

# LODI UNIFIED SCHOOL DISTRICT

## Rule 5111.1

### Students

#### District Residency

#### Criteria for Residency

A student shall be deemed to have complied with district residency requirements if he/she meets any of the following criteria:

1. The student's parents/guardians reside within district boundaries;
2. The student is placed within district boundaries in a regularly established licensed children's institution, a licensed foster home or a family home pursuant to a court-ordered commitment or placement;
3. The student has been admitted through the district's inter-district attendance program;
4. The student is an emancipated minor residing within district boundaries;
5. The student lives with a caregiving adult within district boundaries and the caregiving adult submits an affidavit to that effect;
6. The student resides in a state hospital located within district boundaries;
7. The student is confined to a hospital or other residential health facility within district boundaries for treatment of a temporary disability;
8. The student's parent/guardian resides outside district boundaries but is employed within district boundaries and lives with the student at the place of employment for a minimum of three days during the school week;
9. The student's parent/guardian, while on active military order, is transferred or is pending transfer to a military installation within district boundaries.

### **Residency Based on Parent/Guardian Employment (Allen Bill Transfers)**

District residency status may be granted to a student if at least one of his/her parents/ guardians is physically employed within district boundaries for a minimum of 10 hours during the school week. No student seeking residency on this basis shall be denied enrollment based on race, ethnicity, sex, parental income, scholastic achievement, or any of the individual characteristics set forth in Education Code 220. However, the Superintendent or designee may deny enrollment into the district if any of the following circumstances is present:

1. The additional cost of educating the student would exceed the amount of additional state aid received as a result of the transfer;
2. Enrollment of the student would adversely affect the district's court-ordered or voluntary desegregation plan as determined by the Governing Board;
3. Other circumstances exist that are not arbitrary.

Such circumstances may include, but are not limited to, overcrowding of school facilities at the relevant grade level.

Once a student establishes residency on this basis, he/she shall not be required to reapply for enrollment in subsequent years. The student may continue to attend school in the district through the highest grade level offered by the district if the parent/guardian so chooses and if at least one parent/guardian of the student continues to be physically employed by an employer situated within district boundaries, subject to the exceptions in items numbers 1-3 above.

District residency is not required for enrollment in a regional occupational center or program if there are openings in the program or class.

The district may admit a nonresident student living in an adjoining state or foreign country in accordance with Education Code 48050-48052.

The Superintendent or designee shall annually notify parents/guardians of all existing attendance options available in the district, including, but not limited to, all options for meeting residency requirements for school attendance.

### **Proof of Residency**

The Superintendent or designee shall annually verify the student's residency and retain a copy of the document or written statement offered as verification in the student's mandatory permanent record.

Evidence of residency may be established by documentation showing the name and address of the parent/guardian within the district, including, but not limited to, any of the following:

1. Property tax payment receipt;
2. Rental property contract, lease, or payment receipt;
3. Utility service contract, statement, or payment receipt;
4. Pay stub;
5. Voter registration;
6. Correspondence from a government agency;
7. Declaration of residency executed by the student's parent/guardian;
8. If the student is an unaccompanied youth as defined in 42 USC 11434a, a declaration of residency executed by the student;
9. If the student is residing in the home of a caregiving adult within district boundaries, an affidavit executed by the caregiving adult in accordance with Family Code 6552.

The Superintendent or designee shall make a reasonable effort to secure evidence that a homeless or foster youth resides within the district, including, but not limited to, a utility bill, letter from a homeless shelter, hotel/motel receipt, or affidavit from the student's parent/guardian or other qualified adult relative.

However, a homeless or foster youth shall not be required to provide proof of residency as a condition of enrollment in district schools. Any homeless or foster youth or student who has had contact with the juvenile justice system shall be

immediately enrolled in school even if he/she is unable to provide proof of residency.

**Safe at Home/Confidential Address Program**

When a student or parent/guardian participating in the Safe at Home program requests that the district use the substitute address designated by the Secretary of State, the Superintendent or designee shall use the substitute address for all future communications and correspondence and shall not include the actual address in the student's file or any other public record. The Superintendent or designee may request the actual residence address for the purpose of establishing residency within district boundaries.

Rule

approved: 06/02/98

revised: 05/03/05

revised: 05/01/07

revised: 09/18/12

revised: 03/06/18