



SECTION III: STUDENT POLICIES 3050

Residency

For the purposes of this policy, the following term listed below shall have the following meaning:

“Residence,” “residency” and “legal residence” means the student’s present place of abode, provided that it is a place where important family activities (such as sleeping, eating, working, relaxing, and playing) take place during a significant part of each day. Mere presence alone is not sufficient to establish residency.

The residence of any child for school purposes can be: (a) the legal residence in which the parent, legal custodian, or guardian resides, (b) the child’s foster home as defined in O.S. 10 § 402, (c) an orphanage or eleemosynary childcare facility that has full-time care and custody of a child, (d) a state operated institution with guardianship rights, (e) the residence of a student who is self-supporting, or (f) a state licensed emergency shelter. (O.S. § 1-113). For school purposes, the student’s legal residence is the student’s present place of abode, such as the place where important family activities (such as sleeping, eating, playing) take place during a significant part of the day.

Residency is established through documented evidence provided by the parent or legal guardian. Such documentation may include proof of provisions of utilities (i.e. gas, electric or water/sewer billing), proof of internet service, payment of ad valorem taxes, local agreements or contract for purchasing/leasing housing, or mortgage statements. Proof of residency is required prior to enrollment, when a student moves or when a request is made to update a mailing or shipping address. The Board delegates the Head of School to accept other documents as reasonable proof of residence for special circumstances.

Parent/legal guardian/students who cannot provide the necessary information to verify their address because they are residing with a resident on a temporary or permanent basis shall be required to submit a signed statement attesting to the living arrangement. The homeowner and the parent/legal guardian will both be required sign the statement. The homeowner/resident will be required to submit proof of residence.

Disputes:

The Operations Manager shall serve as the residency officer for Oklahoma Virtual Charter Academy. If a student is denied admission to the Oklahoma Virtual Charter Academy on the basis of residency, the parent or legal guardian may request the Operations Manager review the decision within three (3) school days from denial of admittance. The request must be made in writing and additional pertinent information regarding residency must be submitted with the request for review. In addition, if during the course of the school year a dispute arises as to the residence of a student who is enrolled and attending school, the Operations Manager will request in writing that the parent/legal guardian furnish evidence regarding the student’s permanent residence.

Source: OVCA Board Policy adoption 2/20/2014

Revised 6/22/2017

Revised 2/15/2018

Revised 6/21/2018

Revised 6/16/2022

The Operations Manager will review all evidence and notify the parent of the decision and reasoning in writing within three (3) school days of the receipt of the request for review.

The parent may appeal the decision by notifying the Operations Manager within three (3) school days. The findings and all documents reviewed will be submitted to the Oklahoma Virtual Charter School Board of Directors. The Board will review the decision and the documents and render a decision at the next board meeting. The Board's decision shall be final.

If a student involved in a residency dispute is already enrolled and attending Oklahoma Virtual Charter Academy, he/she may remain in school until available appeals are exhausted if the appeal has been filed in a manner that complies with District policy and applicable regulations.

Homeless Students:

Oklahoma Virtual Charter Academy shall provide educational services for homeless children to the extent required by Public Law. The McKinney Act of 1987, or P.L. 100-77, ensures that each child of a homeless individual, and each homeless youth shall have equal access to the same free, appropriate public education as provided to other children and youth. Under the Act, schools are prohibited from delaying a homeless child's entry into school due to delays in obtaining school records. Rules regarding guardianship must be waived for homeless students living with foster parents or relatives other than their legal guardians. According to the Act, homeless children and youth: (a) do not need a permanent address to enroll in school; (b) have a choice of school placement. (c) cannot be denied school enrollment because school records or other enrollment documentation are not immediately available; (d) have the right to participate in all federal, state, or local programs and activities for which they are eligible; (e) cannot be isolated or separated from the mainstream school environment; (f) have the right to receive prompt resolution of any dispute regarding educational placement.

Source: OVCA Board Policy adoption 2/20/2014

Revised 6/22/2017

Revised 2/15/2018

Revised 6/21/2018

Revised 6/16/2022