

Administrative Regulation

AR 5111.1

Students

DISTRICT RESIDENCY

Students must provide proof of residency **within** ~~in~~ the district prior to admission to the district.

~~The district shall retain a copy of the documents or written verifications offered as proof of residency. In addition, the district shall annually verify the student's residency.~~

Residency Requirements

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(a))

3. The student is admitted through the district's interdistrict attendance program. (Education Code 48204(a))

(cf. 5117 - Interdistrict Attendance)

(cf. 5118 – Open Enrollment Act Transfers)

4. The student is an emancipated minor residing within district boundaries. (Education Code 48204(a))

5. The student lives with a caregiving adult within district boundaries **and the caregiving adult submits an affidavit to that effect.** (Education Code 48204(a))

Where the student is living with someone other than the parent or legal guardian, proof must be provided that the parent or legal guardian has authorized the student to live there on a regular basis, and that the student actually lives at the address within District boundaries. Additional verification such as home visits, utility bills, driver's license, ~~and or caregiver affidavits~~ may be required.

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

6. The student resides in a state hospital located within district boundaries. (Education Code 48204(a))

7. 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)

~~District residency is not required for enrollment in a regional occupational center or program if there are openings in the program or class. (Education Code [52317](#))~~

8. A pupil whose parent or legal guardian resides outside of the boundaries of that school district but is employed and lives with the pupil at the place of his or her employment within the boundaries of the school district for a minimum of three days during the school week. (Education Code 48204(a))

The Superintendent or designee shall annually verify the student's residency and retain a copy of the document or written statement offered as verification in the student's mandatory permanent records. (5 CCR 432)

If a district employee reasonably believes that a parent/guardian has provided false or unreliable evidence of residency or that residency has changed, the Superintendent or designee shall make reasonable efforts to determine whether the student meets legal residency requirements in accordance with Board Policy.

The district shall accept reasonable evidence that the student meets the residency requirements for school attendance in the school district. Reasonable evidence of residency is established by documentation showing the name and address of the parent/guardian within the district, including, but not limited to, any of the following:

1. Property tax payment receipts
2. Rent property contract, lease or payment receipts
3. Utility service contract, statement, or payment receipts
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)

10. A parent/guardian seeking residency status on the basis of his/her being employed and living with the student at the place of his/her employment within the boundaries of the district for a minimum of three days during the school week shall submit proof of the employment/living arrangement, which may include, but not be limited to, a paycheck stub or letter from his/her employer listing a physical address within district boundaries and an affidavit from the

parent/guardian and employer affirming that parents/guardian and student reside with the employer within the district for three or more school days during the school week.

(Education Code 48204.1)

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)

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)

Residency Based Upon Parent Employment

The district may deem a pupil to have complied with the residency requirements for school attendance in the district if at least one parent or the legal guardian of the pupil is physically employed within the boundaries of that school district for a minimum of 10 hours during the school week. (Education Code 48204(b))

(cf. 5111 Admission)

(cf. 5111.12 Residency Based On Parent/Guardian Employment)

~~Legal Reference:~~

~~EDUCATION CODE~~

~~[35351](#) Assignment of students to particular schools~~

~~[48050-48054](#) Nonresidents~~

~~[48200-48208](#) Persons included (compulsory education law)~~

~~[48980](#) Notifications at beginning of term~~

~~[52317](#) ROP, admission of persons including nonresidents to attendance area~~

~~FAMILY CODE~~

~~[6550-6552](#) Caregivers~~

GOVERNMENT CODE

~~6205-6210~~ Confidentiality of addresses for victims of domestic violence, sexual assault or stalking

CODE OF REGULATIONS, TITLE 5

~~432~~ Varieties of student records

UNCODIFIED STATUTES

~~AB 687, Ch. 309, Statutes of 1995~~

COURT DECISIONS

~~Katz v. Los Gatos-Saratoga Joint Union High School District, (2004) 117 Cal.App.4th 47~~

~~Management Resources:~~

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

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

WEB SITES

~~California Department of Education:~~ <http://www.cde.ca.gov>

~~California Secretary of State, Safe at Home Program:~~ <http://www.ss.ca.gov/safeathome>

Regulation

LA CANADA UNIFIED SCHOOL DISTRICT

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La Canada Flintridge, California

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