

Regulation 7120R

Students

ENTITLEMENT TO ATTEND—AGE AND RESIDENCY

General

The Superintendent will designate a school official responsible for determinations of student residency. The official will process documents related to the determination and establishment of student residency in the District pursuant to Board Policy 7120. The forms accompanying this regulation will be used in this process. These forms will be applied in support of documenting residency as well as of the parent's right to rebut the presumption that a child lives with his/her legal parents/guardians.

The procedures for determining residency will not include inquiry into a student's citizenship or immigration status or that of his/her parents/guardians. The residency official will ensure that any required documents will not unlawfully bar or discourage a student who is undocumented or whose parents are undocumented from enrolling in or attending school. The official will periodically review West Irondequoit's documents for determining residency to assure they do not have a chilling effect on the enrollment of a student who is lawfully entitled to attend.

Generally, a student is deemed to be a resident if one of the following conditions is met:

1. He/she resides in the District with his/her parent(s) or guardian(s);
2. He/she is temporarily living in a non-district residence, but his/her parents are District residents*;
3. He/she is a minor who resides with adult District residents who have formally been granted—and have accepted—full responsibility for custody, care, control, and financial support for the minor. The District residence of the minor must be his/her sole, permanent, and year-round residence, and he/she must not be residing there solely for the purpose of attending District schools;
4. He/she is an "Emancipated Minor" and his/her only residence is in the District, though he/she is not living with a parent or guardian. This residence is his/her sole, permanent and year-round residence, and he/she is not residing in the District solely for the purpose of attending District schools;
5. He/she is eighteen years of age, a resident in the District, and responsible for his/her own support;
6. He/she is a foreign student residing with District residents who have accepted responsibility for parental control. A foreign student may only be enrolled subject to the completion of an acceptance of responsibility for parental control statement filed with the Superintendent of Schools.

***Children Temporarily Lacking A Permanent Address**

Children not covered by the categories in Policy 7120, who have lost their residence within the District as a result of circumstances beyond their control and are forced to make temporary living arrangements outside the District, may continue to attend District schools. District determination of the temporary or permanent nature of residency will be made on a case-by-case basis, and will focus on the student's/student's family's intent to return to the District. Temporary absence from

residence within the District under such circumstances does not constitute the establishment of residence elsewhere or the abandonment of District residence.

Established: 03-17-11 (Replacing 7121R)

Revised: 02-26-15, 07-18-19