

# FAIRVIEW SCHOOL DISTRICT

SECTION: PUPILS

TITLE: ELIGIBILITY OF  
NONRESIDENT STUDENTS

ADOPTED: June 20, 1994

REVISED: July 11, 2011

<p>1. Authority SC 501, 502, 503, 1301, 1316</p> <p>SC 1302 Title 22 Sec. 11.19</p> <p>SC 1302 Pol. 906</p> <p>2. Guidelines</p>	<p style="text-align: center;">202. ELIGIBILITY OF NONRESIDENT STUDENTS</p> <p>The Board shall operate the schools of this district for the benefit of children resident in this district and eligible for attendance and will permit the admission of nonresident students in accordance with the following guidelines.</p> <p>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.</p> <p>The Board reserves the right to verify the claims of residency, dependency and guardianship of any student and to require a sworn statement of residential support for the student who resides with a person other than his/her parent/guardian/custodian. If a nonresident student's claim is invalid or if information contained in the sworn statement of residential support is found to be false, the student shall be removed from school attendance in accordance with Board policy.</p> <p><u>Nonresident Tuition Students</u></p> <p>The Board has determined not to accept nonresident tuition students from other districts except as provided by this policy.</p> <p><u>Cooperative Arrangements With Other School Districts</u></p> <p>The district in cooperative situations involving one or more other school districts may accept nonresident students, provided space is available.</p>
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<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 full residential support of the student.</p>
<p>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 district schools and shall receive the same benefits and be subject to the same responsibilities as resident children.</p>
<p>SC 1306, 1307, 1308, 1309, 1310, 2561, 2562 Title 22 Sec. 11.18</p>	<p><u>Residents Of Institutions</u></p> <p>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 law.</p>
<p>SC 1301</p>	<p><u>Current Enrolled Nonresident Students</u></p> <p>Nonresident tuition students enrolled in the district schools at the time of the approval of this policy shall be permitted to continue their enrollment through exhaustion of entitlement to school enrollment privileges under provisions of the Public School Code.</p>
<p>SC 1316 AP 208 Pol. 607</p>	<p><u>Nonresident/Tuition Fees</u></p> <p>Tuition shall be charged the nonresident student according to Section 1316, School Laws of Pennsylvania. Tuition shall be charged monthly, in advance of attendance.</p>
<p>SC 2561 AP 202.1</p>	<p>A nonresident student enrolled on a tuition basis will be charged as set by the Board of School Directors. This fee henceforth will be set in the month of August at the regular public Board meeting.</p> <p>Tuition for placements covered by the Regional Choice Initiative (RCI) shall have the tuition rate established by the RCI agreement. The tuition for students who are placed in the district by other school districts shall be billed using procedures that have been set by the cooperating districts.</p>

Nonresident Student Discipline

The Board grants the administration the right to refuse any nonresident student if the student was delinquent, expelled, suspended, or a discipline problem in his/her resident school. The administration shall also be authorized to cease nonresident attendance for any discipline problems that occur or because of an influx of resident students.

Transportation

The Board shall not be responsible for transportation to or from school for any student residing outside school district boundaries.

Interscholastic Athletics

For a nonresident student, on a tuition basis, participation in interscholastic athletics will be controlled by Article VI, Section 10 of the P.I.A.A. By-Laws as follows:

"At the end of the first school year in which a student is attending a school on a parent's or guardian's nonresident basis, his/her eligibility will be reviewed by the district committee. If in the committee's opinion, participation by said student contravenes the intent of the By-Laws, the district committee may declare the pupil ineligible. The length of such period to be determined by the district committee."

Future Residency

1. A student shall be considered a resident student when the family establishes residency in the district. If a child begins school and the family has not established residence before the date of enrollment, the child will be considered a nonresident student and allowed to attend school provided:
  - a. The parent/guardian has verified, by submitting to the district, a contract with an established contractor or agreement of purchase/rental of a residence indicating occupancy would be assured.
    - 1) In cases of new construction, residency shall be established when construction begins and with a scheduled completion date within twelve (12) months of commencement of construction. Where construction is uncertain or when the start date for construction is not determined, the child shall be considered a nonresident until the start of construction and with a scheduled completion date within twelve (12) months of commencement of construction. A copy of the construction contract must be provided to the district's business office.

	<ol style="list-style-type: none"><li>2) When an existing residence is under contract, residency shall be established as of the closing date by providing the settlement statement to the district's business office.</li><li>3) If a residence is rented, residency shall be established based on a signed rental contract and occupancy of the residence. A copy of the rental contract must be provided to the district's business office.<ol style="list-style-type: none"><li>b. A parent/guardian may submit a letter of intent to establish a residency in the school district and enroll his/her child for a period of eighteen (18) weeks for which nine (9) weeks' tuition is paid in advance. If residency is established in Fairview, tuition shall be prorated until the date of residency as determined based on the language under 1a.</li><li>c. In the event that residency is not established at the end of an eighteen (18) week period, the Board has the right to terminate the student's enrollment and retain the tuition.</li></ol></li><li>2. In the event the parents/guardians of a senior student move from the district during a semester of the student's senior year, the student may continue enrollment in the district and complete that semester without tuition payment. The subsequent semester will require payment of tuition by the student in advance prior to graduation. Said tuition shall be at the daily rate for the semester involved as determined by the Board of School Directors.</li><li>3. An underclassmen (any nonsenior student), whose family moves from the district after the last nine (9) weeks that the school term commences, may be permitted to finish this last nine (9) weeks of the school semester.</li><li>4. An underclassmen (any nonsenior student), whose family moves from the district prior to the last nine (9) weeks of the school semester, will be permitted to pay tuition and continue to be enrolled in the Fairview School District provided the conditions of policy and administrative procedure 202 are met.</li><li>5. Foreign exchange students may be accepted without tuition, provided school credentials of the students are submitted to the building principal prior to admittance.</li><li>6. Nonresident students, paying tuition and having no intent of moving into the district, shall pay the approved tuition rate in advance of each nine (9) week period.</li></ol>
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<p>3. Delegation of Responsibility</p>	<p>7. If the student does not become a resident of the district by the end of the period for which free attendance is given, tuition shall be required until residency is established.</p> <p>The Superintendent or designee shall develop procedures for the enrollment of nonresident students which:</p> <ol style="list-style-type: none"><li>1. Admit such students only on proper application and submission of required documentation by the parent/guardian.</li><li>2. Verify claims of residency.</li><li>3. Do not exclude any eligible student on the basis of race, creed, color, gender, sexual orientation, national origin, ancestry, or handicap/disability.</li><li>4. Deny admission where the educational facilities or program maintained for district students is inadequate to meet the needs of the applicant.</li><li>5. Make continued enrollment of any nonresident student contingent upon maintaining established standards of attendance, discipline and academics.</li></ol> <p>The Superintendent shall recommend to the Board for its approval the admission of qualified applicants.</p> <p>References:</p> <p>School Code – 24 P.S. Sec. 501, 502, 503, 1301, 1302, 1305, 1306, 1306.2, 1307, 1308, 1309, 1310, 1316, 2503, 2561, 2562</p> <p>State Board of Education Regulations – 22 PA Code Sec. 11.18, 11.19, 11.41</p> <p>Board Policy – 103, 200, 251, 607, 906</p>
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