District Residency

Adopted: 06/02/1998 **| Last Revised**: 08/04/2026 **| Last Reviewed**: 08/04/2026

The Board of Education desires to admit all students who reside within district boundaries or who fulfill the district residency requirements through other means as allowed by law. The Superintendent or designee shall develop procedures to facilitate the receipt and verification of students' proof of residency.

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.

The Superintendent or designee shall require parents/guardians to provide documentation of the student's residency upon admission to a school district. A copy of the document or written statement offered as verification of residency shall be maintained in the student's mandatory permanent record.

When establishing a student's residency for enrollment purposes, the Superintendent or designee shall not inquire into the citizenship or immigration status of students or their family members.

A student's enrollment may be denied or disenrolled when the submitted documentation is insufficient to establish district residency. In any case, the Superintendent or designee shall notify the parent/guardian in writing, including specific reasons for the denial.

Investigation of Residency

When the Superintendent of designee reasonably believes that a student's parent/guardian has provided false or unreliable evidence of residency, they may make reasonable efforts to determine that the student meets district residency requirements. An investigation may be initiated when the Superintendent or designee is able to identify specific, articulable facts supporting the belief that the parent/guardian has provided false or unreliable evidence of residency.

The Superintendent or designee may assign a trained district employee to conduct the investigation. The investigation may include the examination of records, including public records, and/or interviews of persons who may have knowledge of the student's residency.

The investigation should not include the surreptitious collection of photographic or videographic images of persons or places subject to the investigation. However, the use of technology is not prohibited if done in open and public view.

Any employee engaged in the investigation shall truthfully identify their self as an investigator to individuals contacted or interviewed during the course of the investigation.

Appeal of Enrollment Denial

If the Superintendent or designee, upon investigation, determines that a student does not meet district residency requirements and denies the student's enrollment in the district, they shall provide the student's parent/guardian an opportunity to appeal that determination.

The Superintendent or designee shall send the student's parent/guardian written notice specifying the basis for the district's determination. This notice shall also inform the parent/guardian that they may, within 10 school days, appeal the decision and provide new evidence of residency.

The burden shall be on the parent/guardian to show why the district's determination to deny enrollment should be overruled.

A student who is currently enrolled in the district shall be allowed to remain in attendance at their school pending the results of the appeal. A student who is not currently enrolled in the district shall not be permitted to attend any district school unless their appeal is successful.

In an appeal to the Superintendent of a determination that district residency requirements were not met, the Superintendent shall review any evidence provided by the parent/guardian or obtained during the district's investigation and shall make a decision within 10 school days of receipt of the parent's/guardian's request for the appeal. The Superintendent's decision shall be final.

Enrollment Not Requiring District Residency

When approved by the Board and the appropriate agency, the district may enroll students from other countries who are in the United States on a F-1 visa or are participating in an international exchange program under the sponsorship of a government-approved agency.

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

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

Policy Reference Disclaimer:
These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Legal References:

STATE
CODE OF REGULATIONS
5 CCR 432 Varieties of student records
EDUCATION CODE
220 Prohibition of discrimination
234.7 Student protections relating to immigration and citizenship status
35160.5 Intradistrict open enrollment
35351 Assignment of students to particular schools
46600-46611 Interdistrict attendance permits
48050-48053 Nonresidents
48200-48208 Compulsory education law
48204 Evidence of residency
48204.1-48204.4 Evidence of residency
48300-48317 Student attendance alternatives; school district of choice program
48350-48361 Open Enrollment Act transfers
48645.5 Former juvenile court school students; enrollment
48852.7 Education of homeless students; immediate enrollment
48853.5 Education of foster youth; immediate enrollment

48980 Notification of parent or guardian
52317 Regional occupational program; admission of persons including nonresidents
FAMILY CODE
6550-6552 Caregivers
GOVERNMENT CODE
6205-6210 Confidentiality of residence for victims of domestic violence
FEDERAL
UNITED STATES CODE
42 USC 11431-11435 McKinney-Vento Homeless Assistance Act
8 USC 1229c Immigration and Nationality Act
MANAGEMENT RESOURCES:
CA OFFICE OF THE ATTORNEY GENERAL PUBLICATION
Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018
COURT DECISIONS
Katz v. Los Gatos-Saratoga Joint Union High School District, (2004) 117 Cal. App. 4th 47
Plyler v. Doe, 457 U.S. 202 (1982)
CSBA PUBLICATIONS
Legal Guidance Regarding International Student Exchange Placement Organizations, April 2014
Legal Guidance on Providing All Children Equal Access to Education, regardless of Immigration Status, February 2017
U.S. DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVISION AND U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS JOINT PUBLICATIONS
Fact Sheet: Information on the Rights of all Children to enroll in school
Information on the Rights of All Children to Enroll in School: Questions and Answers for States, School Districts and Parents, May 8, 2014
Dear Colleague Letter: School Enrollment Procedures, May 8, 2014
WEBSITES
CSBA http://www.csba.org
California Department of Education http://www.sos.ca.gov/safeathome
U.S. Department of Education, Office for Civil Rights http://www2.ed.gov/ocr
U.S. Department of Justice http://www.justice.goc
CSBA District and County Office of Education Legal Services
https://legalservices.csba.org/#https://legalservices.csba.org/
California Secretary of State, Safe at Home Program
https://www.sos.ca.gov/registries/safehome#http://www.sos.ca.gov/safeathome
California Office of the Attorney General https://oag.ca.gov/#http://oag.ca.gov

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Policy Adopted:	06/02/1998
Revised:	05/03/2005
Revised:	05/01/2007
Revised:	09/18/2012
Revised:	03/06/2018
Revised:	04/02/2024
Revised:	08/04/2026