

Students

District Residency

Criteria for Residency

Prior to admission in district schools, students shall provide proof of residency.

(cf. 5111 - Admission)

A student shall be deemed to have complied with residency requirements if he/she meets any of the following criteria:

1. The student's parents/guardians reside within district boundaries. (Education Code 48200)

(cf. 5111.13 - Residency for Homeless Children)

2. The student is placed within district boundaries in a regularly established licensed children's institution, a licensed foster home or a family home pursuant to a court-ordered commitment or placement. (Education Code 48204)
3. The student has been admitted through the district's interdistrict attendance program. (Education Code 48204)

(cf. 5117 - Interdistrict Attendance)

4. The student is an emancipated minor residing within district boundaries. (Education Code 48204)
5. The student lives with a caregiving adult within district boundaries. (Education Code 48204)

(cf. 5111.11 - Residency of Students with Caregiver)

6. The student resides in a state hospital located within district boundaries. (Education Code 48204)
7. The student is an elementary school student whose parent/guardian or grandparent is an employee of the Lowell Joint School District. (Education Code 48204)

(cf. 5111.12 - Residency Based on Parent/Guardian Employment)

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District Residency (continued)

8. The student was enrolled on a previous interdistrict agreement.
9. The student is confined to a hospital or other residential health facility within district boundaries for treatment of a temporary disability. (Education Code 48207)

(cf. 6183 - Home and Hospital Instruction)

Proof of Residency

The Superintendent or designee may retain a copy of the document or written verification offered as proof of residency. In addition, the Superintendent or designee shall annually verify the student's residency and retain a copy of the document or written statement offered as verification. (5 CCR 432)

When presented with a substitute address designated by the Secretary of State for victims of domestic violence or stalking residing within district boundaries, the Superintendent or designee shall accept and use the substitute address for all future communication and correspondence and in all public records. (Government Code 6207)

(cf. 3580 - District Records)

(cf. 5125 - Student Records)

If any district employee reasonably believes that the parent/guardian of a student has provided false or unreliable evidence of residency, the Superintendent or designee shall make reasonable efforts to determine whether the student meets legal residency requirements including but not limited to home visitations by the Superintendent or designee. (Education Code 48204.6)

Reasonable evidence of residency may be established by documentation including, but not limited to, any of the following: (Education Code 48204.6)

1. Property tax payment receipts
2. Rent Payment Receipts
3. Utility service payment receipts
4. Notarized declaration of residency executed by the student's parent/guardian

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District Residency (continued)

Admission for Nonresidents

A student commuting from an adjacent state may be admitted if the Superintendent or designee enters into an agreement, either with the parent/guardian or with the Board of Trustees of the district in the adjacent state, providing for the payment of tuition sufficient to reimburse the total cost of educating the student. (Education Code 48050-48052)

Revocation of Enrollment

If the Superintendent or designee, upon investigation, determines that a student's enrollment is based on false evidence of residency, he/she shall revoke the student's enrollment.

Legal Reference:

EDUCATION CODE

35351 Assignment of students to particular schools

48050-48053 Nonresidents

48200-48204 Persons included (compulsory education law)

48204.5 Districts adjacent to international border

48204.6 Evidence of residency

48206.3-48208 Students with temporary disability

48980 Notification of parent or guardian

52317 Admission of persons including nonresidents to attendance area

FAMILY CODE

6550-6552 Caregivers

GOVERNMENT CODE

6205-6211 Confidentiality of residence for victims of domestic violence

CODE OF REGULATIONS, TITLE 5

432 Varieties of student records

CODE OF REGULATIONS, TITLE 22

87001 Definitions

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