

SCHOOL ADMISSIONS

(This policy replaces previously approved Board of Education Policy #5117)

The District shall provide a public education to all persons residing in the District between the ages of five (5) and twenty-one (21) who have not received a high school diploma. Residence is defined as both physical presence and intent to remain in the District. Eligibility of homeless children to attend district schools shall be determined in accordance with federal and state law and regulation (see policy 5151 for guidance).

Resident student shall mean:

- Every non-emancipated child of school age who resides with a person in parental relation as defined by Education Law §3212, where such person in parental relation is a resident of the District;
- Every duly emancipated child of school age who maintains his or her only actual bona fide residence within the District; or,
- Every child deemed to be a resident of this District pursuant to express mandate of Education Law §3202, or pursuant to the express mandate of any other statute of the State of New York.

A veteran of any age who has not yet received his/her high school diploma and who has been discharged under conditions other than dishonorable is eligible to receive his/her diploma upon conditions prescribed by the Board of Education and the Commissioner's Regulations.

Upon registration, all new students shall be enrolled and begin attendance the next school day or as soon as practicable. Students or their parents/guardians/persons in parental relation are required to present within three business days:

1. Proof of age – examples of acceptable forms of documentation, include but not limited to, an original birth certificate or baptismal certificate (including a foreign certified transcription of either such certificate). In the absence of these certificates, a passport (including a foreign passport) or other acceptable evidence, such as: an official driver's license; state or government-issued identification; school photo I.D. with date of birth; consulate identification card; hospital or health records; military dependent I.D. card; documents issued by federal, state, or local government agencies; court orders or other court-issued documents; Native American tribal documents; records from non-profit international aid agencies or voluntary agencies; or other documentary evidence which can be used to determine a child's age;
2. Record of immunizations and a health certificate from a licensed New York State physician in accordance with the requirements of the law;
3. Current proof of residency-as provided below; and
4. Parent or guardian's valid photo ID*/the District's *Affidavit by Person In Custodial Relationship Seeking to Enroll A Child*

SCHOOL ADMISSIONS**Residency Requirements**

A student's residence is presumed to be the District in which the student's parents or legal guardians reside. Ownership of property in the District does *not* constitute residency. The following required documentation must be presented:

1. Homeowners must present:
 1. Deed, closing statement, mortgage statement, or current tax bill.
 2. Two (2) pieces of official mail, mailed directly or forwarded by the post office.
 3. A completed, signed, and notarized District *Affidavit of Residency*.

2. Tenants living in a rented house or apartment must present:
 1. A current signed residential lease agreement, the District's *Affidavit of Residency-Landlord* signed by a landlord, property owner, or tenant (including relatives) from whom the parent or guardian leases or shares property within the District, OR the District's *Third Party Affidavit Attesting to Physical Presence* (if the documents above are not available).
 2. Two (2) pieces of official mail, mailed directly or forwarded by the post office.
 3. A completed, signed, and notarized District *Affidavit of Residency*.

The above proof must also be shown when a family moves to a new home within the District, before a transfer for recording of a change of address can take place.

3. If a District resident assumes a parental relationship with a child, and assumes total and permanent care, custody, and control of such child because:
 1. Such resident was granted custody or appointed as a legal guardian of the child by a court order;
 2. The natural parent(s) or legally appointed guardian(s) of the child (1) have died, (2) are in prison, (3) have been committed to an institution or deemed incapacitated to care for the student; or
 3. The natural parent(s) or legally appointed guardian(s) have relinquished and transferred care, custody, and control over the child to the resident.

The District resident assuming a parental relationship with the child must complete the District's *Affidavit By Person in Custodial Relationship Seeking to Enroll A Child*. If the resident provides a court order granting custody or legal guardianship to him or her, the resident does not need to complete the Affidavit.

The District reserves the right to require additional information or documents based on the information provided in the Affidavit and in the documentation provided by the resident family or any other source.

Foster Care

If a child is placed in a family/foster home by a social services agency of the New York State Department of Health, and that home is located within the boundaries of the District, the child may be admitted to the District's schools. Full tuition shall be paid in accordance with New York State Education Law, Section 3202, Subdivision 4 by the school district in which the child formerly resided (in which the child's parent or person in parental control resides).

SCHOOL ADMISSIONS**Determination of Student Residency**

Residence is established by a person's physical presence within the District and his/her intent to reside in the District. A child's residence is presumed to be that of the parents or legal guardians. Where a child's parents live apart, the child can only have one legal school district of residence.

When parents have joint custody, where the child's time is essentially divided between two households, and both parents assume responsibility for the child, the determination regarding the child's residency lies ultimately within the family.

When parents claim joint custody, but do not produce proof of the child's time being divided between both households, residency will be determined based on the child's physical presence and intent to remain within the District.

The presumption that a child resides with his/her parents or legal guardians may be rebutted upon demonstration that there has been a total and permanent transfer of custody and control over the child to another individual. The District will not acknowledge living arrangements with persons other than the student's parents or legal guardians which are made for the sole purpose of taking advantage of the District's schools.

The presumption that a child resides with his/her parents or legal guardians may also be rebutted upon demonstration that such child is an emancipated minor. To establish emancipation, a minor must submit proof of residency and complete the District's *Student Affidavit of Emancipation*.

Homeless Children

Pursuant to the McKinney-Vento New York State Education Law § 3209 (1), a homeless student, as defined in the Regulations of the New York State Commissioner of Education, may attend without payment of tuition, either the school district of origin, which the student was entitled to attend at the time the student became homeless, or the school district of current location, in which the child temporarily resides. Determinations regarding whether a child is entitled to attend the District's schools as a homeless child or youth will be made in accordance with the Commissioner's Regulation Section 100.2(x), as well as applicable District policy and regulation.

Undocumented Children

Undocumented children are entitled to attend the District's schools, provided they meet the age and residency requirements established by state law. The District shall not request or require a Social Security card or number, or any information which would tend to reveal the immigration status of the child, the parent, or the person in parental relation, in any forms, meetings or other communications, at the time of and/or as a condition of enrollment.

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Ref: Education Law §§903; 904; 3202; 3208
Public Health Law §2164
Family Court Act Section 657

Approved by the Board of Education:	01/21/10
Revision approved by the Board of Education:	08/17/17
Revision approved by the Board of Education:	12/17/20

Official mail may include original bank statements, credit card statements, income tax returns, insurance bills, medical bills, utility bills, etc.

Either an electric or gas bill is acceptable, but not both. No personal mail, "junk" mail or electronic mail shall be accepted.

*Duly certified identification filed according to law is necessary for the protection of children.