

Book	Policy Manual
Section	200 Pupils
Title	Eligibility of Nonresident Students
Code	202 Vol V 2024
Status	Review
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)

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

{ } It shall be the policy of the Board not to permit the admission of nonresident students, except as required by law or court order. [\[4\]\[5\]\[6\]\[7\]\[8\]\[9\]](#)

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

see current policy - attached

- New -

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

{x} The Board shall not be responsible for transportation to or from school for any nonresident student residing outside school district boundaries, except in accordance with law and Board policy.[13]

Tuition rates shall be determined annually in accordance with law. Tuition 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

New - See attached for current policy

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]

{x} 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 by October 1 may be enrolled [10]

- () with payment of tuition
- () without payment of tuition
- () for _____ previous to the anticipated date of residency.

New

(x) at the beginning of the school year, provided that the anticipated date of residency is not later than October 1 of the same school year.

If the student does not become a resident of the district by the end of the period for which

(x) free attendance is given,

() reduced rate tuition is charged,

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.

{x} Former Residents

updated

Regularly enrolled students whose parents/guardians have moved out of the district may be permitted to finish the [10]

(x) school year

() semester

() marking period

() with payment of tuition.

(x) without payment of tuition.

(x) when the parents/guardians move from the district during the last marking period (March 1) immediately previous to the end of the school year.

High school seniors may continue to attend on a nontuition basis if they have completed the first marking period at the time of the move.

() when the student is completing the senior year and will graduate.

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.

{x} report to the Board for its information the enrollment of nonresident students.

New

NOTES:

Incarcerated Juveniles

Convicted – SC 1306.2, 1318

Charged – SC 1306.2

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Code 202
Status Active

Legal [1. 24 P.S. 501](#)
[2. 24 P.S. 502](#)
[3. 24 P.S. 1301](#)
[4. 24 P.S. 1316](#)
5. Pol. 200
[6. 24 P.S. 1302](#)
[7. 22 PA Code 11.19](#)
8. Pol. 906
[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. 103
[22 PA Code 11.41](#)
[24 P.S. 1306.2](#)
[24 P.S. 2503](#)

Adopted October 11, 2007

Purpose

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

Authority

The Board may permit the admission of nonresident students in accordance with Board policy. [\[3\]\[4\]\[5\]](#)

The Board shall require that appropriate legal documentation showing dependency or guardianship or a sworn statement of full residential support be filed with the Superintendent 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. [\[6\]\[7\]](#)

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.

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 906, Public Complaints. [\[6\]\[8\]](#)

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 in accordance with statute. Tuition shall be charged monthly, in advance of attendance. [\[4\]\[9\]\[10\]](#)

Guidelines

Nonresident Children Placed in the District

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 children.[11]

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 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]

Future Residents - now Prospective Residents

Parents/Guardians who show proof that they are moving into Pequea Valley School District by October 1 of a new school year may enroll their children on a nontuition basis at the start of the school year in August.

The district shall not be responsible for transportation until the family resides in the district. If the parents/guardians cannot provide proof of residence by October 1, they must apply for tuition student status in order to continue enrollment.

Parents/Guardians of students who claim admission on the basis of future residency shall be required to demonstrate proof of the anticipated residency.

Former Residents

Regularly enrolled students whose parents/guardians move out of the Pequea Valley School District after March 1 may continue to send their presently enrolled children to the Pequea Valley School District on a nontuition basis for the remainder of that current school year.[4]

High school seniors may continue to attend on a nontuition basis if they have completed the first marking period at the time of the move.

The district shall not be responsible for the transportation of such students.

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.[6][7]

Delegation of Responsibility

The Superintendent or designee shall develop procedures for the enrollment of nonresident students which:

1. Admit such students only on proper application and submission of required documentation by the parent/guardian.
2. Verify claims of residency.
3. Do not exclude any eligible student on the basis of race, creed, color, gender, sexual orientation, national origin, ancestry, or handicap/disability.[18]
4. Deny admission where the educational facilities or program maintained for district students is inadequate to meet the needs of the applicant.
5. Make continued enrollment of any nonresident student contingent upon maintaining established standards of attendance, discipline and academics.

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