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**STUDENT RESIDENCY POLICY**

Pathways Academy Adult Education (“PAAE” or “Charter School”) adopts this Student Residency Policy. Under California law, there are residency requirements for students to enroll and participate in certain programs and services. For a student to be enrolled in PAAE, the student must reside in California. (Ed. Code, §§ 47612(b), 47612.1(a)(1).) The purpose of this Student Resident Policy (this “Policy”) is to accomplish the following:

1. Define Residency
2. Outline Proof of Residency Requirements
3. Establish Where School Materials will be Mailed
4. Outline the Procedures for Children of Military Families
5. Outline the Procedures for Homeless Youth
6. Outline the Procedures for Foster Youth
7. Outline the Procedures for Migratory Youth
8. Outline the Procedures for the Investigation of Inaccurate, Suspicious, or False Addresses for Student Residency
9. Outline the Procedures for Disenrollment

1. **Definition of Residency:** For purposes of this Policy, a student has residency in the state and county of the primary residence of the parent/guardian with whom that student lives. If custody of a student is shared between parents living separately, the student may attend PAAE if one of the parents meets the residency requirements.<sup>1</sup>

Some students at PAAE may be eligible to receive specialized services, including, but not limited to, occupational therapy, speech therapy, and certain types of counseling services. Due to the licensing requirements for such services, by law some services may only be provided to a student when the student is physically located in California. For this reason, a student on vacation or who otherwise seeks to participate in their educational program while temporarily outside California is responsible for notifying the school ahead of time and making the appropriate arrangements for such services.

2. **Proof of Residency:** Upon enrollment in PAAE, the student’s parent/guardian is required to provide proof of residency. If the student’s residence changes, a parent/guardian must notify the school and provide updated residency information. Acceptable evidence that the student meets the residency requirements must be established by documentation showing the name and address of the parent/guardian, including, but not limited to, any of the following:

- Property tax payment receipts.
- Rental property contract, lease, or payment receipts.
- Utility service contract, statement, or payment receipts (e.g., gas, water, electricity).
- Pay stubs.
- Voter registration.

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<sup>1</sup> For purposes of this Policy, the rights and responsibilities of the parent/guardian of a student transfer to a student who is 18 years old or older. For example, a student who is 18 years old has residency in the state and county of the primary residence of that student.

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- Correspondence from a government agency (e.g., Social Security, Medi-Cal, etc.).
- Any other acceptable evidence as determined by the Executive Director (e.g., Declaration of Residency).

**3. Mailing of School Materials:** All school materials will be mailed to the address identified in the student’s proof of residency documentation. Mail or materials will only be sent to an address other than the address on-file with the school upon prior written approval from the Executive Director or designee.

**4. Children of Military Families:** PAAE shall allow the child of a military family to continue their education in PAAE, regardless of any change of residence of the military family during that school year, for the duration of the student’s status as a child of a military family. For a student whose status changes due to the end of military service of their parent during a school year, the student must be allowed to continue their education in PAAE through the duration of that academic school year.

A “child of a military family” means a student who meets the definition of “children of military families” in Education Code section 49701. This definition requires that the student live with a parent who is on full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders.

**5. Homeless Youth:** PAAE will immediately enroll a homeless youth seeking enrollment in accordance with the federal McKinney-Vento Homeless Assistance Act and Education Code section 48850, regardless of whether the student can show proof of residency. PAAE will be considered the school of origin for a homeless youth if the student was attending PAAE when permanently housed, if PAAE was the last school in which the student was enrolled, or if otherwise required by law. Regardless of any change of residency, a homeless child may continue their education in the school of origin through the duration of homelessness. If the homeless student’s status changes before the end of the academic year so that the student is no longer homeless, the student must be allowed to continue their education in PAAE through the duration of the academic school year.

“Homeless child” and “homeless youth” have the same meaning as in 42 U.S.C. section 11434a(2).

**6. Foster Youth:** PAAE will immediately enroll a foster youth seeking enrollment in accordance with Education Code section 48850, regardless of whether the student can show proof of residency. PAAE will be considered the school of origin for a foster youth if the child was attending PAAE when permanently housed, if PAAE was the last school in which the student was enrolled, or if otherwise required by law. Regardless of any change of residency, a foster child shall be allowed to continue their education in the school of origin for the duration of the jurisdiction of the court. If the jurisdiction of the court is terminated before the end of an

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academic year at PAAE, the former foster child must be allowed to continue their education in School through the duration of the academic school year.

“Foster child” has the same meaning as “foster youth,” as that term is defined in Education Code section 42238.01(b).

7. **Migratory Youth:** PAAE shall allow a migratory youth to continue their education in PAAE, regardless of any change of residence of the migratory youth during that school year, for the duration of the student’s status as a migratory youth. For a student whose status changes as a migratory youth during a school year, the student must be allowed to continue their education in PAAE through the duration of that academic school year.

The term “migratory youth” means a student who meets the definition of “currently migratory child” in Education Code section 54441.

8. **Investigation of Inaccurate, Suspicious, or False Addresses for Student Residency:** If an employee of PAAE reasonably believes that the parent/guardian of a student has provided false or unreliable proof of residency, the Executive Director or designee may make reasonable efforts to determine where the student actually resides. In order to initiate an investigation, PAAE employee who reasonably believes that false or unreliable proof of residency has been provided must document the facts supporting their belief and provide them to the Executive Director or designee.

An investigation of residency may include:

- Searching the student information system(s) by entering the student’s and parent’s/guardian’s names to locate siblings and review their residence information.
- Speaking with the student(s) and/or the parent/guardian for residence information. At no time, however, should any employee inquire about a student’s/family’s immigration status.
- Mailing a letter to all known current and previous addresses requesting residency verification. The envelope should have “Do Not Forward-Address Correction Requested” written or stamped on it so that the letter will be returned to the school with the family’s current address. The new address should be entered into the student information system(s). If the letter is not returned or is returned with no forwarding information, the student and their parent/guardian must be contacted to provide new information.
- Conducting a home visit.
- Reviewing other publicly available documents to verify the address of students.
- Other reasonable means as determined by the Executive Director.

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An investigation does not allow for the surreptitious photographing or video recording of students whose residency is being investigated. “Surreptitious photographing or videorecording” means the covert collection of photographic or videographic images of persons or places subject to an investigation. The collection of images is not covert if the technology is used in open and public view.

At all times during an investigation of residency, those engaged in the investigation shall identify themselves truthfully as such to individuals contacted or interviewed during the course of the investigation.

9. **Disenrollment Procedures:** If PAAE determines that a student no longer meets the residency requirements to attend PAAE, the Executive Director or designee shall notify the parent/guardian in writing of the school’s intent to disenroll the student for that reason. The written notice shall be provided at least five (5) school days before the effective date of the disenrollment. The notice shall inform the student, the parent/guardian, the homeless child’s educational rights holder, the foster child’s educational rights holder, attorney, and county social worker, and/or the Indian child’s tribal social worker and, if applicable, county social worker, of the right to request a hearing before a neutral officer within a reasonable number of days. If a hearing is requested, the student shall remain enrolled until the school issues a final decision. At the hearing, the student shall have a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and shall have the right to bring legal counsel or an advocate. If the parent/guardian, the homeless child’s educational rights holder, the foster child’s educational rights holder, attorney, and county social worker, and/or the Indian child’s tribal social worker and, if applicable, county social worker does not request a hearing by the date stated in the written notice, the student shall be disenrolled.