

# Wm. S. Hart UHS District

## Administrative Regulation

Students

### DISTRICT RESIDENCY

AR 5111.1(a)

#### Criteria for Residency

A student shall be deemed to have complied with District residency requirements for enrollment in a District school if he/she meets any of the following criteria:

1. The student's parent/guardian resides within District boundaries. (Education Code 48200)
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)

~~(cf. 5111.11 - Residency of Students with Caregiver)~~

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

~~(cf. 5111.13 - Residency for Homeless Children)~~

3. ***The student is admitted through an interDistrict attendance option. (Education Code 46600, 48204, 48301, 48356)***

~~The student has been admitted through an approved inter-District transfer~~

~~(cf. 5117 - InterDistrict Attendance)~~

~~(cf. 5118 - Open Enrollment Act Transfers)~~

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 and the caregiving adult submits an affidavit to that effect. (Education Code 48204)
6. The student resides in a state hospital located within District boundaries. (Education Code 48204)
7. The student is confined to a hospital or other residential health facility within District boundaries for treatment of a temporary disability. (Education Code 48204, 48207)  
  
(cf. 6183 - Home and Hospital Instruction)
8. ***The student's parent/guardian resides outside District boundaries but is employed within District boundaries and lives with the student at the place of employment for a minimum of three days during the school week. (Education Code [48204](#))***
9. ***The student's parent/guardian, while on active military duty pursuant to an official military***

*order, is transferred or is pending transfer to a military installation within the state.  
(Education Code [48204.3](#))*

*(cf. [6173.2](#) - Education of Children of Military Families)*

*10. The student's parent/guardian was a resident of California who departed the state against his/her will due to a transfer by a government agency that had custody of the parent/guardian, a lawful order from a court or government agency authorizing his/her removal, or removal or departure pursuant to the federal Immigration and Nationality Act, and the student lived in California immediately before moving out of state as a result of his/her parent/guardian's departure. (Education Code 48204.4)*

*(cf. [5145.13](#) - Response to Immigration Enforcement)*

#### **Residency Based on Parent/Guardian Employment (Allen Bill Transfers)**

*The Superintendent or designee may deny a transfer out of the District by a student whose parent/guardian is employed within the boundaries of another District if the difference between the number of students entering and exiting the District on the basis of parent/guardian employment exceeds the limits prescribed in Education Code [48204](#).  
(Education Code [48204](#))*

#### **Proof of Residency**

*The District shall not solicit or collect information or documents regarding the citizenship or immigration status of students or their family members for the purpose of determining residency within the District. (Education Code [234.7](#))*

~~District residency is not required for enrollment in a regional occupational center or program.  
(Education Code 52317)~~

#### **~~Safe at Home/Confidential Address Program~~**

~~When a student or parent/guardian participating in the Safe at Home program requests that the District use the substitute address designated by the Secretary of State, the Superintendent or designee may request the actual residence address for the purpose of establishing residency within District boundaries but shall use the substitute address for all future communications and correspondence and shall not include the actual address in the student's file or any other public record. (Government Code 6206, 6207)~~

~~(cf. 3580 - District Records)~~

~~Reasonable evidence of residency~~ **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. Rental payment receipts
3. Utility service contract, statement, or payment receipt
4. Pay stub
5. Voter registration
6. Correspondence from a government agency
7. Declaration of residency executed by the student's parent/guardian
8. If the student is an unaccompanied youth as defined in 42 USC [11434a](#), a declaration of residency executed by the student
9. If the student is residing in the home of a caregiving adult within District boundaries, an affidavit executed by the caregiving adult in accordance with Family Code 6552

*(cf. 5141 - Health Care and Emergencies)*

~~The Superintendent or designee shall make a reasonable effort to secure evidence that a homeless or foster youth resides within the District, including, but not limited to, a utility bill, letter from a homeless shelter, hotel/motel receipt, or affidavit from the student's parent/guardian or other qualified adult relative.~~

~~However, a homeless or foster youth shall not be required to provide proof of residency as a condition of enrollment in District schools. (Education Code 48852.7, 48853.5; 42 USC 11432)~~

~~(cf. 6173 - Education for Homeless Children)~~

~~(cf. 6173.1 - Education for Foster Youth)~~

A parent/guardian seeking residency status on the basis of his/her employment within District boundaries shall submit proof of the employment which may include, but not be limited to, a paycheck stub or letter from his/her employer listing a physical address within District boundaries. Such evidence shall also indicate the number of hours or days per school week that the parent/guardian is employed at that location.

*A parent/guardian who is transferred or pending transfer into a military installation within the state shall provide proof of residence in the District within 10 days after the published arrival date provided on official documentation. For this purpose, he/she may use as his/her address a temporary on-base billeting facility, a purchased or leased home or apartment, or federal government or public-private venture off-base military housing. (Education Code [48204.3](#))*

*A student whose parent/guardian's departure from the state occurred against his/her will pursuant to item #10 in the section "Criteria for Residency" above shall be in compliance with District residency requirements if he/she provides official documentation of the parent/guardian's departure and evidence demonstrating that the student was enrolled in a public school in California immediately before moving outside the state. (Education Code*

48204.4)

*Any homeless or foster youth or student who has had contact with the juvenile justice system shall be immediately enrolled in school even if he/she is unable to provide proof of residency. (Education Code [48645.5](#), [48852.7](#), [48853.5](#); 42 USC [11432](#))*

(cf. 6173 – Education for Homeless Children)

(cf. 6173.1 – Education for Foster Youth)

### ***Safe at Home Confidential Address Program***

*When a student or parent/guardian participating in the Safe at Home program requests that the District use the substitute address designated by the Secretary of State, the Superintendent or designee may request the actual residence address for the purpose of establishing residency within District boundaries but shall use the substitute address for all future communications and correspondence and shall not include the actual address in the student's file or any other public record. (Government Code [6206](#), [6207](#))*

(cf. [3580](#) - District Records)

#### **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~~

#### **Management Resources:**

##### **CDE LEGAL ADVISORIES**

~~0303.95 Verification of residency, LO: 1-95~~

~~1115.1 Application of residency requirements for homeless children and youth, LO:588~~

##### **SECRETARY OF STATE**

~~Letter re: California Confidential Address Program Implementation (SB 489)~~

##### **WEB SITES**

~~California Secretary of State: <http://www.ss.ca.gov>~~

Date

WILLIAM S. HART UNION HIGH SCHOOL DISTRICT

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Santa Clarita, California