

EASTON AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: ELIGIBILITY OF
NONRESIDENT STUDENTS

ADOPTED: August 27, 2007

REVISED: January 22, 2008
January 24, 2012

| 202. ELIGIBILITY OF NONRESIDENT STUDENTS | |
|--|--|
| 1. Purpose SC 501, 502, 503 | The Board shall operate district schools for the benefit of students resident in this district who are eligible for attendance. |
| 2. Authority SC 1301, 1316 | The Board may permit the admission of nonresident students in accordance with terms of this policy. |
| SC 1302 Title 22 Sec. 11.19 | The Board shall require that appropriate legal documentation showing dependency or guardianship or a sworn statement of residential support be filed with the Board Secretary before an eligible nonresident student may be accepted as a student in the 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. |
| SC 1302 | 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. |
| | <u>Determining Residency</u> |
| | Each child who is a permanent resident of the Easton Area School District and who is between the ages of five (5) and twenty-one (21) years may attend the public schools of this district, subject to all of the provisions of the Pennsylvania School Code. |
| | A child shall be considered a permanent resident of the Easton Area School District only if his/her parents/guardians permanently reside within the boundaries of the Easton Area School District. Upon separation of his/her parents/guardians, a child shall be considered a resident of this school district if this school district is the residence of the parent/guardian with whom the child lives or to whom custody has been awarded. |

| | |
|--|---|
| <p>SC 1302 Title 22 Sec. 11.19</p> | <p>A resident student who temporarily lives outside of the Easton Area School District for a period not in excess of sixty (60) calendar days shall continue to be considered a resident student. A resident student who lives temporarily outside of the Easton Area School District for a period in excess of sixty (60) calendar days other than on an approved exchange student program shall be considered a nonresident student, and may not continue to attend the public schools without the permission of the School Board. Temporarily, as used in this context, shall mean that the student will be returning to his/her residency within the Easton Area School District and shall include instances involving shared custody.</p> <p><u>Admission Not Requiring Board Action</u></p> <p>A child who is not a resident of the school district shall be permitted to attend the public schools of this district without specific action by the School Board only under the following circumstances and with the payment of tuition, unless otherwise provided:</p> <ol style="list-style-type: none"> 1. A nonresident child who is expected to become a resident of the school district within the next sixty (60) days, may be admitted. Monthly tuition must be paid prior to the first day of the month of the child's enrollment. Full tuition reimbursement will be made for that month in which the student actually becomes a resident of the school district. <p>If the child does not become a resident within the sixty (60) day period, the parents/guardians must seek Board approval of tuition-status (see "Students Residing in Other Districts," below), as per this policy, or the student will be withdrawn from the district and will not be permitted to enroll until residency or Board approval of tuition status is established.</p> <ol style="list-style-type: none"> 2. A nonresident child whose parents/guardians have purchased unimproved real estate in the school district and have entered into a construction contract with a contractor that has a completion date not to exceed six (6) months from the date of the execution of the construction contract may be admitted as a student in the Easton Area School District, provided that the parents/guardians pay one (1) month's tuition in advance and execute a judgment note in the amount equivalent to the monthly tuition payment multiplied by the number of months that remain until the completion of the construction under the construction contract. The parents/guardians shall also execute an Affidavit of Debtor's Waiver of Rights simultaneously with the execution of the judgment note. <p>If the parents/guardians and the child occupy the dwelling within the six (6) month period, the judgment note will be returned to the parents/guardians.</p> |
|--|---|

202. ELIGIBILITY OF NONRESIDENT STUDENTS - Pg. 3

| | |
|--|--|
| | <p>If the parents/guardians and the child fail to occupy the dwelling within the six (6) month period, the district will execute the judgment note, and the parents/guardians must seek Board approval of tuition-status (see “Students Residing in Other Districts,” below), as per this policy, or the student will be withdrawn from the district and will not be permitted to enroll until residency or Board approval of tuition status is established. If payment is not made within forty-five (45) days, the judgment note shall be reported in the Prothonotary’s Office of Northampton County and the district will pursue all legal menus to secure payment.</p> |
| <p>SC 1316</p> | <p>3. A resident student who ceases to live within the boundaries of the school district after April 1 shall be permitted to complete the current school year with no tuition charge.</p> |
| <p>SC 1316</p> | <p>4. Any resident student who is a member of the senior class and who has been a resident member of the 10th and 11th grade classes at the Easton Area School District who:</p> <ul style="list-style-type: none"> a. Ceases to be a resident after the completion of the 11th grade may complete the senior year upon payment of full tuition for the first semester upon recommendation by the Superintendent or designee and approval by the Board. b. Ceases to be a resident after the beginning of the second semester of the 12th grade may be permitted to complete the senior year tuition-free upon the recommendation of the Superintendent or designee and approval of the Board. |
| <p>3. Guidelines SC 1305</p> | <p><u>Nonresident Children Placed In The District</u></p> <p>Any child placed in the home of a district resident by a court or government agency shall be admitted to the schools and shall receive the same benefits and be subject to the same duties as resident children.</p> <p><u>Inmates Of Institutions</u></p> |
| <p>SC 1306, 1307, 1308, 1309 Title 22 Sec. 11.18</p> | <p>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.</p> |

| | |
|--|--|
| <p>SC 1302 Title 22 Sec. 11.19</p> | <p><u>Other Nonresident Students</u></p> <p>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 residential support of the student.</p> <p>Before accepting such child as a student, the Board may require the resident to file with the Board Secretary a sworn statement that:</p> <ol style="list-style-type: none"> 1. S/He is a resident of the district. 2. S/He is supporting the child gratis. 3. S/He will assume all personal obligations of the child relative to school requirements. 4. S/He intends to so keep and support the child continuously and not merely through the school term. |
| <p>SC 1302</p> | <p>A notarized statement must be filed annually by the resident with the Board Secretary indicating eligibility.</p> <p>The parent/guardian shall then be notified in writing by the Superintendent, or his/her designee, relative to the free school privileges of children domiciled under his/her roof.</p> |
| <p>Pol. 251</p> | <p><u>Homeless Students</u></p> <p>This policy does not pertain to the education of homeless children, as defined in McKinney-Vento. Board Policy 251 sets forth eligibility requirements for homeless students.</p> <p><u>Variances And Waivers</u></p> <p>All variances and/or waivers of tuition fees shall be determined by the Board.</p> <p><u>Transportation</u></p> <p>Parents/Guardians of nonresident students and resident students temporarily living outside the district are responsible for transportation for these students. The school district will provide no transportation to these students.</p> |

202. ELIGIBILITY OF NONRESIDENT STUDENTS - Pg. 5

| | |
|--|--|
| <p>SC 1316 Pol. 607</p> | <p><u>Tuition Payments</u></p> <p>The Superintendent or designee shall make periodic reports of the nonresident tuition students to the Board.</p> |
| <p>SC 2561</p> | <p>The Superintendent or designee shall decide the general desirability of acceptance of all nonresident tuition students. All nonresident tuition shall be paid one (1) month in advance according to the current tuition rate as determined by the Pennsylvania Department of Education.</p> <p>The tuition rate is only an estimate based on the prior year's instructional expenses, overhead costs, and attendance data submitted to the Pennsylvania Department of Education. Upon receipt of verification of these rates from the state, which will occur at the completion of the current school year, an adjustment will be made in the rates. Refunds will be issued or invoices rendered as necessitated by the adjustments.</p> |
| <p>4. Delegation of Responsibility</p> | <p><u>Annual Review By Board</u></p> <p>The Board shall, prior to the opening of school, review and approve all nonresident tuition students currently on the rolls.</p> <p>Nonresident tuition students entering subsequent to the opening of the school year shall do so under Board guidelines.</p> |
| <p>Pol. 103</p> | <p>The Superintendent or designee shall develop procedures for the enrollment of nonresident children which:</p> <ol style="list-style-type: none"> 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. 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. |

| | |
|--|--|
| | <p>When the Superintendent or designee makes the decision to admit a tuition student, s/he shall inform the following:</p> <ol style="list-style-type: none"> 1. The parent/guardian of the student. 2. The principal of the appropriate building. <p>The tuition shall be paid in advance. The minimum period covered by advance payment shall be twenty (20) school days. The parent/guardian is responsible for maintaining the advance payment status. The district does not assume the responsibility for billing. The parent/guardian is entitled to a tuition refund if the student should voluntarily withdraw from school, if schooling beyond the withdrawal date had been paid. Pro ratio shall be based on tuition rate.</p> <p>Tuition Cost Formula:</p> $\frac{\text{Approved Tuition Rate} \times \text{Days of Enrollment as Tuition Student}}{\text{Total Student Days}}$ <p>The respective building principal shall be responsible to ascertain that attendance records are accurate in respect to the tuition student.</p> <p>The Business Administrator shall be responsible for receiving tuition, maintaining records of tuition payments, issuing proper receipts to the parent/guardian, informing the principal of tuition payments and the dates covered, and the making of tuition refunds where appropriate.</p> <p>The principal shall enroll a tuition student only after being informed by the Superintendent or designee that such enrollment is approved, and after the Business Administrator has informed the principal that tuition has been paid in advance. The principal shall not permit the continued enrollment of the tuition student for any period that has not been paid in advance. The principal shall seek confirmation of tuition payment from the Business Administrator.</p> <p>Parents/Guardians of tuition students are responsible for transportation. All communications from the parents/guardians regarding tuition rates or payments should be handled by the Business Administrator.</p> |
|--|--|

202. ELIGIBILITY OF NONRESIDENT STUDENTS - Pg. 7

References:

School Code – 24 P.S. Sec. 501, 502, 503, 1301, 1302, 1305, 1306, 1306.2, 1307, 1308, 1309, 1310, 1316, 2503, 2561, 2562

State Board of Education Regulations – 22 PA Code Sec. 11.18, 11.19, 11.41

Board Policy – 000, 103, 251, 607, 906