

## STUDENTS

### Residency

#### I. Determination of Residency

Students who are bona fide residents of Prince William County may register for school in this county if all registration requirements are met per Regulation 711-1, "Student Registration Requirements and Procedures."

A. The following persons are automatically deemed county residents.

1. Any person who is living with a natural parent or parent by legal adoption who actually resides in Prince William County.
2. Any child of a military family who is living with a parent (custodial or non-custodial), guardian, legal custodian, or other person standing in loco parentis who resides in Prince William County and holds a Special Power of Attorney executed by the military service member under 10 U.S.C. § 1044b by a custodial parent while the custodial parent is on active duty (full-time duty status) in the active uniformed service of the United States, including members of the National Guard and Reserves on active duty orders pursuant to 10 U.S.C. §§ 1209 and 1211.
3. Any person whose parents are deceased and who is living with a person in loco parentis who actually resides in Prince William County.
4. Any person who is living with a person in Category 1 or 3, above, on a military reservation located wholly or partly within the geographical boundaries of Prince William County.
5. Any person whose parents are unable to care for such person, and who is living, not solely for school purposes, with another person who resides in Prince William County and (a) is the court-appointed guardian, (b) has legal custody of the person, or (c) is acting in loco parentis pursuant to placement of the person for adoption by a person or entity authorized to do so under § 63.2-1200 of the Virginia Code or (d) is diligently pursuing custody, or (e) is an adult relative providing temporary kinship care.

For purposes of this regulation, "diligently pursuing custody" means that the person having control or charge of the child:

- a. Has petitioned the Prince William County Juvenile and Domestic Relations District Court for custody of the child or petitioned the Prince William County Circuit Court for guardianship.
- b. Has provided a copy of the signed petition to the school; and
- c. Continues to follow through with the petition as described here. The petitioner must appear at the scheduled court date and shall provide a copy of the court's ruling to the school within 60 days of enrollment, unless good cause satisfactory to the principal prevents doing so, in which case the petitioner shall diligently pursue custody to the principal's satisfaction. If the petitioner fails to pursue custody diligently, or in any event fails to obtain custody or guardianship within 120 days after enrollment, the child who is the subject of the petition shall be considered a non-resident and tuition shall apply from the date of enrollment.

Schools should use the Student Information Worksheet for Custody, Tuition, and Eligibility for Enrollment to determine whether or not the student's custody status warrants the charging of tuition (Attachment I). If it is determined that tuition is to be charged, the school shall provide the parent a copy of the letter in Attachment II of this regulation.

For purposes of this regulation "kinship care" means that the person having care and control of the child has provided evidence of the following at the time of registration:

- a. A notarized affidavit, signed by one or both parents and the adult relative having care and control of the child, which outlines the reasons why the parent cannot care for the child and the details of the kinship arrangement to include projected length of the arrangement and an acknowledgement that the parent will notify within 30 days of when the kinship arrangement ends.
- b. A power of attorney authorizing the adult relative to make education decisions regarding the child.

Schools shall use the Kinship Care Information Form (Attachment IV) to collect and organize evidence to determine the appropriateness of the kinship care arrangement. If the principal or his/her designee deems the kinship care arrangement as inappropriate then he/she shall consult with staff from the Office of Student Services. The Office of Student Services staff member may in turn seek written verification from the Department of Social Services (DSS) where the parent or parents live, or from both that department and DSS where the kinship provider lives, that the kinship arrangement serves a legitimate purpose that is in the best interest of the child other than school enrollment.

6. Any person who is living in Prince William County, not solely for school purposes, as an emancipated minor.
7. Any person living in Prince William County who is a homeless child or youth and who lacks a fixed, regular, and adequate nighttime residence. The term "homeless child or youth" is defined in Regulation 718-1, "Students Experiencing Homelessness."
8. If the person resides within housing, temporary shelter, or primary nighttime residence as described in Section 7 that is situated in more than one school division, the person shall be deemed to reside in and shall be entitled to attend a public school within either school division.

If a person resides in housing, temporary shelter, or primary nighttime residence that is located in one school division, but the property on which such housing, temporary shelter, or primary nighttime residence is located lies within more than one school division, such person shall be deemed to reside only in the single school division in which the housing, temporary shelter, or primary nighttime residence is located.

Any person residing in housing, temporary shelter, or primary nighttime residence as defined in Section I. A. 1 of Regulation 718-1, "Students Experiencing Homelessness," that is located in one school division, but the property on which such housing, temporary shelter, or primary nighttime residence is located lies within more than one school division, shall be deemed to reside in either school division if such person or any sibling of such person residing in the same housing or temporary shelter attends, prior to July 1, 1999, or, in the case of a primary nighttime residence, prior to July 1, 2000, a school within either school division in which the property on which the housing, temporary shelter, or primary nighttime residence is located.

9. Any child whose parents are ordered to return to base housing and thus must move from a Prince William County residence continues to be deemed a resident for educational purposes. In the interest of providing educational continuity to the children of military personnel, no child of a person on active military duty attending a school free of charge in accordance with this section shall be charged tuition by that school division upon such child's relocation to military housing located in another school division in the Commonwealth, pursuant to orders received by such child's parent to relocate to base housing and forfeit his/her military housing allowance.

Such children shall be allowed to continue attending school in the school division they attended immediately prior to the relocation and shall not be charged tuition for attending such school. Such children shall be counted in the average daily membership at the school division in which they are enrolled. Further, the school division in which such children are enrolled subsequent to their relocation to base housing shall not be responsible for their transportation to and from school.

10. Bona fide residency may exist in unique situations not covered by the presumptions in numbers 1 – 9 above. These situations are:
  - a. A married minor has the residency of the spouse while the two cohabituate, even if the minor is not emancipated.
  - b. A student in permanent foster care has the residency of the permanent foster parents. Permanent foster care can only be created by a court order pursuant to a permanent foster care agreement, and both the order and the agreement shall be presented by the permanent foster parents in order to establish residency.
- B. Students who are presented for enrollment and do not meet any of the aforementioned criteria for residency shall be deemed as a non-resident and subject to tuition per Regulation 346-1, "Tuition."

## II. Documentation of Residency

The person presenting the child for enrollment has the burden of proving bona fide residency in Prince William County. It is the responsibility of the parent/guardian to notify the school in the event that a student and/or the parent/guardian have a residence change. Schools may require, in subsequent school years after initial enrollment,

additional verification of residency for those students who enroll with a Notarized Affidavit of Residency.

- A. One of the following documents must be presented to school staff in order to prove residency:
  - 1. Deed for residential property or contract on residential property
  - 2. Current rental or lease agreement for residential property or
  - 3. Notarized Affidavit of Residency (Attachment III) attesting to bona fide residency in Prince William County
  
- B. Additionally, any two of the following showing the residence address, with the parent/guardian name, must also be presented to school staff upon registration but no later than 10 school days after registration:
  - 1. Valid Virginia driver's license with current address
  - 2. Car registration
  - 3. Utility bill or utility hook-up documentation
  - 4. Personal property tax bill
  - 5. Bank statement
  - 6. Payroll stub
  - 7. Voter registration
  - 8. Car or Homeowners Insurance policy statement or card
  - 9. Other documentary evidence sufficient to prove residency
  
- C. All presented documentation will be entered into the Student Management System and returned to the parent/guardian. Documentation will not be maintained, with the exception of the Notarized Affidavit of Residency.

### III. Considerations for Non-Residents

- A. Prince William County Public Schools (PWCS) may revoke a finding of residency if it becomes aware of evidence showing that the person is not a bona fide resident or has changed residency to another locality. If PWCS revokes a finding of residency, the person presenting the student for enrollment shall be liable for tuition retroactively to the date that the person ceased being a bona fide resident or, if the person was not a bona fide resident at the time of enrollment, the date of enrollment. Any decision by a school administrator to deny or revoke a finding of residency may be appealed to the Director of the Office of Student Services, whose decision shall be final.

- B. Any person who knowingly makes a false statement concerning the residency of a child in the School Division for the purposes of avoiding tuition charges shall be guilty of a Class 4 misdemeanor and shall be liable to the school division in which the child was enrolled as a result of such false statements for tuition charges for the time the student was enrolled in such school division.

The Associate Superintendent for Student Learning and Accountability (or designee) is responsible for implementing and monitoring this regulation.

The Associate Superintendent for Student Learning and Accountability (or designee) is responsible for reviewing this regulation in 2017.

Attachment I  
Regulation 711-3

Student Information Worksheet for Custody, Tuition, and Eligibility for Enrollment		
The unaccompanied student or the adult enrolling the student shall provide the following information in order for school staff to decide whether to enroll the student, whether to charge tuition, and how to place the student. Please print neatly and use the back of this form if more space is needed.		
School Name:		
Student Name:	Birthdate:	Grade:
Address Where Student is Currently Residing (if homeless write none):		
Mother's Name:	Mother's Address:	
Reason Mother is Unable to Care for the Student:		
Father's Name:	Father's Address:	
Reason Father is Unable to Care for the Student:		
Guardian/Custodian's Name:	Guardian/Custodian's Address:	
Primary Phone Number:	Relationship to Student:	
Why was the Guardian Chosen to Care for the Student?		
Is the Guardian seeking custody of the student? ___ Yes ___ No If yes, please provide custody documentation with this form.		
As an unaccompanied student or the adult responsible for the above-named student and with whom this student shall live, I certify that the information provided on this form is complete and true to the best of my knowledge.		
Signature:		Date:

To Be Completed by School Personnel:	Student's Custody Held by:
Is student Homeless as defined by Regulation 718-1? ___ Yes ___ No (If yes skip rest of checklist)	
Is student a bona fide resident of PWCS? ___ Yes ___ No If no, resident of (indicate county):	
Does the student meet all other school entrance requirements per Regulation 711-1? ___ Yes ___ No	
Administrator Please Check One:	<input type="checkbox"/> Enrollment Approved with no Tuition <input type="checkbox"/> Enrollment Approved with Tuition
<input type="checkbox"/> Enrollment Disapproved - indicate disapproval reason:	
Administrator Signature:	Date:

FILE COMPLETED FORM IN THE STUDENT EDUCATIONAL RECORD AND SEND ONE COPY TO THE OFFICE OF  
STUDENT SERVICES

To Whom It May Concern:

It has been determined that tuition shall be paid for the student you are attempting to enroll in Prince William County Public Schools. Tuition rates are available from the Office of Student Services at the Kelly Leadership Center. If you wish to proceed with the enrollment of your student on a tuition paying basis, please complete Attachment I to Regulation 346-1, and submit it to the principal of the requested school of enrollment. Staff from the Office of Student Services will contact you, if enrollment is approved by the Principal, to discuss the tuition payment process and the due date for the first tuition payment. You should expect to submit payment very soon after the enrollment is approved.

If you have additional questions or concerns, please contact the Office of Student Services.

Sincerely,

Supervisor of Secondary Counseling and Student Support Services  
Office of Student Services  
Prince William County Public Schools



Affidavit of Residency

STATEMENT OF PARENT(S)/GUARDIAN(S)

(The parent/guardian of the student to be enrolled must complete this form)

I hereby affirm that I am residing with \_\_\_\_\_  
(Name of Prince William County Resident)

\_\_\_\_\_  
(Address) (Home Phone) (Work Phone)

The names of my children also residing with me at the above address are:

NAME	SCHOOL ATTENDING

I understand that enrollment of my child(ren) in Prince William County Public Schools (PWCS) is based on my statement, and if this statement is false, I understand that I may be liable for payment of full tuition for my child(ren). I hereby waive my rights to confidentiality of information relative to my residence and understand that PWCS will use whatever legal means it has at its disposal to verify my residence. Under §221.1-264.1 of the Virginia Code, any person who knowingly makes a false statement concerning the residency of a child for the purpose of avoiding tuition, shall be guilty of a Class 4 misdemeanor. I also agree to notify the principal or designee of any change in the residence of myself or my child(ren) within three (3) days of such change.

\_\_\_\_\_  
Printed Name of Parent/Guardian (Home Phone) (Work Phone)

\_\_\_\_\_  
Signature Date

I hereby certify that on this \_\_\_\_ day of \_\_\_\_\_, the above subscribers personally appeared before me and made oath in due form of the law that the foregoing facts are true to the best of their knowledge, information, belief, under penalty or perjury.

My Commission Expires \_\_\_\_/\_\_\_\_/\_\_\_\_ Notary Public \_\_\_\_\_

Date Received by School Personnel _____
School Personnel Signature _____

Affidavit of Residency

STATEMENT OF PRINCE WILLIAM COUNTY RESIDENT

I hereby affirm that I reside at \_\_\_\_\_

\_\_\_\_\_  
(Address)

Living with me are adults listed below who have school-age children to be enrolled in Prince William County Public Schools:

Name(s) of adult(s) and children residing with me:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I understand that enrollment in Prince William County Public Schools (PWCS) of the above mentioned child(ren) is based on my statement. If this statement is false, I understand that I may be liable for payment of full tuition of the child(ren). Under §22.1-264.1 of the Virginia Code, any person who knowingly makes a false statement concerning the residency of a child for the purpose of avoiding tuition, shall be guilty of a Class 4 misdemeanor. I understand that I am responsible for assuring that the adult living with me complies with the PWCS Regulation 346-1.

A deed for residential property, contract on residential property, or current rental or lease agreement must be presented to school staff for verification with this document.

\_\_\_\_\_  
Printed Name of Prince William County Resident      (Home Phone)      (Work Phone)

\_\_\_\_\_  
Signature of Prince William County Resident      Date

I hereby certify that on this \_\_\_\_ day of \_\_\_\_\_, the above subscribers personally appeared before me and made oath in due form of the law that the foregoing facts are true to the best of their knowledge, information, belief, under penalty or perjury.

My Commission Expires \_\_\_\_/\_\_\_\_/\_\_\_\_ Notary Public \_\_\_\_\_

Date Received by School Personnel _____
School Personnel Signature _____

Prince William County Public Schools  
Kinship Care Information Form

As of July 1, 2013, the definition of “persons to whom education shall be free” includes the following:  
*When the parents of such person are unable to care for the person and the person is living, not solely for school purposes, with another person who resides in the school division and is (i) the court-appointed guardian, or has legal custody, of the person (ii) acting in loco parentis pursuant to placement of the person for adoption by a person or entity authorized to do so under § 63.2-1200; or (iii) an adult relative providing temporary kinship care as that term is defined in § 63.2-100.*

*Kinship Care Definition: The full time care, nurturing, and protection of children by relatives.*

**To be Completed by Relative Enrolling Student:**

Student Name:	Name of Relative Enrolling Student:
	Relationship to Student (must be a relative):
Requested School:	Address of Relative Enrolling Student:
Please attach the following:	
1. A Notarized Affidavit, signed by one or both parents and the relative pursuing enrollment, detailing the following:  Explain why the parents are unable to care for the student. Provide details about the kinship arrangement (projected length of stay etc.) Acknowledgement that the parent will notify the school within 30 days of when the kinship care arrangement ends.	
2. Power of Attorney authorizing the adult relative to make educational decision regarding the student.  Additionally, staff from the Office of Student Services may require the parent or adult relative to obtain written verification from the Department of Social Services where the parent or parents live, or from both that department and the Department of Social Services where the kinship provider lives, that the kinship arrangement serves a legitimate purpose that is in the best interest of the person other than school enrollment.	
Under §22.1-264.1 of the Virginia Code, any person who knowingly makes a false statement concerning the residency of a child for the purpose of avoiding tuition, shall be guilty of a Class 4 misdemeanor. My signature below indicates my understanding of this statement.	
Signature of Relative Enrolling Student:	Date:

**To be completed by School Staff:**

Kinship Care documents submitted and deemed appropriate?      Yes_____      No_____	
If no, please contact the Office of Student Services at 703.791.7258 or 703.791.7265 for further consultation.	
Principal/Designee Signature: _____	Date: _____

Maintain a copy of this form in the Student Educational Record