

DISTRICT RESIDENCY

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)
3. The student has been admitted through an interdistrict attendance option.  
(Education Code 48204, 48356)  
  
(cf. 5117 - Interdistrict Attendance)
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.  
(Education Code 48204)
6. 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)
7. 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)

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)  
(cf. 5145.6 - Parental Notifications)

DISTRICT RESIDENCY (Continued)

Proof of Residency

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

(cf. 5111 - Admission)

(cf. 5125 - Student Records)

Evidence of residency may be established by documentation showing the name and address of the parent/guardian within the district, including, but not limited to, any of the following items numbered 1 through 6: (Education Code 48204.1)

1. Property tax bill or property tax payment receipt.
2. Rental property contract, lease, or payment receipt (on official letterhead) issued within the last 45 days.
3. Utility service contract, statement or payment receipt received or postmarked within the last 45 days.
4. Pay stub with legal name and current address issued within the last 45 days.
5. Voter registration.
6. Correspondence from a government agency, other than Culver City Unified School District, issued, received, or postmarked within the last 45 days.

AND a Declaration of Residency executed by the parent/guardian using one of the following documents numbered 7 through 9:

7. Declaration of Residency executed by the parent or legal guardian of a pupil; or
8. Declaration of Residency executed by the student, if the student is an unaccompanied youth as defined in 42 USC 11434a; or
9. Declaration of Residency and an affidavit executed by the caregiving adult in accordance with Family Code 6552, if the student is residing in the home of a caregiving adult within District boundaries.

Home visitation and/or other residency verification are part of a periodic process to confirm current residency status.

(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.

## DISTRICT RESIDENCY (Continued)

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 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.

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 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. The Superintendent or designee shall request the actual residence address for the purpose of establishing residency within District boundaries. (Government Code 6206, 6207)

(cf. 3580 - District Records)

## Failure to Verify Residency

If the Superintendent or designee, upon investigation, determines that a student's enrollment or attempted enrollment is based on false or unreliable evidence of residency, the District shall provide the parent/legal guardian with the basis for the determination and the Superintendent or designee shall deny or revoke the student's enrollment. Before any such denial or revocation is final, the parent/guardian shall be provided written notice of the facts leading to the decision. This notice also shall inform the parent/guardian that he/she may provide new material evidence of residency, in writing, to the Office of School and Family Support Services within 5 school days. If an appeal is made, the burden shall be on the parent/legal guardian to show why the decision of the District should be overruled. The Superintendent or designee shall review any new evidence and make a final decision within 10 school days.

## Legal Reference:

## EDUCATION CODE

35351 Assignment of students to particular schools

46600-46611 Interdistrict attendance permits

48050-48054 Nonresidents

48204 Residency requirements for school attendance

48204.1 Reasonable evidence of residency; false or unreliable evidence; unaccompanied youth

48204.2 Pupil school enrollment; residency requirements; policy on investigations

48356 Open Enrollment Act transfer, fulfillment of residency requirement

48853.5 Education of foster youth; immediate enrollment

48980 Notifications at beginning of term

FAMILY CODE

6550-6552 Caregivers

GOVERNMENT CODE

6205-6210 Confidentiality of residence for victims of domestic violence

CODE OF REGULATIONS, TITLE 5

432 Varieties of student records

UNITED STATES CODE, TITLE 42

11431-11435 McKinney-Vento Homeless Assistance Act

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

OFFICE FOR CIVIL RIGHTS, U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Dear Colleague Letter, May 6, 2011

WEB SITES

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

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

Office for Civil Rights, U.S. Department of Education: <http://www2.ed.gov/about/offices/list/ocr>

Regulation

CULVER CITY UNIFIED SCHOOL DISTRICT

Reviewed: January 20, 1998

Culver City, California

Regulation Reviewed: February 14, 2012

Regulation Revised: February 28, 2012

Regulation Revised: March 22, 2016

Regulation Adopted: April 26, 2016