

NORTHERN LEHIGH SCHOOL DISTRICT

SECTION: PUPILS

TITLE: POSTSECONDARY STUDENTS

ADOPTED: March 10, 1997

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205. POSTSECONDARY STUDENTS	
1. Purpose	A student attending any district-sponsored college or university shall be classified as a resident of the school district for tuition purposes if s/he has both a Northern Lehigh School District and a State of Pennsylvania domicile.
2. Authority	The Board shall assume no responsibility for making its regular educational program available to district residents who are high school graduates or who have attained the age of twenty-one (21) years; nor shall the Board be responsible for continuing education for such residents in the schools of any other district.
3. Guidelines	<p><u>Determination Of Domicile</u></p> <p>Domicile is the place where one intends to and does in fact permanently reside. Because the determination of whether a student intends to reside indefinitely in the Northern Lehigh School District and in Pennsylvania is necessarily subjective, documentary evidence, statements from disinterested persons and the presumptions set forth below will be considered:</p> <ol style="list-style-type: none"> 1. Continuous residence in Pennsylvania for a period of twelve (12) months and in the Northern Lehigh School District for a period of twelve (12) months prior to registration as a sponsored student creates a presumption of domicile. Although one is presumed not to be a domiciliary if one has resided for a shorter period before attending a college or university, a student may rebut this presumption by convincing evidence. 2. A person attempting to establish domicile must be a citizen of the United States or must have indicated by formal action his/her intention to become a citizen of the United States or must have been admitted to the United States on an Immigrant Visa. A tourist or student (nonimmigrant) visa is not proof of domiciliary intent.

3. A married person is presumed to have the domicile of his/her spouse; however, such presumption may be rebutted by convincing evidence of an independent Pennsylvania and Northern Lehigh School District domicile.

A Pennsylvania and Northern Lehigh School District domiciliary who marries a nonresident of either the district or the Commonwealth shall continue to be classified as a Pennsylvania and Northern Lehigh School District resident if s/he registers at a college or university within one (1) year of his/her marriage.

4. A minor is presumed to have the domicile of his/her parent(s)/guardian(s). The age of majority in Pennsylvania and in Northern Lehigh School District for establishing a domicile for tuition purposes is twenty-one (21). However, a minor may prove emancipation and independent domicile through convincing evidence.
5. A United States government employee or a member of the armed forces who was domiciled in Pennsylvania and in Northern Lehigh School District immediately preceding entry into government service and who has continuously maintained Pennsylvania and Northern Lehigh School District domicile. Others in government service may, by convincing evidence, establish Pennsylvania and Northern Lehigh School District as their domicile.
6. A student receiving a scholarship or grant dependent upon domicile, from a state other than Pennsylvania or from a district other than Northern Lehigh School District, is not domiciled in Pennsylvania or in the Northern Lehigh School District respectively.

Evidence

Examples of factors which may provide convincing evidence include the following:

1. Lease or purchase of a permanent independent residence.
2. Payment of appropriate state and local taxes. Special attention shall be given to payment of Pennsylvania taxes on income earned during periods of temporary absence from Pennsylvania and taxes levied by the Northern Lehigh School District or its residents.
3. Transfer of bank accounts, stocks, automobile and other registered property to Pennsylvania and the Northern Lehigh School District.
4. Pennsylvania driver's license.

5. Agreement for permanent full-time employment in Pennsylvania and Northern Lehigh School District.
6. Membership in Pennsylvania and Northern Lehigh School District social, civic, political, athletic and religious organizations.
7. Registration to vote in Pennsylvania and Northern Lehigh School District.
8. Statement of intention to reside indefinitely in Pennsylvania and Northern Lehigh School District.
9. Statement from the parent(s)/guardian(s) of a minor setting forth facts to establish the minor's financial independence and separate residence.

Each case will be decided on the basis of all facts submitted, with qualitative rather than quantitative emphasis. No given number of factors is required for domicile, since the determination in each case is one of the subjective intentions of the student to reside indefinitely in Pennsylvania and Northern Lehigh School District.

Procedure For Reclassification

1. A student may challenge his/her residency classification by filing a written petition with the secretary/business manager of the Northern Lehigh School District. The secretary/business manager shall consider the petition and render a decision.
2. If the student is not satisfied with the decision made by the secretary/ business manager in response to the challenge, the student may take a written appeal to the Board of Directors whose decision on the challenge shall be final.
3. Any reclassification resulting from a student's challenge shall be effective for tuition purposes as of the date such challenge was filed.
4. A student who changes his/her domicile from Pennsylvania to another state or from the Northern Lehigh School District to another school district must promptly give written notice to the Northern Lehigh School District.

School Code
502, 1901,
1925