

**CLOVIS UNIFIED
SCHOOL DISTRICT****STUDENTS**

Admissions Residency and School Attendance

DISTRICT RESIDENCY/STUDENT RESIDENCE AND ENROLLMENT

PURPOSE: To define student residence for purposes of school attendance and enrollment criteria.

It is the policy of the Board that a student whose legal residence is within Board-established attendance boundaries of a school has an entitlement and shall attend that school, subject to the provisions outlined below. The Board desires to admit all students who reside within District boundaries or who fulfill the District residency requirements through other means as allowed by law. The Superintendent or designee shall develop procedures to facilitate the receipt and verification of students' proof of residency.

Residency of a pupil is defined as the place where one remains when not called elsewhere for a temporary purpose, and to which they return to rest, relax, and/or sleep. Pupils can only have one residence. A residence cannot be lost until another is gained. The residence of a minor pupil is the residence of a parent, legal guardian, or recognized caregiver. (Government Code 244)

The Superintendent or designee shall annually notify parents/guardians of all existing attendance options available in the District, including, but not limited to, all options for meeting residency requirements for school attendance. (Education Code 48980)

The Superintendent or designee shall require parents/guardians to provide documentation of the student's residency upon admission to a District school. A copy of the document or written statement offered as verification of residency shall be maintained in the student's mandatory permanent record. (5 CCR 432)

When establishing a student's residency for enrollment purposes, the Superintendent or designee shall not inquire into a student's citizenship or immigration status.

A student's enrollment may be denied when the submitted documentation is insufficient to establish District residency. In any such case, the Superintendent or designee shall notify the parent/guardian in writing, including specific reasons for the denial.

School attendance areas are established by action of the Board and are on file in the District Office. The Board authorizes the Superintendent or the Director of Student Services and School Attendance to establish procedures and the Superintendent to adopt an administrative regulation providing for the determination of the legal residence of students and the proper school of attendance. The procedures shall include:

1. A specific provision that precludes inquiry regarding a student's citizenship or immigration status or the citizenship or immigration status of a student's parents or guardians.

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2. A specific provision that ensures that staff shall not seek or require, to the exclusion of other permissible documentation or information, documentation or information that may indicate a student's immigration status, such as a green card, voter registration, a passport, or citizenship papers.
3. Where any law contemplates submission of national origin related information to satisfy the requirements of a special program, staff shall solicit that documentation or information separately from the school enrollment process.
4. Where permitted by law, the Superintendent or designee shall enumerate alternative means to establish residency, age, or other eligibility criteria for enrollment or programs, and those alternative means shall include among them documentation or information that are available to persons regardless of immigration status, citizenship status, or national origin, and that do not reveal information related to citizenship or immigration status.
5. Where residency, age, and other eligibility criteria for purposes of enrollment or any program may be established by alternative documents or information permitted by law or this board policy, the procedures and forms shall describe to the applicant, and accommodate, all alternatives specified in law and all alternatives authorized under this policy.

Enrollment Not Requiring District Residency

When approved by the Board and the appropriate agency, the District may enroll students from other countries who are in the United States on an F-1 visa or are participating in an international exchange program under the sponsorship of a government-approved agency.

Adopted: 07/23/1975

Reviewed: 12/12/2010, 10/03/2008

Amended: 02/12/1979, 02/10/1980, 08/26/1987, 05/13/1992, 03/09/1994, 10/12/2005,
07/18/2007, 06/13/2018, 11/18/2020 (BP 2202 renumbered as BP 5111.1)

EDUCATION CODE

220 Prohibition of discrimination

234.7 Student protections relating to immigration and citizenship status

35160.5 Intradistrict open enrollment

35351 Assignment of students to particular schools

46600-46611 Interdistrict attendance permits

48050-48054 Nonresidents

48200-48208 Compulsory education law, especially:

48204 Residency requirements

48204.1-48204.4 Evidence of residency

48300-48317 Student attendance alternatives, school District of choice program

48350-48361 Open Enrollment Act transfers

48645.5 Former juvenile court school students, enrollment

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48852.7 Education of homeless students; immediate enrollment
48853.5 Education of foster youth; immediate enrollment
48980 Notifications at beginning of term
52317 Regional occupational program, admission of persons including nonresidents

FAMILY CODE

6550-6552 Caregivers

GOVERNMENT CODE

6205-6210 Confidentiality of residence for victims of domestic violence

CODE OF REGULATIONS, TITLE 5

432 Retention of student records

UNITED STATES CODE, TITLE 8

1229c Immigration and Nationality Act

UNITED STATES CODE, TITLE 42

11431-11435 McKinney-Vento Homeless Assistance Act

Doc# 43408-8 (10/2020, 05/2018)