

B. RESIDENCY REQUIREMENTS

Definitions:

“Reside” means to be physically present and maintain a permanent place of abode for an average of not less than four (4) calendar days and nights per week for a primary purpose other than school attendance.

“Resident” means a student whose parents, legal guardians, persons having legal, lawful control of the student under court order, or persons standing in loco parentis reside in the school district.

“Residential address” means the physical location where the student’s parent, legal guardian, person having legal lawful control of the student under order of a court, or person standing in loco parentis resides. A student may use the residential address of a legal guardian, a person having legal, lawful control of the student under order of a court, or person standing loco parentis only if the student resides at the same residential address and if the guardianship or other legal authority is not granted solely for educational needs or school attendance purposes.

The public schools of any school district in this state shall be open and free through completion of the secondary program to all persons between the ages of five (5) and twenty-one (21) years who are residents in the district and to all persons between those ages who have been legally transferred to the district for educational purposes.

Any person eighteen (18) years or older may establish a residence separate and apart from his or her parents or guardians for school attendance purposes.

In order for a person under the age of eighteen (18) years to establish a residence for the purpose of attending the District’s schools separate and apart from his or her parents, guardians, or other persons having lawful control of him or her under an order of a court, the person must actually reside in the district for a primary purpose other than that of school attendance. However, a student previously enrolled in the district who is placed under the legal guardianship of a noncustodial parent living outside the district by a custodial parent on active military leave may continue to attend district schools.

Any person who knowingly gives a false residential address for purposes of public school enrollment is guilty of a misdemeanor and subject to a fine not to exceed five hundred dollars (\$1000), (A.C.A. 6-18-202). The Marion School District will consider the prosecution of those who present fraudulent addresses.

The school district will give consideration to the enrollment of students when documentation is given supporting compelling domestic reasons related to the child’s welfare while living apart from parents or legal guardians. Further, documentation of compelling domestic reasons will be accepted from the Crittenden County Social Services.

When the construction of a new home or real estate closing delays the occupation of residence within the district for not more than three weeks after the opening of school, the school district will enroll the students while they temporarily live out of district. The documentation of the occupation date must be identified by the realty or construction company on a form supplied by the district.

When any person who owns a tract of land on which the person resides and which tract of land is located partially in one school district and partially in another, the school-age children of that person shall attend school in the school district in which the residence is located.

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