

FAIRFIELD AREA SCHOOL DISTRICT

ELIGIBILITY OF NONRESIDENT STUDENTS

6140

6140.1 The Board shall operate the schools of this District for the benefit of children resident in this District and eligible for attendance.

The Board reserves the right to verify the residency of any student and to require a sworn statement of residential support for the student who resides with a person other than his/her parents, guardian or custodian. When feasible, written information from the parent shall be included with the application by the in-District guardian or custodian. The Home and School Visitor shall be assigned the responsibility to assure residency of any student. If the residency is not easily ascertained, the District shall require that the student and his/her parents and/or in-District guardian or custodian shall consult with personnel of the Adams County Children's Services before admission is approved.

6140.2 Nonresident Children Placed in the District. "When a nonresident child is placed in the home of a resident of any school district by order of court or by arrangement with an association, agency, or institution having the care of neglected and dependent children, such resident being compensated for keeping the child, any child of school age so placed shall be entitled to all free school privileges accorded to resident school children of the district, including the right to attend the public high school maintained in such district or in other districts in the same manner as though such child were in fact a resident school child of the district." [24 PS 13-1305 (a)]

6140.3 Residents of Institutions. A child who is a resident of an institution for care or training of children located within this District, is not a legal resident of the District by such placement, but shall be admitted to the schools of this District and a charge shall be made for tuition in accordance with statute.

6140.4 Future Residents. A child otherwise eligible for attendance whose parent has executed a contract to buy, build or rent a residence in this District for occupancy by November 1 of a given year, may request to be enrolled without payment of tuition at the beginning of the school year, provided that the anticipated date of residency is not later than November 1 of the same school year. Such request shall be in writing to the Superintendent and the Superintendent shall respond in writing to the request outlining the parents' responsibilities.

FAIRFIELD AREA SCHOOL DISTRICT

ELIGIBILITY OF NONRESIDENT STUDENTS (Contd)

6140

If the child does not become a resident of the District by the end of the period for which free attendance is given, tuition shall be required retroactively until residence is established. Parents of children who request admission on the basis of future residency may be required to demonstrate proof of the anticipated residency and will be required to furnish transportation and meet all other school requirements for students in the District.

The Board reserves the right to verify such claims, and to remove from school a non-resident student whose claim is invalid.

- 6140.5 Former Residents. Regularly enrolled children, K-11, whose parents have moved out of the District may be permitted to finish the quarter without payment of tuition, provided that the parents move from the District during that quarter.

If the student is in the 12th grade and the parents move from the District after the student has successfully completed 11th grade, the student may remain for the senior year without payment of tuition.

- 6140.6 Exchange Students. A nonresident student may be admitted to this District without payment of tuition where attendance is justified on the grounds that the student is visiting this country as an exchange student under the auspices of AFS or other organization approved in advance by the Board and who lives in this District.

- 6140.7 Homeless Students. When a Fairfield student becomes "homeless" as defined by Public Law 101-645, this District will continue the student's education for the remainder of the academic year.

Homeless students moving into the District will be educated under the guidelines of Basic Education Circular #4-91.

I. Homeless Students Residing in Shelters, Facilities or Institutions

Section 1306 (24 P.S. Section 13-1306) deals with the public school admission of nonresident students living in shelters, facilities or institutions.

Implementing regulations for Section 1306 are found in Section 11.18 of the State Board of Education regulations. Subsection (a) of Section 11.18 addresses the public school admission of nonresident children who live in an institution, shelter, or custodial care facility:

FAIRFIELD AREA SCHOOL DISTRICT

ELIGIBILITY OF NONRESIDENT STUDENTS (Contd)

6140

The Board of school directors of a school district in which there is located an agency, supervised or licensed shelter, group home, maternity home, residence, facility, orphanage or other institution for care or training of children or adolescents, shall admit to the district's public schools school age children who are living at or assigned to the facility or institution and who are residents of the district or another district in this Commonwealth." (emphasis added)

Section 11.18, as it applies to homeless children and youth, includes within the definition of "supervised or licensed shelters" those facilities which provide temporary shelter for a specified, limited period of time. Therefore, children in temporary shelters and children who "lack a fixed, regular, adequate night time residence" - homeless children - are entitled to free school privileges from either the school district in which their person or the shelter is located or the school district of origin.

II. Homeless Students Not Residing in a Shelter, Facility or Institution

Homeless students may reside in hotels, motels, cars, tents or temporarily doubled-up with a resident family because of lack of housing. In determining residence and in the case of homeless children, equating "residence" and "domicile" (home) does not apply. They are presently unable to establish "homes" on a permanent basis. These students should be enrolled, without delay, in the district where they are presently residing, or continue their education in the district of prior attendance.

III. School Placement

Appropriate school placement arrangements, based on the child's best interest, should be implemented through the cooperative efforts of the respective chief school administrators. Each case presents a unique set of circumstances and, therefore, requires an individualized response. In all cases, the local educational agency shall comply, to the extent feasible, with the request made by a parent or guardian regarding school selection, shall attempt to minimize disruptions, and shall maintain the highest possible degree of continuity in programs for all homeless students. Homelessness alone should not be sufficient reason to separate students from the mainstream school environment. Homeless children and youth should have access to education and other services that they need to ensure that such children and youth

have an opportunity to meet the same challenging state student performance standards to which all students are held.

IV. School/Health Records

The educating district should begin to provide instruction upon being shown evidence of age and evidence that the student has been immunized or an immunization program has been started. In the case of a homeless student, the receiving school district should contact the district of origin for oral confirmation that the child has been immunized. Pennsylvania Department of Health regulation establishes oral confirmation between professionals as sufficient basis to enroll a student with written confirmation to follow within 30 days. The instructional program should begin as soon as possible after the enrollment process is initiated and should not be delayed until the procedure is completed.

V. Transportation

In accordance with the federal McKinney law, homeless children have a right to continue their education in the school of origin for the remainder of the academic year. In the case where transportation is required and the educating district is different than the district where the student is temporarily residing, both districts are responsible for facilitating transportation that is in the best interest of the student. All parties involved (parent or guardian and leadership at both districts) are expected to confer on transportation needs, the distance, transportation options available, effect of transfers and alternatives for emergency situations.

VI. Fiscal Responsibilities

The educating district should apply the following criteria when determining fiscal responsibility:

- A. In cases when the education of the child is provided by the district where the temporary shelter is located, or where the homeless student is temporarily living, or in cases when the district of prior attendance, where that is not the district the child attended when permanently housed, will educate the child, the following procedures will be followed:

FAIRFIELD AREA SCHOOL DISTRICT

ELIGIBILITY OF NONRESIDENT STUDENTS (Contd)

6140

1. Homeless individuals not in facilities (shelters) or institutions, as well as homeless individuals living in hotels, motels, cars, tents, doubled-up with a resident family, shall be reported and reimbursed as resident students;
 2. For homeless individuals in temporary shelters, the educating school district will send a PDE-4605 Determination of District of Residence for Students in Facilities or Institutions in Accordance With Section 1306 of School Code to the presumed district of residence;
 3. If PDE-4605 is acknowledged by the resident district, the educating district will enter the child on its rolls as a nonresident student from the acknowledging resident school district. The educating district will bill the resident district for tuition and will report membership data according to PDE child accounting procedures; and
 4. If PDE-4605 is disclaimed and a district of residence cannot be determined, the child will be considered a ward of the state. The educating district will enter the child on its rolls as a nonresident ward of the state and will report membership according to PDE child accounting procedures. The Department of Education will pay tuition to the educating district based on membership reported to Child Accounting.
- B. In cases when the education of the child is provided by the district of origin, where that is the district the child attended when permanently housed, that district will continue to educate a homeless student for the period of temporary displacement and should maintain the homeless student on its roll as a resident student.

VII. Review Procedure

If differences of opinion arise regarding school assignments and the determination of a child's best interest, a prompt review procedure is available to any parent, guardian, emancipated minor, pupil 18 years of age or older, or school district representative. This process may be initiated by contacting the Education of Homeless Children and Youth Program identified below.

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