

**JFAB  
TUITION / ADMISSION OF  
NONRESIDENT STUDENTS**

For purposes of open enrollment a "nonresident pupil" means a student who resides in this state and who is enrolled in or is seeking enrollment in a school district other than the school district in which the student resides. A student who is not a resident of the District but is a resident of Arizona who meets the age and other requirements for open enrollment established by state law and District policy shall be admitted to a school without payment of tuition.

A student shall also be admitted to a school without tuition payment, if:

A. The student is the child of a United States resident who is not a resident of Arizona, if this is in the best interest of the student and the student is placed with a relative per A.R.S. 15-823(C) and it is not to avoid tuition payment.

B. The student is a resident of the United States and evidence indicates that because the parents are homeless or the child is abandoned, as defined in A.R.S. 8-201, the child's physical, mental, moral or emotional health is best served by placement with a person who does not have legal custody of the child and who is a resident within the school district, unless it is determined that the placement is solely for the purpose of obtaining an education in this state without payment of tuition.

C. The student presents a certificate of educational convenience issued by the County School Superintendent pursuant to A.R.S. 15-825(A).

D. The student is a child of a nonresident teaching or research faculty member of a community college district or state university or a nonresident graduate or undergraduate student of a community college district or state university whose parent's presence at the district or university is of international, national, state, or local benefit.

A student may also be admitted to a school without tuition payment, if:

A. The student is a resident of the United States, but a nonresident of this state, and all of the following conditions exist:

1. The child is enrolled in a year-round residential boarding academy located in this state specializing in intensive instruction and skill development in sports, music or acting.

2. The child's parents have executed a current notarized guardianship agreement covering the child while enrolled at the academy, which is a condition of enrollment at the academy and authorizes academy representatives to act on the child's parent's or legal guardian's behalf in making all decisions on a daily basis as to the child's activities and needs for medical, educational and other personal issues.

If the student loses resident status after January 1, the student may complete the school year.

The District shall admit the following students, charging tuition as prescribed in statute:

A. The child of an Arizona resident who 1) is not a resident of the District that provides a high school, 2) is a resident of an Arizona common school district that is not in a high school district, or 3) is from one that does not offer instruction in the student's grade. Special circumstances may apply in accordance with A.R.S. 15-2041 after three hundred fifty (350) students have been admitted.

B. For an Arizona resident who is not a resident of the District, if the district of residence provides only financing for students who are instructed by another school district and for students from a unified district that does not offer instruction in the student's grade.

C. A pupil who is issued a certificate of educational convenience to attend school in the School District or adjoining the school district to that in which the pupil is placed by an agency of this state or a state or federal court of competent jurisdiction, as provided in A.R.S. 15-825(B).

The District shall admit a pupil who is the resident of a school district that has entered into a voluntary agreement with the District, charging tuition as agreed to in accordance with A.R.S. 15-824(E)(3).

The District may admit nonresident foreign exchange students without payment of tuition, or as it may otherwise prescribe.

The District shall not include in its student membership count students who are not Arizona residents. The District is prohibited from obtaining state funding for any student who is not a resident of the state.

### **"Residence" Defined**

The residence of a student is the residence of the person having legal custody of the student, except as provided in A.R.S. 15-823 through A.R.S. 15-825.

Residency of the parent/guardian or surrogate may be determined by showing the individual's presence and intent to remain in the District. Documentation of residency may be determined by using the following verifiable documentation (see JFAA-EA).

### **Verifiable Documentation**

A.R.S. 15-802(B) requires school districts to obtain and maintain verifiable documentation of Arizona residency upon enrollment in an Arizona public school. This policy is written to assist school districts in meeting the legal requirements of the statute.

The documentation required by A.R.S. 15-802 must be provided each time a student enrolls in a school district or charter school in this state, and reaffirmed during the district's or charter's annual registration process via the district's or charter's annual registration form. The documentation supporting Arizona residency should be maintained according to the school's records retention schedule. For members of the armed services, the provision of verifiable documentation does not serve as a declaration of official residency for income tax or other legal purposes. Proof of residency is not required for homeless students [42 U.S.C. 11 432(G)(3)(C)(i)].

In general, students will fall into one (1) of two (2) groups: 1) those whose parent or legal guardian is able to provide documentation bearing his or her **their** name and address; and 2) those whose parent/legal guardian cannot document his or her **their** own residence because of extenuating circumstances including, but not limited to, that the family's household is multi-generational. Different documentation is required for each circumstance.

**Parent(s) or legal guardian(s) that who maintains his or her their own residence:** The parent or legal guardian must complete and sign a form indicating his or her **their** name, the name of the school district or school site in which the student is being enrolled, and provide **a copy of one of the following documents** one (1) item from each of the sections below that bears the parent or legal guardian's full name and residential address or physical description of the property where the student resides (no P.O. Boxes):

*A. Section One:*

1. Valid Arizona driver's license, Arizona identification card or motor vehicle registration
2. Valid Arizona Address Confidentiality Program authorization card (For participants in the Arizona Address Confidentiality Program ["ACP"], an ACP Authorization Card may be accepted in lieu of documentation showing the residential address or property description where the student resides)
3. Water, electric, gas, cable, or phone bill
4. Bank or credit card statement
5. W-2 wage statement
6. Payroll stub

*B. Section Two:*

1. Real estate deed or mortgage documents

~~2. Property tax bill~~

~~3. Rental agreement or lease (including Section 8 agreements or off base military housing)~~

~~4. Certificate of tribal enrollment (506 Form) or other identification issued by a recognized Indian tribe located in Arizona.~~

~~5. Documentation from state, tribal, or federal government agencies (Social Security Administration, Veteran's Administration, Arizona Department of Economic Security).~~

~~6. A consular identification card that is issued by a foreign government as a valid form of identification if the foreign government uses biometric identity verification techniques, including fingerprint identification and retina scans, in issuing the consular identification.~~

~~7. Temporary on base billeting facility (for military families)~~

- **Valid Arizona driver's license, Arizona identification card or motor vehicle registration**
- **Valid Arizona Address Confidentiality Program authorization card**
- **Real estate deed or mortgage documents**
- **Property tax bill**
- **Residential lease or rental agreement (including Section 8 agreement or off-base military housing)**
- **Water, electric, gas, cable, or phone bill**
- **Bank or credit card statement**
- **W-2 wage statement**
- **Payroll stub**
- **Certificate of tribal enrollment (506 Form) or other identification issued by a recognized Indian tribe located in Arizona.**

- Documentation from a state, tribal, or federal government agency (Social Security Administration, Veteran's Administration, Arizona Department of Economic Security)
- Temporary on-base billeting facility (for military families)
- Consular identification card that is issued by a foreign government as a valid form of identification if the foreign government uses biometric identity verification techniques, including fingerprint identification and retina scans, in issuing the consular identification.

**Parent(s) or legal guardian(s) that does not maintain his or her **their** own residence:** The parent or legal guardian must complete and sign a form indicating his or her **their** name, the name of the school district or school site, in which the student is being enrolled, and submit a signed, notarized affidavit bearing the name and address of the person who maintains the residence where the student lives attesting to the fact that the student resides at that address, along with one (1) item from **each of** the sections listed above bearing the name and address of the person who maintains the residence.

#### **Use of and Retention of Documents by Schools**

School officials must retain a copy of the attestations or affidavits and copies of any supporting documentation presented for each student (photocopies acceptable) that school officials believe establish validity. Documents presented may be different in each circumstance, and unique to the living situation of the student. Documents retained by the School District may be used as an indication of residency; however, documentation is subject to audit by the Arizona Department of Education and the District. Personally identifiable information other than name and address (SSN, account numbers, etc.) should be redacted from the documentation either by the parent/guardian or the school official prior to filing. Information provided by parents and guardians to Arizona public schools is confidential and only used for educational purposes.

Adopted: ~~November 9, 2021~~ **May 9, 2023**

#### LEGAL REF.:

A.R.S.

8-201

15-802

15-816 through 15-816.07

15-821

15-823 through 15-825

41-166

41-5001

42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001,  
as amended by the Every Student Succeeds Act (ESSA) of 2015

CROSS REF.:

IKEB - Acceleration

JFABD - Admission of Homeless Students

JFB - Open Enrollment

JG - Assignment of Students to Classes and Grade Levels

JLCB - Immunizations of Students

JLH - Missing Students

JR - Student Records

JRCA - Request for Transfer of Records