ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS

The School Board establishes the following residency policy for determining eligibility to attend the schools of this Corporation.

The Board will educate tuition free only those students who have legal settlement in the Corporation. Proof of legal settlement will be required for registration in the Corporation. Legal settlement must be based on the need for housing and not for educational purposes.

Where the legal settlement of a student cannot reasonably be determined and the student is being supported by and living with a person whose residence is within the School Corporation, the student may be enrolled without payment of tuition unless the parents are able to support the student and have placed him/her in the home of another person primarily for the purpose of attending school in this Corporation without establishing legal guardianship or custodianship as required by Indiana law. A ‘Custodial Statement and Agreement: Third Party Custody’ - DOE-Form II - was prepared by the Superintendent of Public Instruction as required by Indiana Code 20-26-11-3. This form may be utilized if: (1) the student has been abandoned; (2) the parents are unable to support the student and the student is living with the guardian or custodian who is supporting and caring for the student and the student was not placed with the guardian or custodian for the primary purpose of attending school in the school corporation of the guardian’s or custodian’s residence; or (3) the parents are living outside the United States and maintain no home in any school corporation.

Foreign students, participating in a foreign-exchange program approved by the State Board of Education and living with a resident host family, will be admitted, tuition free.

Foreign students admitted with an F-1 visa will be admitted as per Immigration law and guidelines (see Policy 5114).

The Corporation shall provide a free education to those students who are considered by Federal law to be illegal aliens or considered to be homeless by criteria established by the State.

Students whose parents do not have legal settlement within the Corporation but who present evidence that they will move into the Corporation within a short period of time may enroll in the schools of this Corporation as tuition students for the time not in residence.

Students who have completed or are completing the eleventh grade and have changed their legal settlement to another school corporation may complete both the eleventh and twelfth grade in this Corporation.

Students who do not have legal settlement may be enrolled in the special education program of this Corporation pursuant to their educational plans.
Nonresidents may be accepted into the Vocational Education Classes provided by this Corporation. The Corporation may charge a special fee for nonresidents.

Nonresidents may be accepted into the Summer School Program provided by this Corporation.

A married student living with a spouse or an emancipated minor shall be eligible to attend school without payment of tuition provided they reside in the Corporation.

**Children of Joint Custody Decrees**

Children of Joint Custody Decrees may attend school without payment of tuition in this Corporation if the student’s legal settlement during the school week, or for a majority of the school week days, is with the one (1) parent who has legal settlement in this Corporation.

**Transfer Students**

The Corporation may accept nonresident students if a transfer is requested by a parent or adult student (18 or older) and agreed to by the school corporation of legal settlement. Other nonresident students may transfer to this Corporation upon payment of transfer tuition.

**Election to Attend School Where Parents Are Divorced or Separated**

Children of joint custody decrees may attend school without payment of tuition in this Corporation if the student’s legal settlement during the school week or for a majority of the school week is with the parent who has legal settlement in this Corporation. Parents who have joint legal custody may decide which parent will have legal settlement rights.

DOE-Form I was prepared by the Superintendent of Public Instruction as required by Indiana Code 20-26-11-3. It is to be used when no court order has been made establishing custody of the student and/or the parents have agreed on the parent with whom the student will live and/or the parent granted custody of the student has abandoned the student. DOE-Form I must be signed by both parents except where the student has been abandoned by the custodial parent.

DOE-Form III was prepared by the Superintendent of Public Instruction as required by Indiana Code 20-26-11-3 to implement 20-26-11-2.5. It is to be used where the student’s parents are divorced or separated but live in different public school corporations. DOE-Form III must be signed by the parent with physical custody or by the student if the student is eighteen (18) years of age and competent. In order to make an election under I.C. 20-26-11-2.5, the parent or student, if the student is eighteen (18) years of age, understand and agree:
• This form must be completed and presented not later than fourteen (14) days before the first student day of the school year to the school corporation where the election to attend has been made.
• In order to make this election, one or both of the student’s parents must live in the school corporation where the election to attend has been made.
• The election to attend the school corporation is effective for one (1) school year.
• This form must be completed and presented to the school corporation for each subsequent school year.

If the student resides in another school corporation for a portion of the school week/year but attends school in this Corporation (where one parent has legal settlement), it is the obligation of the parents to provide transportation for the student from the home of the nonresident parent.


Adopted 7/15/91; Revised 4/3/97; DRAFT Revision 10/8/08; 11/5/08
{Code citations updated 1/5/07}