

# **LEBANON SCHOOL DISTRICT**

POLICY: 202

SECTION: PUPILS

TITLE: ELIGIBILITY OF NONRESIDENT STUDENTS

ADOPTED: July 18, 1994

LAST REVISED: February 17, 2020  
March 15, 2021

## **202. ELIGIBILITY OF NONRESIDENT STUDENTS**

### **Purpose**

The Board shall operate district schools for the benefit of students residing in this district who are eligible for attendance.<sup>1</sup>

### **Authority**

To the extent where facilities and staff are available, the Board may permit the admission of nonresident students in accordance with the terms of this Board policy.<sup>2</sup>

The Board shall require that appropriate legal documentation showing dependency or guardianship or a sworn statement of full residential support be filed with the Superintendent or designee before an eligible nonresident student may be accepted as a student in 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.<sup>3</sup>

The Board reserves the right for the Superintendent or designee to verify claims of residency, dependency, and guardianship and to remove from school attendance a nonresident student whose claim is invalid.<sup>4</sup>

If information contained in the sworn statement 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.<sup>5</sup>

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<sup>1</sup> 24 P.S. 501-03.

<sup>2</sup> 24 P.S. 1301, 1316.

<sup>3</sup> 24 P.S. 1302; 22 Pa. Code. 11.19.

<sup>4</sup> 24 P.S. 1302.

<sup>5</sup> 24 P.S. 1302.

The Board shall not be responsible for transportation to or from school for any nonresident student residing outside school district boundaries, except where indicated by law.

Tuition rates shall be determined annually in accordance with law. Tuition shall be charged monthly, in advance of attendance.<sup>6</sup>

Nonresident students enrolled after the start of the school year will pay a prorated tuition. If the student shall withdraw or shall be suspended or expelled from attending classes, no refund of tuition will be made.<sup>7</sup>

Following notice of non-payment, students may be removed from the active rolls and required to enroll in their home district.

Any eligible student shall not be excluded on the basis of his or her race, creed, color, gender, sexual orientation, national origin, ancestry, or handicap/disability.

## **Guidelines**

### Nonresident Children Placed In The District

Any child placed in the home of 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.<sup>8</sup>

### Residents Of Institutions

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.<sup>9</sup>

### Juveniles Incarcerated in Adult Facilities

A juvenile who is eligible for educational services and is confined to an adult local correctional institution following conviction for a criminal offense shall

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<sup>6</sup> 24 P.S. 1316, 2561.

<sup>7</sup> 24 P.S. 1316, 2561.

<sup>8</sup> 24 P.S. 1305.

<sup>9</sup> 24 P.S. 1306-10, 2561-62; 22 Pa. Code. 11.18.

receive educational services from the school district in the same manner and extent as an expelled student.<sup>10</sup>

A juvenile who is eligible for educational services and is confined to an adult local correctional institution following a charge for a criminal offense shall receive educational services from the school district in the same manner and extent as a student placed in an alternative education program for disruptive students.<sup>11</sup>

### Prospective/Future Residents

A student eligible for attendance whose parent/guardian has executed a contract to rent, buy or build a residence in this district for occupancy prior to October 15 of that school year may be enrolled without payment of tuition.<sup>12</sup>

Parents/Guardians of students who claim admission on the basis of future residency shall be required to demonstrate proof of the anticipated residency and supply subsequent documentation once residency is established.

If the parents/guardians do not establish residency by the period for which free attendance is given, tuition shall be required until residency is established.

### Former Residents

Regularly enrolled students whose parents/guardians have moved out of the school district during the first half (85–90 days) of a school year may be permitted to finish the school year on a tuition basis. Regularly enrolled students whose parents/guardians have moved out of the school district during the second half of the school year may be permitted to finish the school year on a tuition-free basis. It is the parents'/guardians' responsibility to supply transportation to and from school.<sup>13</sup>

Students whose parents/guardians move out of the district may also be permitted to continue their education in the Lebanon School District during the following school year and each year thereafter on a tuition basis. Requests by former residents to continue attending the district's schools on a tuition basis will be considered annually with no guarantee for continuance from year-to-year. Such requests may be granted on a space-

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<sup>10</sup> 24 P.S. 1306.2, 1318.

<sup>11</sup> 24 P.S. 1306.2.

<sup>12</sup> 24 P.S. 1316.

<sup>13</sup> 24 P.S. 1316.

available basis only. It is the parents'/guardians' responsibility to supply transportation to and from school.

Senior students who are residents and enrolled as of the first day of classes their senior year may be permitted to complete their senior year tuition free. It is the parents'/guardians' responsibility to supply transportation to and from school.

### Other Nonresident Students

Nonresident students will not be permitted to attend the district's schools except as otherwise noted in this policy.

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. Sworn statements demonstrating full-time dependency beyond the school year must be filed with, and approved by, the Superintendent or designee.<sup>14</sup>

The district shall immediately enroll homeless students and foster students, even if the student or parent/guardian is unable to produce the required documents, in accordance with Board policy, laws and regulations.

Students from foreign countries entering the Lebanon School District through an approved foreign exchange program may be admitted without the payment of tuition.

All nonresident students shall be governed by the same rules and regulations of all other students.

### Delegation of Responsibility

The Superintendent or designee shall develop administrative procedures for the enrollment of nonresident children.

The Superintendent shall report to the Board for its information the enrollment of nonresident students.

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<sup>14</sup> 24 P.S. 1302; 22 Pa. Code. 11.19.