

STUDENT RESIDENCY

It is the policy of the Commerce Public Schools Board of Education that the residence of any child for school purposes shall be the legal residence of the parents, guardian, or person having legal custody and who has assumed permanent care and custody of the child and holds legal residence within the district as defined in 70 O.S. §1-113(c). Provided that such parent, legal guardian, person or institution having legal custody contributes in a major degree to the support of such child. Provided further that any child who is self-supporting shall be considered a resident of the school district if the child works and attends school in the school district. Questions concerning legal residence of children shall be determined pursuant to procedures utilized by the State Department of Education in accordance with Title 70, O.S. §1-113.

An adult who does not fall within the categories listed above, who holds legal residence in the district, and who has assumed permanent care and custody of the child may file an affidavit with the school district attesting that custody has been assumed. The affidavit must include the reasons for assuming custody. The board of education shall consider the facts of each case and shall approve residency only if it is demonstrated that the custody arrangement is permanent and the adult contributes in a major degree to the support of the child.

The superintendent or designee may require the submission of evidence of residency in order to determine whether the student is eligible to attend the public schools or programs without payment of nonresident tuition. Such evidence may include, but is not limited to, the following:

1. Proof of payment of local personal income tax or ad valorem taxes;
2. Title to residential property in the district, or a valid unexpired lease agreement, or receipts for payment of rent on a district residence in which the applicant actually resides;
3. Proof of provisions of utilities;
4. A valid, unexpired motor vehicle operators permit or motor vehicle registration.
5. Maintenance of voter registration;
6. Notarized affidavit verifying residency and/or has assumed the permanent care and custody of the student. (The filing of a false affidavit shall be subject to punishment in accordance with 70 O.S. §1-114.)

The school district designates the superintendent as residency officer. The residency officer may be contacted by calling the school district at 918-675-4316 or by writing to the residency officer at the following address, or by personally visiting the residency officer at 420 East D Street, Commerce, OK, 74339.

If this school district denies admittance of a student who claims to be a resident of the district, the parent, guardian, or person having care and custody (hereafter parent) of the student may request a review of the decision of the residency officer's decision. Such request for review shall be in writing and must be received by the residency officer within three school days of the denial of admittance. The request for review shall include any additional pertinent information which may justify the admittance of the child to the school district.

Upon receipt of a written request for review, the residency officer will render a decision and notify the parent of the decision within three school days of the receipt of the request for review.

If the parent disagrees with the findings of the residency officer, the parent will notify the residency officer within three school days of the receipt of the decision. The residency officer then will submit all documents reviewed and his/her findings to the board of education.

The board of education will review the decision documents submitted by both the superintendent and the student and render a decision at the next board meeting. The board's decision may be appealed only pursuant to procedures utilized by the State Department of Education.

REFERENCE: 70 O.S. §1210.203
70 O.S. §1-114

Adopted this 4th day of August 1997.

President, Board of Education

James M. Cassant

Vice-President, Board of Education

Kevin Reading

Clerk, Board of Education

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