schools

Students accessing district transportation to attend private or parochial schools where transportation is provided by the district are subject to the same residency verification procedures as all other students.

#### Future Students

Registration of students is based on meeting residency requirements at the time of registration.

#### Students Living With a Resident Adult other than Parent

Students living with a district resident, who is supporting the student without personal compensation, may make application for the child to attend the West Jefferson Hills school system provided the resident makes application and provides all necessary enrollment information. In addition, before accepting the child as a student, the district shall require one of the following:

1. A sworn and notarized statement indicating that the signer is a resident of the school district and that they are supporting the child without financial compensation and not just for the school year, but for the calendar year. Additionally, the resident must accept all responsibility related to the child's schooling.
2. Appropriate legal documentation to show custody, dependency or guardianship, which shall include a court order.

Additionally, residents relying upon an affidavit to enroll a student must comply with all the enrollment requirements and proof of residency requirements as previously listed.

#### Foreign Exchange Students

Foreign exchange students will be admitted to the school district when all appropriate documentation is completed by the sending agency in a timely manner. This requires that the district receive written notification of placement from the sending agency by July 1<sup>st</sup> for attendance beginning in the fall semester and November 1<sup>st</sup> for attendance beginning in the winter semester. The district recognizes placement by American Field Services and other organizations approving the foreign exchange program through the Council of Standards for International Educational Travel (CISSET) or an approved agency of the United States government. The district will not accept any responsibility for completion of required paperwork. Completion of required paperwork is the sole responsibility of the sending agency and the host family. Foreign exchange students must comply with all

provisions of Policy 209, Eligibility of Non-Resident Students, that are required of all other students. Once admitted, the student is subject to compliance with all applicable district policies and regulations governing students. Further, any student-related liability that arises during the student's tenure as a student in the West Jefferson Hills School District is the sole responsibility of the host family and hosting agency.

### Multiple Occupancy

In the event that a family indicates that they are living with or leasing from another family within the district, the submitted paperwork must verify that the names of the registrants are residents of the school district by satisfying the residency requirements as previously listed. Where applicable and available the name(s) of everyone living in the apartment must appear on the lease.

### Enforcement Procedures

In addition to authorizing disenrollment of students without proper residency, the School Code, 24 P.S. § 13-1302(c) provides for criminal penalties against any person who knowingly provides false information in a sworn statement for the purpose of enrolling a child in a school district for which the child is not eligible. Upon conviction, a violator shall be sentenced to pay a fine of no more than three hundred dollars (\$300) for the benefit of the school district in which the person resides or to perform up to two hundred forty (240) hours of community service or both. In addition, the person shall pay all court costs incurred by the school district and shall be liable to the district for cost of tuition payments during the period of wrongful enrollment.

The School Board will pursue all available remedies, costs and fines to enforce this policy, in accordance with the School Code, Department of Education regulations and guidelines.

### References:

School Code – 24 P.S. §§ 501, 502, 503, 1301, 1302, 1305, 1306, 1306.2, ~~4307~~, 1308, 1309, 1310, 1316, 2503, 2561, 2562

State Board of Education Regulations – 22 Pa. Code §§ 4.74, 11.11, 11.18, 11.19, 11.41

Pennsylvania Department of Education, Basic Education Circular, Enrollment of Students, 24 P.S. § 13-1301 - § 13-1306, January 22, 2009

Immigration and Naturalization – 8 U.S.C. § 1101

Exchange Visitor Programs, Title 22, Code of Federal Regulations – 22 CFR Part 62

Adopted February 26, 2008

Date revisions adopted: 6/25/09

Date revisions adopted: 3/22/11



“Attachment A”

**PARENTAL REGISTRATION STATEMENT and**  
**SUSPENSION & EXPULSION NOTIFICATION**

Student Name \_\_\_\_\_  
Date of Birth \_\_\_\_\_ Grade \_\_\_\_\_  
Parent or Guardian Name \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_

Pennsylvania School Code §13-1304-A states in part “Prior to admission to any school entity, the parent, guardian or other person having control or charge of a student shall, upon registration, provide a sworn statement or affirmation stating whether the pupil was previously, or is presently, suspended or expelled from any public or private school of this Commonwealth or any other state for an action of offense involving a weapon, alcohol or drugs, or for the willful infliction of injury to another person or for any act of violence committed on school property.”

Please complete the following:

I hereby swear or affirm that my child was \_\_\_ was not \_\_\_ previously suspended or expelled or is \_\_\_ is not \_\_\_ presently suspended or expelled from any public or private school of this Commonwealth or any other state for an act or offense involving weapons, alcohol or drugs, or for the willful infliction of injury to another person or for any act of violence committed on school property. I make this statement subject to the penalties of 24 P.S. §13-1304-A(b) and 18 Pa.C.S.A. §4904, relating to unsworn falsification to authorities, and the facts contained herein are true and correct to the best of my knowledge, information and belief.

*If this student has been, or is presently, suspended or expelled from another school, please complete:*

Name of the school from which student was suspended or expelled:

Dates of suspension or expulsion:

(Please provide additional schools and dates of expulsion or suspension on back of this sheet.)

Reason for suspension/expulsion (optional): \_\_\_\_\_

Signature of Parent or Guardian \_\_\_\_\_ Date \_\_\_\_\_

*Sworn to and subscribed before*  
*me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.*

\_\_\_\_\_  
Notary Public

Any willful false statement made above shall be a misdemeanor of the third degree. This form shall be maintained as part of the student's disciplinary record.

**BEC 24 P.S. §13-1317.2 PRS**