

MIDDLETOWN AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: ELIGIBILITY OF
NONRESIDENT STUDENTS

ADOPTED: October 14, 1991

REVISED: October 25, 2010

202. ELIGIBILITY OF NONRESIDENT STUDENTS	
<p>1. Purpose SC 501, 502, 503</p>	<p>The Board shall operate the schools of this district for the benefit of children resident in this district and eligible for attendance.</p>
<p>2. Authority SC 1301, 1316 Pol. 200</p>	<p>The Board may permit the admission of nonresident students in accordance with terms of this policy.</p>
<p>SC 1302 Title 22 Sec. 11.19</p>	<p>The Board shall require the resident to file only one (1) of the following: appropriate legal documentation showing dependency or guardianship (which may include a custody order) or a sworn affidavit of full residential support to be filed with the district administration before an eligible nonresident student may be accepted as a student in the district. 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. The natural parent(s) or former guardian(s) of the student may not be required to provide information.</p>
<p>SC 1302</p>	<p>Once the requested information is provided, the school district must enroll the student and permit him/her to begin to attend school without delay, but in no case more than five (5) days. 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.</p>
<p>SC 1302 Pol. 906</p>	<p>If information contained in the sworn affidavit 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.</p> <p>The Board shall not be responsible for transportation to or from school for any nonresident student residing outside school district boundaries.</p>

<p>3. Guidelines</p> <p>SC 1305</p> <p>SC 1306, 1307, 1308, 1309, 1310, 2561, 2562 Title 22 Sec. 11.18</p> <p>SC 1316, 2561 Pol. 607</p> <p>SC 1306.2, 1318</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><u>Resident 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 statute.</p> <p>The guidelines governing acceptance of future and/or former residents as tuition students in the Middletown Area School District shall be based on:</p> <ol style="list-style-type: none"> 1. Class size. 2. Past school history of the student applying. 3. Circumstances of request - residing in school district with relative or friend. 4. Nonresident students will be required to pay tuition during the first week of every month. 5. Tuition rates shall be determined in accordance with statute. <p><u>Juveniles Incarcerated In Adult Facilities</u></p> <p>A person under twenty-one (21) years of age who is confined to an adult local correctional institution following conviction for a criminal offense who is otherwise eligible for educational services as provided under this act shall be eligible to receive educational services from the Board of School Directors in the same manner and to the same extent as a student who has been expelled pursuant to Section 1318. The tuition rate shall be determined in accordance with the statute.</p>
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<p>SC 1306.2, 1901</p>	<p>A person under twenty-one (21) years of age who is confined to an adult local correctional institution following a charge for a criminal offense who is otherwise eligible for educational services as provided under this act shall be eligible to receive services from the Board of School Directors in the same manner and to the same extent as a student who has been placed in an alternative education program for disruptive students. The tuition rate shall be determined in accordance with the statute.</p>
<p>SC 1316</p>	<p><u>Former Residents</u></p> <p>Any student who moves from the district after May 1 of the school year may still attend the Middletown schools and may complete the term without additional cost.</p> <p>Any student who is in his/her senior year and moves from the school district in the second semester of that year may complete the senior year at Middletown Area High School without additional cost.</p>
<p>SC 1316</p>	<p><u>Future Residents</u></p> <p>A child whose parent/guardian has executed a contract to buy, build, or rent a residence for occupancy in the Middletown Area School District may be enrolled without the payment of tuition. Intent to establish residence must be shown by the presentation of the lease agreement or agreement of sale to purchase a residence. Should actual residency not be established within thirty (30) school days of enrollment, prorated tuition (1/180 of full year tuition for each school day) shall be paid from the 31st day following enrollment until the 90th day of the school year. Such payment will be made monthly, the first week of each month. Should residency be established hereafter, tuition will be refunded prorated from the effective date of residency.</p> <p>If residency is not established within ninety (90) days, the student must be withdrawn from the Middletown Area School District.</p>
<p>SC 1302 Title 22 Sec. 11.19</p>	<p><u>Other Nonresidents</u></p> <p>A nonresident student may be admitted to this district 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 the district residents who have assumed legal dependency or guardianship or full residential support of the student. The district resident responsible for the nonresident child shall file the district's required legal documentation to show dependency or guardianship by a sworn affidavit statement that s/he is a resident of the district, is supporting the child gratis, will assume all personal obligations for the child and intends to keep the child continuously. The</p>

<p>4. Delegation of Responsibility</p> <p>Pol. 103</p> <p>SC 1316, 2561 Pol. 607</p>	<p>Superintendent shall develop procedures to investigate the validity of the request to admit the nonresident child to the district. Should the district determine that any portion of the information provided by the resident is false, retroactive daily tuition may be charged to the resident for the period of time the nonresident child attended school in the district. The affidavit for school attendance statement shall be valid for one (1) year. A new affidavit shall be submitted to the district prior to the beginning of each school year during the month of August.</p> <p>The district will not accept tuition students other than outlined above.</p> <p>The Superintendent shall develop procedures for the enrollment of nonresident children which:</p> <ol style="list-style-type: none"> 1. Admit such children only on the proper application of the parent/guardian and submission of required documentation. 2. Verify claims of residency. 3. Do not exclude any child, otherwise eligible, on the basis of such child's race, creed, color, national origin, ancestry, gender, sexual orientation, or handicap/disability. 4. Deny admission where the educational facilities or program maintained for the children of this district is inadequate to meet the needs of the applicant. 5. Make continued enrollment of any nonresident student is contingent upon maintaining established standards of attendance, discipline, and academics. <p>The Superintendent shall recommend to the Board for their approval the admission of qualified applicants.</p> <p>The Board shall determine tuition rates in accordance with statute. Tuition rates may be charged monthly, in advance of attendance or as determined by the district administration in advance with approval by the Superintendent.</p>
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References:

School Code – 24 P.S. Sec. 501, 502, 1301, 1302, 1305, 1306, 1306.2, 1307, 1308, 1309, 1310, 1316, 1318, 1901, 2503, 2561, 2562

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

Board Policy – 103, 200, 607, 906