

Lower Merion School District

ADMINISTRATIVE REGULATIONS

Policy No.: 202
Section: STUDENTS
Title: NON-RESIDENT STUDENTS
Date Last Revised: 12/18/23; 10/23/17; 10/15/04

R202 NON-RESIDENT STUDENTS

Proof of Residency

A person may not knowingly or willfully present any false information regarding the residency of a student for the purposes of enabling that student to attend District schools. A person may not knowingly enroll or attempt to enroll a student when the student is known to be ineligible for enrollment in the District.

Whenever the District receives credible information, complaints or circumstances that raise doubt as to a student's residency or continued residency, the Superintendent or their designee may authorize an investigation to determine whether the student is in fact a resident of the District or otherwise entitled to attend District schools, in accordance with the procedures herein contained.

If a student is already attending school within the District when doubts are raised as to a student's residency or continued residency, the student shall be permitted to continue attending school in the District pending an investigation and any due process proceedings.

Upon a determination by the Administration that a child is not eligible to attend school in the District, or if the District no longer has adequate proof a student's residence in the District, the student's parent or legal guardian will be notified and asked to provide immediate proof of residency or withdraw the student from the District. An opportunity for a hearing to challenge the administration's determination of non-residency shall also be offered.

If, within the timeframe specified in the above-contemplated notice to the family, the District does not receive (1) adequate proof of the student's residency in the District; (2) notification of the student's withdrawal from the District; or (3) a request for a hearing to challenge the administration's determination, the student will be recommended to the Board for expulsion.

If the student's parent/guardian timely requests a hearing before the Board or a duly appointed hearing officer to challenge the Administration's determination, a hearing shall be scheduled, notification of which shall be sent to the parent/guardian by certified and first-class mail. Notification may also, in addition to being sent by certified and first-class mail, be sent via electronic mail and/or hand delivery. The notification of hearing shall include a Procedural Safeguards Notice – Charge of Non-Residency. The hearing date shall be set such that the parent/guardian has at least three (3) days advanced notice of the time, date, and location of the hearing, as well as the procedures and rights detailed in the Procedural Safeguards Notice – Charge of Non-Residency.

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The hearing will be held before the Board of School Directors or a duly appointed hearing officer for the Board at the District's administration building.

If, upon official action of the Board of School Directors at a public Board meeting, it is determined that the child is not eligible to attend school in the District, the student will be dropped from the District's rolls as of the following school day. The parent or legal guardian may be charged tuition for the days that the child attended as a non-resident student, retroactive to the date it was determined that the child was not eligible to attend school in the District. The daily tuition rate shall be the most current rate established by the Pennsylvania Department of Education for the Lower Merion School District.

Verification/Investigation of Student Residency

Whenever the District receives credible information, complaints or circumstances that raise doubt as to a student's residency or continued residency, the Superintendent may authorize an investigation to determine whether the student is in fact a resident of the District or otherwise entitled to attend District schools. Such an investigation could include:

- Contacting the student or the student's parents/guardians;
- Contacting the parent/guardian's employer or current landlord;
- Contacting the current occupant of the parent/guardian's residence;
- Utilizing information provided by parents, students, teachers or neighbors to verify enrollment or residency documentation;
- Home visits;
- Referral to the police or other appropriate law enforcement agency for investigation and/or prosecution, when approved by the Superintendent or designee; or
- Other methods of verifying residency and entitlement to attend District schools.

The administration may, at any time, require verification of continued residency of students from parents, guardians or other adult with whom they are residing in the District:

1. by a grade level; by an entire elementary, middle or high school level; or on a District-wide basis; or
2. where the District reasonably suspects that the student may not be legally residing in the District.