



|         |                                     |
|---------|-------------------------------------|
| Book    | Policy Manual                       |
| Section | 200 Pupils                          |
| Title   | Eligibility of Nonresident Students |
| Code    | 202                                 |
| Status  | Active                              |
| Adopted | January 9, 2017                     |

### **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 shall not permit the admission of nonresident students, in accordance with terms of this policy, with the exception that such students currently enrolled in the district shall be permitted to continue their education until the earlier event of graduation, expulsion or voluntary withdrawal from the Lake-Lehman School District.[\[4\]](#)

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 Department of Education.[\[5\]](#)[\[6\]](#)

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.[\[5\]](#)

If information contained in the sworn statement of residential support is found to be false, the student shall be removed from school after notice is given of an opportunity to appeal the student's removal, in accordance with Board policy.[\[5\]](#)[\[7\]](#)

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

Tuition rates shall be determined annually in accordance with law. Tuition shall be charged monthly, in advance of attendance.[\[8\]](#)[\[9\]](#)[\[10\]](#)

### **Guidelines**

#### **Nonresident Children Placed in the District**

Any resident of this district, before accepting custody of a nonresident child of school age by order of court or government agency, must secure from the Superintendent or Board, a statement in writing that the child can or cannot be accommodated in the schools of the district.[\[11\]](#)

If these statements are not furnished within two (2) weeks after a request in writing has been made to the Board Secretary or the Superintendent, the Board's assent shall be assumed, and the child shall be admitted to the schools of the district.

If this statement sets forth conditions that will exempt the district from accepting the child as a student, and if such exemption is not disapproved on appeal by the Secretary of Education, or other arrangements for the child's education satisfactory to the district Superintendent are not made, the child may not be placed in the district.

Appeal from the claim of this district for exemption may be taken to the Secretary of Education and his/her decision after investigation shall be final.

Prior to enrollment of any nonresident foster home student, the placing agency or the prospective foster home parent shall provide the school district with all available information concerning the student along with placement paperwork. This placement paperwork is required and shall include as a minimum, name, birth date, type of prior school placement/educational program, name and address of the school or institution last attended, and name and address of legal guardian and biological parent. The information will be furnished to the Superintendent and to the appropriate building principal.

The appropriate counselor/principal shall be responsible for obtaining any additional information necessary to determine whether or not the student can be accommodated in the district schools and if so, what the placement should be. The principal shall then relay this information to the Superintendent who will then notify the placing agency or prospective foster parent of the district's decision.

In the event that the appropriate counselor/principal determines that a psychiatric evaluation is necessary, it shall be the responsibility of the foster parent to obtain such psychiatric evaluation and have the same reported in writing to the Superintendent. The costs of such evaluations shall be borne by the foster parents or agency in charge.

#### Inmates of Institutions

A child who is an inmate of an institution for the care or training of children located within this district is not a legal resident of the district by such placement; but s/he shall be admitted to district schools, and a charge shall be made for tuition in accordance with statute. [\[12\]](#)[\[13\]](#)[\[14\]](#)[\[15\]](#)[\[16\]](#)[\[17\]](#)

#### Children of the Professional Staff

Children of the professional staff of the district who are not residents of Lake-Lehman School District shall not be permitted to attend the district tuition free, with the exception that such children currently enrolled in the district shall be permitted to continue their education tuition free until the earlier event of graduation, expulsion or voluntary withdrawal from the district.

#### 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. [\[5\]](#)[\[6\]](#)

The district shall immediately enroll homeless students, even if the student or parent/guardian is unable to produce the required documents, in accordance with Board policy, laws and regulations. [\[18\]](#)

#### **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 applicants and report to the Board for its information the enrollment of each nonresident student.

Legal

1. 24 P.S. 501
2. 24 P.S. 502
3. 24 P.S. 503
4. 24 P.S. 1301
5. 24 P.S. 1302
6. 22 PA Code 11.19
7. Pol. 906
8. 24 P.S. 1316
9. 24 P.S. 2561
10. Pol. 607
11. 24 P.S. 1305
12. 24 P.S. 1306
13. 24 P.S. 1307
14. 24 P.S. 1308
15. 24 P.S. 1309
16. 24 P.S. 1310
17. 22 PA Code 11.18
18. Pol. 251
- 22 PA Code 11.41
- 24 P.S. 2503
- 24 P.S. 2562
- Pol. 000
- Pol. 103
- Pol. 103.1
- Pol. 200